
LICENSING SUB COMMITTEE

Tuesday, 16th June, 2026

Present: Councillor Melissa Fisher (in the Chair), Councillors Judith Addison and Stewart Eaves

Appointment of Chair

The members of the Sub-Committee agreed to appoint Councillor Melissa Fisher as Chair of the meeting.

The Chair welcomed all to the meeting.

19 Apologies for absence, Substitutions, Declarations of Interest and Dispensations

There were no apologies, substitutions, declarations of interest or dispensations declared at the meeting. In the interests of transparency, one member indicated that they had purchased some items from the premises, which was the subject of the hearing, on a limited number of occasions in the past, but that this was several years ago.

20 Minutes of the Last Meeting

The Minutes of the meetings held on 27th February and 6th March 2026 were submitted for approval as correct records.

Resolved – That the Minutes be received and approved as correct records.

21 Licensing Hearing Procedure

Members noted that the purpose of the meeting was to hold a hearing under the Licensing Act 2003 (Hearings Regulations) 2005. A procedure note on the conduct of the licensing hearing was provided.

Resolved – To approve the procedure for the conduct of the licensing hearing, as set out in the formal Procedure Note.

22 Review of Premises Licence - Nawaz Food Stores and Off Licence

The Chair summarised the purpose of the meeting which was to consider a review of a premises licence in accordance with the relevant provisions of the Licensing Act 2003.

Those persons in attendance at the meeting were invited to introduce themselves and to clarify their role. The following interested parties were present:

Applicant

Sgt Steve Dundon – Lancashire Constabulary, acting on behalf of PC 3539 Phillip Needham

Responsible Authorities

Jason N Middleton, Lancashire County Council Trading Standards
Lauren Manning, Lancashire County Council Trading Standards
Liz Wallace-Mills, Licensing Manager, Hyndburn Borough Council

Premises Licence Holder

Mr Mohammed Nawaz

Other persons in attendance included:

Mrs Karen G Hall, Senior Licensing Officer, Legal and Democratic Services
Mr Daniel Hoyle, Solicitor, Legal Services, Hyndburn Borough Council
Mr Julian Joinson, Member Services Manager
Mr Duncan Craig, attending to represent the Premises Licence Holder
Mr Asif Nawaz, attending with the Premises Licence Holder

The Chair advised that Procedure Note would be followed and the various parties would be invited to present their information, but that cross-examination would not normally be allowed unless the circumstances required it.

The Chair invited the Licensing Officer to clarify the following:

- Whether any parties not present had made representations and, if so, whether they intended to be represented
- Whether any representations had been withdrawn
- Whether any party asserted that the hearing was not necessary
- Whether any request had been made for other persons attend
- Whether any person had given notice that they were unable to attend
- Whether any party wished to provide additional documents.

A negative response was received in the case of each of the above questions, save in so far as it was noted that additional documents (a character reference about Mr Asif Nawaz and copies of personal alcohol licences for Mr Asif Nawaz and Ms Saika Parveen Nawaz) had been submitted recently in support of the representations on behalf of the Premises Licence Holder and had been circulated yesterday to the Sub-Committee.

The Chair then asked if any party wished to exclude the public from all or part of the hearing. Mr Duncan Craig informed the Sub-Committee that in view of an on-going Police investigation regarding Mr Asif Nawaz, the public and press should be excluded from that part of the hearing when oral evidence was being provided by the applicant and responsible authorities, so as not to prejudice that investigation or any subsequent actions in connection with that individual. It was noted that there were staff present from various responsible authorities for training and development purposes, who were not directly involved in the hearing. A member of the press was also in attendance.

Sgt Steve Dundon indicated that the allegations against Mr Asif Nawaz were potentially serious and that he had no objection to the hearing taking place in private. Members sought clarification about whether the public should be excluded just for the presentation of evidence by the Police. Jason Middleton indicated that the Trading Standards information was an integral part of the Police evidence and that it might also be appropriate to exclude the public during his presentation.

Accordingly, Members considered whether the public interest in excluding the public outweighed the public interest in a part of the hearing taking place in public. It was agreed that the public and press should be excluded from the hearing when both the applicant and all other responsible authorities presented their evidence, so as not to prejudice the interests of Mr Asif Nawaz.

Karen Hall then provided an introduction to the report of the licensing authority, which invited members to consider an application for the review of the premises licence relating to Nawaz Food Stores and Off Licence, 1 Edleston Street, Accrington, BB5 0HG following the submission of an application under section 51 of the Licensing Act 2003 ("the Act") by a responsible authority, namely Lancashire Constabulary.

