

**Meeting of: LICENSING COMMITTEE, SUB – COMMITTEE HEARING UNDER THE
LICENSING ACT 2003**

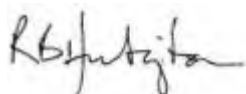
Date: 24th October 2024 **Time:** 10.00am

Venue: The Council Chamber, Futures Park, Bacup, OL13 0BB

Membership: 3 members of the Licensing Committee

Supported by: Carolyn Sharples, Committee and Member Services Manager, Tel: 01706 252422
or email CarolynSharples@rossendalebc.gov.uk

ITEM		CONTACT OFFICER
A.	BUSINESS MATTERS	<p>Carolyn Sharples, Committee and Member Services Manager, Tel: 01706 252422 or email CarolynSharples@rossendalebc.gov.uk</p>
A1.	Apologies for Absence and Notification of Substitutes	
A2.	<p>Declarations of Interest <i>Members are advised to contact the Monitoring Officer in advance of the meeting to seek advice on interest issues if necessary.</i></p> <p>Members are requested to indicate at this stage, any items on the agenda in which they intend to declare an interest. Members are reminded that, in accordance with the Local Government Act 2000 and the Council's Code of Conduct, they must declare the nature of any personal interest and, if the interest is prejudicial, withdraw from the meeting during consideration of the item.</p>	
B.	DECISIONS	<p>Susan Chadwick, Public Protection Manager, 01706 238648, susanchadwick@rossendalebc.gov.uk</p>
B1.	<p>Determination Hearing Application for a premises licence for: Ibra Superstore 34 Burnley Road Bacup OL13 8AB</p>	



Rob Huntington
Chief Executive

Date Published: 11th October 2024

* This licensing authority will only allow licensing decisions to be taken by a minimum of three councillors. In the event of one member being unable to attend, their place will be substituted by another member taken

The agenda and reports are also available for inspection on the Council's website <https://www.rossendale.gov.uk/>. Other formats are available on request. Tel 01706 217777 or contact Rosendale Borough Council, Futures Park, Bacup, OL13 0BB.

from the membership of the full Licensing Committee or a suitably trained member. In the event of this substitution taking place all parties will be informed of the change of membership at the beginning of the hearing.

The Council Chamber is located on the 464 bus route (Lee Mill bus stop). The 464 bus runs between Accrington and Rochdale, calling at stops in Haslingden, Rawtenstall, Waterfoot, Bacup and Whitworth.

Report of:	Public Protection Manager	Licence Type:	Premises Licence
Report to:	Licensing Committee	Date:	24 th October 2024
Contact Officer:	Susan Chadwick	Telephone:	01706 238 648
Email:	susanchadwick@rossendalebc.gov.uk		

PREMISES DETAILS

Name:	Ibra Superstore
Address:	34 Burnley Road, Bacup, Lancashire, OL13 8AB
Ward:	Bacup
Application:	Application for the grant of a new premises licence

1. REASON FOR REFERRAL

- 1.1 To advise members of an application for the grant of a premises licence under Section 17 of the Licensing Act 2003.

2. RECOMMENDATIONS

- 2.1 It is recommended that members determine the application in accordance with the provisions of the Licensing Act 2003.

3. LICENSING OBJECTIVES

- 3.1 Members are reminded of the Licensing objectives as follows:

- The prevention of crime and disorder;
- Public Safety;
- The prevention of public nuisance; and
- The protection of children from harm

4. THE APPLICATION

- 4.1 An application for the grant of a premises licence was received from Ibra Superstore Ltd on 29th August 2024. The application is appended at **Appendix A**.
- 4.2 The applicant is a registered private limited company under company number 14814842.
- 4.3 The Director is listed as Mr Ibrahim Mohammad.
- 4.4 The application proposes:

The sale by retail of alcohol (Off)

Between 0800 hours and 2300 hours Monday to Sunday

Hours premises are open to the public:

Between 0800 hours and 2300 hours Monday to Sunday

- 4.5 Every premises licence that authorises the sale of alcohol must specify a DPS. This will normally be the person who has been given day to day responsibility for running the premises by the premises licence holder.
- 4.6 The application proposes that the designated premises supervisor will be Mr Ibrahim Mohammad who is the holder of a personal licence issued by Rochdale Borough Council.
- 4.7 The applicant has detailed the steps they intend to take to promote the licensing objectives in the operating schedule (Section M) and these steps will be translated into conditions on the licence, if granted. This is appended at **Appendix B**.

