

*[Insert name and address of relevant licensing authority and its reference number (optional)]*

**Application for the review of a premises licence or club premises certificate under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

**I Nicola Briers**

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Jits Super Shop 21 Market Street Stalybridge Tameside	
<b>Post town</b> Stalybridge	<b>Post code (if known)</b> SK15 2AL

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Mr Jeiten Panchani
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<b>Number of premises licence or club premises certificate (if known)</b> PL0674
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**Part 2 - Applicant details**

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Please tick ✓ yes

Mr  Mrs  Miss  Ms  Other title  
(for example, Rev)

**Surname**

**First names**

**I am 18 years old or over**

Please tick ✓ yes

**Current postal  
address if  
different from  
premises  
address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address  
(optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address Nicola Briers Trading Standards Officer Tame Street Depot Tame Street Stalybridge SK15 1ST
Telephone number (if any) <b>07970 817735</b>
E-mail address (optional) nicola.briers@tameside.gov.uk

**This application to review relates to the following licensing objective(s)**

- Please tick one or more boxes ✓
- |                                         |                                     |
|-----------------------------------------|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety                        | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance    | <input type="checkbox"/>            |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

**Please state the ground(s) for review** (please read guidance note 2)

The Prevention of Crime and Disorder  
Public Safety  
The Protection of Children From Harm

**Please provide as much information as possible to support the application** (please read guidance note 3)

Tameside MBC Trading Standards Department in its capacity as a responsible authority wish to apply for the review of a premises licence under S51 of the Licensing Act 2003 for Jits Super Shop.

In late 2018 the department received several intelligence reports that the premises was selling both cigarettes and alcohol to underage children. I visited the premises on 19<sup>th</sup> September 2018, the licence holder Mr Panchani was not present at the time however I advised him of the intelligence received by telephone. He stated that the problem was due to adults coming into the premises and buying alcohol and cigarettes for underage children. I advised Mr Panchani to purchase proxy notices to warn adults about this practice and display them in the premises. At the time of the visit the person working at the premises was unable to produce the refusals book for inspection.

A meeting arranged with Mr Panchani on 13<sup>th</sup> Feb 2019 at the council officers with myself and Mike Robinson Regulatory Services Manager (Licensing) as we had the following concerns:

- Purchasing policy of alcohol for sale in the shop.
- sale of alcohol and tobacco to underage children
- At our last visit to the premises on 15th January 2019 the person working in the shop (Katie Ellis) whilst pleasant with Tameside Officers became verbally abusive towards the police officer who was assisting us with our visits.

At this meeting it was suggested that an amendment to the premises licence conditions were required. These reasonable and proportionate conditions were agreed with Mr Panchani as an alternative approach rather than carrying out a licence review. During this meeting the change in conditions were explained in full to and agreed by Mr Panchani. He was also provided with a copy of the amended conditions to take away with him.

On 6<sup>th</sup> June 2020, I received an email from Mike Robinson stating that PC Tony Lawton had witnessed a number of children outside the premises. On stopping the group of children, it was found that they had purchased alcohol from the premises. The children were taken back into the shop to return the alcohol and obtain a refund. PC Tony Lawton observed that the children clearly looked underage.

As a result of this I visited the premises with Brad Bryne Regulatory Compliance Officer on the 10<sup>th</sup> June 2020. We requested to see the CCTV for the incident but Mr Panchani was not at the premises and the person working there was unable to operate the CCTV system. This is in breach of their licence condition requiring a member of staff who is able to operate the CCTV be on the premises at all times. A proxy notice was now displayed on the premises and the refusals book was available for inspection but it had not been completed for a year.

A further visit was made on 16<sup>th</sup> June 2020 with Mr Panchani present it was found that the CCTV system recorded approx. 4 /5 days of footage and therefore we were unable to obtain CCTV footage of the underage sale incident. Again, this is in breach of the premises licence conditions requiring the CCTV to be stored for a minimum of 28 days. The refusals book was examined and recent entries were completed in the book. Guidance regarding the laws that restrict the sale of age restricted products and the steps that should be taken was printed off and given to Mr Panchani at the time of the visit. It is an offence under the Licensing Act 2003 to sell alcohol to anyone under the age of 18.

On 19<sup>th</sup> October 2020 I received information that the TMBC CCTV unit had witnessed a school boy going into the premises and purchased what appeared to be a single cigarette. I collected the CCTV footage on 20<sup>th</sup> October 2020 and viewed it at the council offices with PC Martin Thorley, District Licensing Officer and Mike Robinson. In this footage, we could see that a boy removed his school blazer and tie and went into the premises and came out with what appeared to be a single cigarette. PC Martin Thorley obtained the CCTV footage from within the premises which

showed that the boy purchased two single cigarettes. PC Martin Thorley made enquiries with Copley High School who have identified the boy as a pupil of the school and under the legal age limit to purchase cigarettes. The sale of tobacco to person under the age of 18 is an offence under the Children and Young Persons Act 1933. The sale of a single cigarette is also an offence under the Standardised Packaging of Tobacco Product Regulations 2015.

On the 5<sup>th</sup> November 2020 the department was notified of a report from West Hill High School that a pupil had been found to have fire crackers in his possession which were purchased from the premises. PC Martin Thorley visited the school and found that the items purchased are labelled as being an age-restricted product and should not be sold to anyone under the age of 18. These are in fact Class F1 fireworks – indoor fireworks. The Pyrotechnic Articles (Safety) Regulations 2015 prohibit the supply of category F1 fireworks to any person under 16.

On Saturday 21<sup>st</sup> November 2020 at approx. 14.42. Tracy Jones-Lacy a Trading Standards Officer for Tameside MBC witnessed a boy she believed to be underage smoking outside the premises. The officer recognised the boy as being the same boy captured on CCTV who purchased the single cigarettes from the premises on the 19<sup>th</sup> October 2020. In response, she entered the premises and requested a copy of the CCTV for the last hour approx. 14.00 – 1500 hours. The person working at the shop informed the officer that he was unable to get the CCTV for her and the officer had to request the CCTV from Mr Panchani via the telephone. Mr Panchani has since emailed the officer stating that to obtain the CCTV an officer must visit with a USB stick for the CCTV to be transferred directly from the hard drive.

**Please tick ✓ yes**

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

**If you have made representations before relating to the premises please state what they were and when you made them**

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature *N. Burns*  
.....

Date **23/11/2020**  
.....

Capacity **Trading Standards Officer**  
.....

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 6)	
<b>Post town</b>	<b>Post Code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	



## **Notes for Guidance**

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.