The report set out the following information:

The premises had been first issued with a licence in September 2005.

Mr Mohammed Nawaz had nominated himself as the Designated Premises Supervisor (DPS) on the date of the licence in September 2005 and this was still the current position.

Nawaz Food Stores and Off Licence, 1, Edleston Street, Accrington, BB5 0HG was situated on a busy street in a mainly residential area. The premises benefited from the following licensable activity

- the Supply of alcohol for consumption off the premises. Monday to Saturday 0800 to 2300 hours and Sunday 1000 to 2230 hours.

A copy of the current licence was set out in the report at Appendix 1.

A review application had been submitted by Lancashire Constabulary in respect of the premises licence on 8th December 2022. A hearing had been held on 31st January 2023 and the decision had been made to revoke the licence. The licence holder had then lodged an appeal, but an agreement had been reached before a hearing had taken place, and the conditions in Annex 3 of the current licence had been added.

On 29th April 2026 an application for the review of the premises licence pursuant to section 51 of the Act had been received from Lancashire Constabulary. The ground for the review was that the licensing objectives relating to the Prevention of Crime and Disorder; Public Safety and the Protection of Children from Harm. A copy of the application for the review was included in the report at Appendix 2.

The applicant alleged that illegal tobacco and prescription medication were being sold at the premises.

On receipt of the application, the Licensing Manager had attended the premises and had undertaken a compliance check and it was recorded that there were other breaches of the licence conditions.

Advertisement

The Licensing Authority had advertised the application for review of the premises licence at Scaitcliffe House, Ormerod Street, Accrington, BB5 0PF, on the Council's website and on the premises itself in accordance with The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005.

Responsible Authorities and other persons had been invited to make representations in respect of the application for the review of the premises licence by 27th May 2026.

During the consultation period other representations had been received from Lancashire Trading Standards and the Local Authority. Copies of the representations were provided in the report at Appendix 3

Implications

The Act at section 52(2) and (3) stated that, before determining the application, the licensing authority had to hold a hearing to consider it and any relevant representations. It must, having regard to the application and any relevant representations, take such steps mentioned in section 52(4) (if any) as it considered necessary for the promotion of the licensing objectives.

The steps referred to above were:-

- a) to modify the conditions of the licence;
- b) to exclude a licensable activity from the scope of the licence;
- c) to remove the designated premises supervisor
- d) to suspend the licence for a period not exceeding three months;
- e) to revoke the licence.

Where the licensing authority took a step mentioned at a) or b) above in relation to the review, it might provide that the modification or exclusion was to have effect for only such period (not exceeding three months) as it might specify.

When making a decision the Authority had to have regard to its own Licensing Policy as well as Home Office Guidance. The latest Home Office Guidance had been issued in February 2026 and it set out the following at paragraphs 11.27 and 11.28:-

“11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

...

- for the sale or storage of smuggled tobacco and alcohol.

11.28 It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. **Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.** “

Any party to the hearing had the right of appeal to Lancashire Magistrates' Court following the determination of the review under section 52 of the Act.

The public and press were excluded from the following part of the meeting

Lancashire Constabulary Representations

Sgt Steve Dundon, confirmed that he had delegated authority to represent the Police in this matter. He reiterated the Mr Mohammed Nawaz was both Premises Licence Holder and Designated Premises Supervisor. He outlined the following matters:

- That community intelligence had been received leading to a visit along with Trading Standards;
- The types of prescription medication located in the store;
- The arrest of Mr Asif Nawaz and his search which resulted in further mediation and cash being discovered;
- The outcome of the search of the accommodation above the shop and at Mr Asif Nawaz's home;
- Mr Asif Nawaz's statement of 'no comment' when interviewed.
- That the investigation remained on-going and followed intelligence received over a number of years;
- That seizures of items from the various premises supported the allegations;
- A test purchasing incident in 2022 which had involved the serving of alcohol to a minor and the licensing conditions which had been applied following this incident; and
- Subsequent concerns raised after the additional conditions had been applied.

The sale of alcohol to underage persons and discovery of prescription medication and illegal tobacco suggested a failure of the Premises Licence Holder to adequately manage the establishment, leading to criminal activity. The alleged crimes were serious and needed to be treated as such. The DPS should have been aware of what was taking place at the shop and should have taken appropriate action. If he was aware, he was complicit and if he was not aware, there had been a failure to suitably manage the premises.