5. BACKGROUND

- 5.1 The premises subject to this application was previously licensed under the Licensing Act 2003.
- 5.2 That licence was originally granted on 22nd August 2013.
- 5.3 On 30th January 2023, an application to review the premises licence was received from Lancashire Constabulary.
- 5.4 On 21st February 2023, an application to transfer the premises licence was submitted by Ms Ahsia Kauser.
- 5.5 The review application and transfer application were determined at the licensing sub-committee on 22nd March 2023. Members decided to refuse the transfer application and in respect of the review application, members decided to revoke the premises licence.
- 5.6 Members provided the following reasons for their decision:
- Upon hearing the information submitted by the police and Responsible Authority, it is evident that there have been a number of repeated incidents of underage sales of alcohol and vapes to children.
 - Given the number of incidents; the circumstances surrounding the incidents and the fact that the matter involves safeguarding issues relating to young vulnerable minors, the Sub-Committee considered that the seriousness of the incidents and the crimes committed against young children undermines the following Licensing Objectives:-
 1. Prevention of Crime and Disorder
 2. Protection of Children from Harm
 - They have also considered the written and oral representations submitted by all interested parties and the concerns raised therein.
 - Through the information presented by Ms Kauser and Mr Sharif, it is clear that their understanding of the Licensing Act and Guidance is inadequate and has not been complied with. It was also noted that since the incidents

took place, no additional measures have been put in place to prevent underage sales; to protect children from harm and to prevent crime and disorder.

6. RESPONSIBLE AUTHORITIES

- 6.1 There have been 2 relevant representations from the responsible authorities. The first being a representation from Lancashire Trading Standards which is appended at **Appendix C**.
- 6.2 This representation is based upon information relating to underage sales of age restricted products and complaints of that nature.
- 6.3 The second relevant representation is made on behalf of the Chief Officer of Police and is appended at **Appendix D**.
- 6.4 This representation is of the same nature as the one from Trading Standards as appended at Appendix C.

7. REPRESENTATIONS

- 7.1 There has been no representations from “other persons”.

8. OPTIONS

- 8.1 Members should always consider whether concerns raised can be overcome by the addition of conditions before refusing an application.
- 8.2 Members should consider the application, the representations and all submissions made and must take the steps below (if any) as it considers appropriate for the promotion of the licensing objectives. The steps are:

1. To grant the licence subject to:
 - a) the conditions in the operating schedule modified to such extent as the Authority considers appropriate for the promotion of the licensing objectives, and
 - b) any mandatory conditions which must be included in the licence,
2. To exclude from the scope of the licence any of the licensable activities to which the application relates,
3. To refuse to specify a person in the licence as the premises supervisor;
4. To reject the application.

9. POLICIES TO CONSIDER

- 9.1
- Rossendale Borough Council’s Statement of Licensing Policy effective 20th March 2019.
 - Guidance issued under Section 182 of the Licensing Act 2003.

10. CRIME AND DISORDER

- 10.1 Section 17(1) of the Crime and Disorder Act 1998 places a duty on the Local Authority to have due regard to the likely effect of the exercise of these functions on preventing in its area, the following;

- crime and disorder;
- misuse of drugs alcohol and other substances; and
- re-offending.

APPENDICES

Appendix A	Application Form
Appendix B	Licence Conditions
Appendix C	Representation – Lancashire Trading Standards
Appendix D	Representation – Lancashire Constabulary

**Application for a premises licence to be granted
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/We Ibra Superstore Ltd

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description 34 Burnley Road			
Post town	Bacup	Postcode	OL13 8AB

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£3450

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
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Surname		First names	
Date of birth over		I am 18 years old or	<input type="checkbox"/> Please tick yes
Nationality			
Current postal address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Ibra Superstore Ltd
Address 34 Burnley Road Bacup OL13 8AB
Registered number (where applicable) 1481482
Description of applicant (for example, partnership, company, unincorporated association etc.) Ltd Company
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
The premise is convenience store

