

**MINUTES OF A MEETING OF THE LICENSING COMMITTEE
HELD ON 13TH JUNE 2025
AT NELSON TOWN HALL**

PRESENT –

Councillor Y. Tennant (Chair)

Councillors:

*S. Ahmed
D. Gallear
K. Salter*

Officers in attendance:

<i>N. Watson</i>	<i>Assistant Director, Planning, Building Control and Regulatory Services</i>
<i>E. Barker</i>	<i>Legal Services Manager</i>
<i>L. Rowland</i>	<i>Committee Administrator</i>

(Apologies for absence were received from Councillors M. Hanif, D. Hartley, Y. Iqbal, D. Lord and M. Stone.)



1. APPOINTMENT OF VICE-CHAIR

RESOLVED

That Councillor M. Hanif be appointed Vice-Chair of the Committee for the municipal year 2025/26.

2. DECLARATION OF INTERESTS

Members were reminded of the legal requirements concerning the declaration of interests.

3. MINUTES

RESOLVED

That the Minutes of the meeting held on 13th March 2025 be approved as a correct record and signed by the Chair.

**4. THE LICENSING ACT 2003 –
REVIEW OF A PREMISES LICENCE -
CORNER SHOP, 25-27 RUSKIN AVENUE, COLNE, LANCASHIRE, BB8 9RP**

The Assistant Director, Planning, Building Control and Regulatory Services submitted a report for Members to consider a 'Review of Premises Licence following Closure Order' application made by Pendle Borough Council Licensing. This followed a Closure Order granted by Preston Magistrates Court under Section 80 of the Anti-Social Behaviour, Crime and Policing Act 2014 following an application made by Lancashire Constabulary for the corner shop premises at 25-27 Ruskin Avenue, Colne, Lancashire, BB8 9RP. The review was required under legislation.

The Committee was also asked to consider representations made by Lancashire Constabulary under the 'Prevention of Crime and Disorder' licensing objective.

The Members and all relevant parties had received a copy of the report which included a copy of the Closure Order, the application for review and the representations received. Additional evidence from the Licence holder had been circulated prior to the meeting and was submitted for consideration.

The Licence holder Mr Safdar Mahmood attended the meeting accompanied by his son Mr Usman Mahmood and his solicitor Alias Yousaf.

Also in attendance was PC3539 Phill Needham, on behalf of PS541 Stephen Dundon who had made representations.

RESOLVED

(1) That Sajeeda Parveen, as the Designated Premises Supervisor of premises at 'Corner Shop, 25-27 Ruskin Avenue, Colne BB8 9RP' be hereby removed as the Designated Premises Supervisor (DPS).

(2) That the following conditions are also imposed:-

- The following named individuals are not to be employed at the premises, nor be permitted to enter any part of the premises at any time:

Muhammad MAHMOOD,
Asad SAAED
Abbas SAEED
Zishan MAHMOOD
Abdullah PERVEEN

The Premises Licence Holder (PLH) and DPS will ensure all staff are aware of these individuals and that positive steps are taken to ask them to leave the premises should they be found on the premises. Should any of the named individuals be found to have been on the premises at any time, the PLH will notify the Local Authority Licensing Department and local Police Licensing Team in writing and within 48 hours of the name, time and date they were on the premises.

- An incident record book shall be kept on the premises to record any notable incidents, such as a report of crime and disorder, evidence or suspicion of drug related activity and any requests made for persons to leave the premises. The log should record the date and time, the nature of the incident and the person recording it, the outcome or action taken and a police log number if appropriate. Entries should be completed as soon as possible and, in all cases, no later than the close of business on the day of the incident. The premises licence holder will endorse this incident record book at least once per calendar month and record their name, signature, time and date of this endorsement in the incident record book. The written record shall be available for inspection by a Responsible Authority Officer or Police Officer on request.
- All persons engaged in licensable activities at the premises will receive training and information in relation to the following:
 - a) The premises Challenge 25 Scheme, including the forms of identification that are acceptable.

- b) The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence.
- c) How to complete and maintain the refusal register and incident logbook in operation at the premises.
- d) Identifying vulnerability and drunkenness within customers and how to refuse service to any person who is drunk, under-age, appears to be under-age, or appears to be making a proxy purchase.
- e) Action to be taken in the event of an emergency, including reporting an incident to the emergency services.

All training shall be recorded in writing. This recording must include details of what the training consisted of (i.e. the content of the training), the date and time the training took place, the name and signature of the member of staff receiving the training & the name and signature of the person administering the training. All members of staff shall receive refresher training in relation to the above at least once per annum.