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			Indoors <input type="checkbox"/>	Outdoors <input type="checkbox"/>	Both <input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Thur			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	08.00	23.00			
Tue	08.00	23.00			
Wed	08.00	23.00			
Thur	08.00	23.00			
Fri	08.00	23.00			
Sat	08.00	23.00			
Sun	08.00	23.00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Ibrahim Mohammad	
Date of birth [REDACTED]	
Address [REDACTED] [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) PA2923	
Issuing licensing authority (if known) Rochdale	



K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	08.00	23.00	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Tue	08.00	23.00	
Wed	08.00	23.00	
Thur	08.00	23.00	
Fri	08.00	23.00	
Sat	08.00	23.00	
Sun	08.00	23.00	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

b) The prevention of crime and disorder

The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:

- (a) all crimes reported to the venue, or by the venue to the Police
- (b) all ejections of patrons
- (c) any incidents of disorder
- (d) any faults in the CCTV system
- (e) any visit by a relevant authority or emergency service

The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to enable to verify their identity against the notice

c) Public safety

Staff will ensure that groups will not be permitted to gather outside the premise.

d) The prevention of public nuisance

Notices will be displayed asking customers to leave the premises quietly and respect neighbours. No deliveries or refuse collections will be made after 18.00 and before 08.00. Groups will not be permitted to gather in the vicinity of the property. The area to the front of the shop will be kept clear of litter at all times.

e) The protection of children from harm

A 'Challenge 25' policy shall be operated on the premises at all times. The policy must require all staff to check the identification of all persons who appear to be less than 25 years of age. The check shall be made by examining either a passport, photographic driving licence or PASS approved proof of age card. These checks must be made for every sale of this nature regardless of previous checks. Challenge 25 posters to be clearly and prominently displayed.

A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within a reasonable time of a request by an officer of a Responsible Authority.

All staff will be trained in the prevention of under age sale. Training records will be kept and made available for inspection. Regular training will be put in place.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF

THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	Geoff Dixon
Date	07/08/2024
Capacity	Agent for applicant

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) GEOFF DIXON MLT 19 ELMWOOD			
Post town	SALE	Postcode	M33 5RN
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for ‘not-for-profit’ film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the

relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official

document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-

- evidence of the applicant's own identity – such as a passport,
- evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
- evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Ibra Superstore

Appendix B

Condition 1:

A colour CCTV system will be installed in the premises and will display on any recording, the time and date of the recording and;

- The system will be operated during permitted hours authorised by the premises licence,
- The camera's shall be sufficient in number to view any area for licensable activity and any exit/entry and the area immediately outside the main entrance,
- Signs will be displayed in the premises to indicate that CCTV is in use and when dealing with incidents or unruly behaviour, staff shall indicate that CCTV is recording the incident,
- The system is kept in a working order, is checked regularly and any faults are rectified promptly,
- Images and recordings to be kept for 28 days and will be available to an Authorised Officer or Police Constable upon request and there shall be trained members of staff on site at all times that the premises is open to the public and who are able to access and operate the system,
- The recordings can be accessed and downloaded to another removable device (eg, USB stick, DVD or similar), and
- The footage must be in a format so it can be played back on a standard personal computer or standard DVD player.

Condition 2:

An incident log (which may be electronically recorded) shall be kept at the premises for at least six months from the date of last entry, and made available on request to a Police Constable or an Authorised Officer of the licensing authority. The incident log shall include the date and time of the incident, a description of the incident and details of any remedial action taken. The incident log must record all crimes reported to the venue or by the venue to the Police, all ejections of patrons, any incidents of disorder, any faults with the CCTV system, any visit by a relevant authority or emergency service and may contain any other details which the author considers to be pertinent.

Condition 3:

The designated premises supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol and shall ensure that those staff members are in possession of formal identification to enable their identity to be checked against the notice. The notice shall be made available for inspection upon request by an Authorised Officer of Rossendale Borough Council or a Police Constable.

Condition 4:

Signage in font size of 18 or larger must be conspicuously displayed at all public exits and must request that customers leave the premises and area quietly.

Condition 5:

There shall be no deliveries to the premises or refuse collections from the premises before 0800 hours on any day and/or after 1800 hours on any day.

Condition 6:

At the start of trading on each day and at the end of trading on each day, the footpath and area immediately in front of the premises shall be swept and cleared of all litter.

Condition 7:

All persons purchasing alcohol who appear to be under the age of 25 years shall be required to produce proof of age by way of the following:

- A recognised proof of age card accredited under the British Retail Consortiums Proof of Age Standards Scheme (PASS)
- Photo driving licence

- Passport

Condition 8:

Posters advertising the Check 25 scheme shall be prominently displayed at the premises including the till area where the sales of alcohol will be made.

Condition 9:

A refusals record must be maintained and kept at the premises and must detail all refusals to sell alcohol. The record must include the date and time of the incident, a description of the customers, the name of the staff member who refused the sale and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The records must be made available for inspection and copying upon request by an authorised officer of Rossendale Borough Council or Police Constable. The record must be retained for at least 6 months from the date of the last entry.

Condition 10:

Before any member of staff is authorised to sell alcohol from the premises, they must receive training in the prevention of under age sales. All staff authorised to sell alcohol from the premises must receive refresher training at least every 12 months. All training must be documented and made available upon request to an authorised officer of Rossendale Borough Council or Police Constable.

Susan Chadwick

From: Middleton, Jason <Jason.Middleton@lancashire.gov.uk>
Sent: 24 September 2024 14:28
To: Licensing Department
Cc: Marcus Asquith
Subject: Trading Standards Representation - Ibra Superstore, 34 Burnley Road, Bacup, OL13 8AB.
Attachments: Ibra Superstore representation.docx

Good afternoon Licensing

Please see the attached representation from Trading Standards which relates to the recent new premises licence application for Ibra Superstore, 34 Burnley Road, Bacup, OL13 8AB.

Can you reply acknowledging that this email has been received.

Regards

Jason Middleton

Principal Officer Alcohol and Tobacco | Trading Standards | Lancashire County Council
[REDACTED]
[REDACTED]

Email: Jason.middleton@lancashire.gov.uk

Web: www.lancashire.gov.uk/business/trading-standards

Check 25 resources: [Check 25 - Lancashire County Council](#)

Jason Middleton

Principal Officer Alcohol and Tobacco | Trading Standards | Lancashire County Council

Tel: [REDACTED]

Mobile: [REDACTED]

Email: Jason.middleton@lancashire.gov.uk

Web: www.lancashire.gov.uk/business/trading-standards

Check 25 resources: [Check 25 - Lancashire County Council](#)

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THE LICENSING ACT 2003 - REPRESENTATION FROM RESPONSIBLE AUTHORITY

LANCASHIRE COUNTY COUNCIL TRADING STANDARDS SERVICE

I am Jason Middleton, Principal Officer, employed by Lancashire County Council Trading Standards Service in the Alcohol & Tobacco team.

I have delegated authority to exercise the County Council's powers and duties under relevant Trading Standards related Acts of Parliament and in this capacity to provide written and oral representations on behalf of the Lancashire County Council Head of Service for Trading Standards.

I make this statement using facts and matters within my own knowledge. Any facts and matters that are not within my own knowledge are true to the best of my knowledge and belief.

Lancashire County Council Trading Standards Service wishes to make representations objecting to the application for a premises licence at Ibra Superstore Ltd, 34 Burnley Road, Bacup OL13 8AB, and for a proposal to make Mr Ibrahim Mohammad the Designated Premises Supervisor.

Ibra Superstore Ltd was incorporated on 19th April 2023. Since this date Lancashire Trading Standards has received 11 complaints relating to underage sales of age restricted products, and have carried out the following visits to the premises:

6th June 2023 – An inspection of the premises was carried out and 34 non-compliant vapes were seized. Ibrahim Mohammad was present. He was given advice in relation to vapes and he signed the 34 seized items over to Trading Standards for destruction.

The seized vapes breached the requirements of the Tobacco and Related Products Regulations 2016. The requirements include a 2ml limit on the quantity of nicotine-containing liquid contained in the product – all the items seized were in excess of this.

1st August 2023 – An officer from Trading Standards visited the premises and provided the owner with advice in relation to preventing underage sales. A 'Check 25 pack' was left with him, which contained guidance for staff, example training records, refusals logs, and posters which can be displayed in the shop.

16th August 2023 – Trading Standards carried out a test purchasing operation at the store and an 'Elf Bar' vape was sold to a 14-year-old by the father of the owner. The Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015 state that vapes must not be sold to anyone under the age of 18. Breaching this provision is an offence under the Children & Families Act 2014.