A record of this staff training must be kept at the premises and made available for inspection by the Local Authority Licensing Officer, any Police Officer or a member of staff from the Local Authority Trading Standards. In the case of on-line training: within 48 hours, in all other cases: immediately upon request.

- A register of refusals of alcohol will be maintained at the premises. This will record the date, time, nature of the challenge and outcome of the challenge and be kept in such a way that an officer inspecting will be able to view a minimum of the previous 12 months of entries. The register will be made available for inspection by the Police and an authorised officer of a Responsible Authority.
- The premises shall install, maintain, and operate a CCTV system which will be in use during all times the premises is open to the public and will comply with the following requirements:
 - a) The system will cover all internal areas of the premises, including in the non-public areas, and any external areas, including the emergency exits.
 - b) The system will cover all entrances and exits and be capable of capturing a head and shoulders image of all persons entering the premises.
 - c) The system will display the correct time and date and will be capable of time and date stamping any downloaded footage.
 - d) The system will be capable of retaining recorded images for a minimum of 56 days.
 - e) Whilst Licensable Activities are being carried out at the premises there must be a minimum of one member of staff who is conversant with the operation of the CCTV. This member of staff shall be able to access, review and provide the footage to the requesting officer in the requested format.
 - f) Any requests from the Responsible Authorities for footage from the system must be resolved within 48 hours unless agreed in writing with the requesting officer. Any requests will be handled in accordance with the requirements of current data protection legislation with regards sharing of personal data.
 - g) The premises will prominently display signage informing customers that CCTV is in operation at the premises.
 - h) An inspection of the system must take place at least once per calendar month to determine that it complies with the above, the date/time and findings of this inspection shall be held in writing at the premises and made available to the Responsible Authorities upon request.

- i) The CCTV system shall be inspected at least once per week to determine if it complies with the above. Should any faults and failures be identified the premises must notify Police and Licensing Authority within 24 hours, all faults and failures must be rectified within 72 hours. If any fault is identified, the hard drive or data storage device is to be retained for a period of 56 days.

REASON

- (a) On 20th May 2025, a Closure Order was granted in respect of the Premises.***
- (b) On 2nd June 2025 an application for a review of the premises licence was received from the Licensing Authority.***
- (c) On 6th June 2025, a formal representation to support the review application was submitted by Lancashire Constabulary.***
- (d) The burden of proof for the committee is the balance of probabilities in order to take action regarding the licence.***
- (e) Since the last review, there have been 5 entries on the police's intelligence logs relating to criminal activities at the premises with varying levels of confidence.***
- (f) The Committee accepts that most of these intelligence reports have a low level of confidence and one was after the shop had been closed and was not related directly to the Premises.***
- (g) Ms Sajeeda Parveen is the DPS, is responsible for the premises and there appears to still be a lack of control. There is still a lack of effective management at the premises. Ms Parveen is the DPS for premises in Burnley and she does not appear capable of implementing and maintaining the necessary steps to ensure the licensing objectives are being promoted at these premises.***

The matters set out in the paragraphs above have the effect of undermining the licensing objective of the Prevention of Crime and Disorder.

The Government guidance issued under section 182 of the Licensing Act 2003 dated July 2023 "the Guidance" and the Council's Statement of Licensing Policy ("The Policy") have been considered in accordance with the licensing authority's duty under section 4(3) of the Act.

Paragraphs 11.20 and 11.21 of the s182 Guidance states that in deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review. For example, licensing authorities should be alive to the possibility that the removal and replacement of the Designated Premises Supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

In these circumstances it is considered that the removal of Ms Sajeeda Parveen as the DPS, and also the addition of conditions, serves to promote the Crime Prevention objective.

In reaching its decision, the committee took into consideration the following factors:

- a. The report presented by Neil Watson for the Council;***
- b. The submissions made on behalf of the Police;***
- c. The submissions made by the Premises Licence Holder;***
- d. The provisions of the Licensing Act 2003 and the four Licensing objectives;***
- e. The Human Rights Act 1998***
- f. The Council's Statement of Licensing Policy;***
- g. The guidance issued by the Secretary of State under s182 of the Licensing Act 2003.***

Consideration has been given to all the powers available to the licensing authority under section 52(4) of the Act and concludes that the removal of Ms Sajeeda Parveen as the DPS and the addition of the above conditions is both necessary and proportionate in the circumstances.

CHAIR _____