When officers entered the store the father of the owner was attempting to leave with a carrier bag containing 10 illegal vapes, which were seized.

The seller and Ibrahim Mohammad were invited to attend training courses in relation to age restricted products, but they did not respond to the invitations and did not turn up on the courses. These invitations were sent by letter and followed up with emails and phone calls to the contact details provided by Ibrahim Mohammad.

5th September 2023 – An inspection was carried out at the shop. No illegal goods were found, but the Trading Standards Officer noted that there were no staff training records, no refusals log and no Check 25 posters displayed.

26th March 2024 – A further test purchasing operation was carried out and an illegal 'Hayati Pro Max' vape was sold to a 13-year-old by the owner, Ibrahim Mohammad. An inspection was carried out and 11 illegal vapes were seized from behind the counter.

Mr Mohammad was interviewed in relation to this incident. He confirmed that the seized vapes were for sale in the shop. He claimed to have purchased them from 'a man in a car'. He said he was distracted on his phone at the time of the sale to the 13-year-old and as a result he did not ask for ID. He claimed not to have received the letter inviting him to training courses after the failed test purchase in August 2023.

Ibrahim Mohammad and Ibra Superstore Ltd have been summonsed to appear in Court on 9th October 2024 in relation to the offences committed on 26th March 2024.

Due to the reasons stated above, it is the opinion of Lancashire Trading Standards that the prevention of crime and disorder and the protection of children from harm licensing objectives would be undermined if the licence was granted.

I reserve the right to bring further evidence to any hearing, should any arise between now and then.

I believe the contents of this statement to be true.

Signed: 

Date: 24/09/2024

Jason Middleton (Principal Officer – Alcohol & Tobacco Team)
4th Floor Lancashire Point
County Hall
Pitt Street
Preston
PR1 0LD

Contact telephone number: 

Email address: jason.middleton@lancashire.gov.uk

Susan Chadwick

From: Dundon, Stephen <Stephen.Dundon@lancashire.police.uk>
Sent: 25 September 2024 08:56
To: Licensing Department
Cc: Jones, Michael; Barton, Sarah; Susan Chadwick
Subject: Police Representations - Premises Licence Application Ibra Superstore Limited

Good morning

With regards the Premises Licence Application dated 7th August 2024 from Ibra Superstore Limited, 34 Burnley Road, Bacup, OL13 8AB, please accept this email as representations being made by the Police in respect of this application.

The Police have serious concerns that the licensing objectives concerning the prevention of crime and disorder and the protection of children from harm would be undermined should this licence be granted.

Ibra Superstore Limited was incorporated on 19th April 2023 and the sole director is Ibrahim Mohammad, born November 2004 who gives his correspondence address as 34 Burnley Road, Bacup and his occupation is recorded as Sales Director.

Since April 2023, the police have received 8 complaints from members of the public alleging that underage children have been able to purchase nicotine vapes from the premises. These allegations include calls from concerned parents who have informed the Police that their own children have been able to purchase vapes from the store.

On 26th March 2024, the Police conducted a test purchasing operation, in conjunction with Officers from Lancashire County Council Trading Standards Department using 13 and 15 year old volunteers. During this operation a vape was sold to the children by Ibrahim Mohammad who identified himself as the sales director for the business. Further an inspection was carried out and 11 non-compliant vapes were seized from under the counter.

The most recent allegation that vapes are being sold to children was received on 24th September 2024 where the informant alleges that they have 2 children aged 12 and 14 years old and they have told their parents that this is the premises where they have been buying vapes and they have been able to do so on multiple occasions.

Given the number of complaints received and the fact that, despite the failed test purchase in March 2024, these allegations continue, the Police have no confidence that the applicant has any credible system for preventing underage sales of age restricted products, and that there is real risk that the licensing objectives of preventing crime and disorder and the prevention of children from harm would be undermined.

If you need anything else from me then let me know.

Regards

Steve



Sergeant 541 Steve Dundon

Licensing Sergeant - Burnley, Rossendale, Pendle and Ribble Valley
Burnley Police Station, Parker Lane, Burnley, BB11 2BT

t: Internal [REDACTED]

t: External [REDACTED]

m: [REDACTED]



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