Of the five interventions permitted the Police had considered what was appropriate and proportionate. They had also had regard to the fact that their formal investigation into Mr Asif Nawaz would take some time to complete. The Police considered that:

- The application of further conditions was not appropriate given that the shop's management was unreliable and that prohibiting Mr Asif Nawaz from being employed at the shop would be ineffective;
- The removal of the DPS would not be effective given the wider concerns about other persons involved in the operation of the shop;
- Suspension of the premises licence could give extra time for the management to make improvements, but previous measures had been unsuccessful;
- Revocation of the premises licence would be appropriate and proportionate given the seriousness of the incidents reported, particularly around the sale of prescription medications.

Sgt Dundon confirmed that there was no Police investigation into Mr Mohammed Nawaz.

Trading Standards Representations

Jason Middleton presented the representations for Trading Standards and confirmed that Lancashire County Council supported the application made by the Police for a review.

He outlined that the types of illicit tobacco which Trading Standard tackled:

- Smuggled tobacco products, which were legitimate, but for which no duty was being paid;
- Counterfeit branded tobacco products; and
- Cheap Whites / Illicit Whites smuggled into the country.

The above products had detrimental effects including:

- Harmful chemicals leading to health risks for users;
- Supporting organised crime; and
- Loss of tax revenue.

Mr Middleton also provided a summary of the chronology of events from 2019 to 2026 as detailed in Appendix 3 of the report.

Trading Standards were particularly concerned about the amount medication and tobacco products found at above the shop and other locations inked to the premises.

In their view this demonstrated a catalogue of failures and non-compliance. Accordingly, Lancashire County Council supported the police application for a review.

Licensing Authority Representations

Liz Wallace-Mills reminded members of the review in 2022 and the decision to revoke the premises licence in 2023, which had resulted in the conditions set out at Annex 3 of the premises licence being added. She outlined the outcome of her visit to the shop in April 2026 to check compliance. The visit had identified numerous breaches of the licensing conditions.

A reminder letter had been sent following the visit and a follow-up visit had then been undertaken on 27th May 2026. The visit had identified on-going issues of non-compliance.

In view of the continuing failure to comply with conditions, some of which could be relatively easily achieved, Hyndburn Borough Council supported the Police application for a review of the premises licence. The licensing authority considered that:

- The application of further conditions was not appropriate given that after some 3 years the shop's management had been unable to meet those conditions satisfactorily;
- The removal of the DPS would not be an effective solution;
- Suspension of the premises licence could give extra time for the management to make improvements, but there had been no improvement over the last three years;
- Revocation of the premises licence would be proportionate given the seriousness of the incidents reported.

The public and press then returned to the meeting.

The Chair announced to the public that a number of representations had been presented. It would now be for the respondent, the Premises Licence Holder, to present his case.

Premises Licence Holder Representations

Mr Duncan Craig, on behalf of the Premises Licence Holder, acknowledged that the Police investigation into Mr Asif Nawaz would take some time. He had advised him not to answer any questions today because of the on-going investigation, but he was in attendance to apprise Mr Craig of any relevant facts. He commented that the Mr M and Mr A Nawaz ran the business jointly and were father and son. He also reminded members that the hearing today was not a criminal trial, but was a review of a licence.

The context for the purposes of the review, was that all three responsible authorities had raised some concerns that the premises displayed poor management practices and record keeping.

Mr Mohammed Nawaz had in fact run the shop since 1987, ie. almost 40 years. He had served the community for a very long time. The concerns raised in 2022 were settled sensibly. The review in 2023 was triggered by an alcohol test purchase failure. This was no longer an issue for the shop. Moreover, some five test purchases had been passed in 2019 and a further test purchase had been passed in 2024.

Overall, there had been some significant changes in the operation of the shop, with the earlier issues having now been addressed.

Notwithstanding the Police investigation, members were asked to focus their attention on the operation of the shop itself. There was no investigation into the Premises Licence Holder himself. The individuals were, as stated previously, father and son and were both present today. Mr Craig reiterated that Mr Mohammed Nawaz was the Premise Licence Holder and DPS. Mr Nawaz senior had run the shop for 39 years. If the Sub-Committee were minded to revoke his premises licence, he would still be in control of the shop business. The tobacco products found upstairs were in Mr Asif Nawaz's bedroom and Mr Mohammed Nawaz was not interviewed about this.

In respect of the alleged breaches of the conditions at Annex 3 of the premises licence, members were reminded that these conditions were agreed by mutual consent. Annex 1 dealt with mandatory conditions and Annex 2 set out the operating schedule conditions, which had been transferred into the new licensing regime under 'grandfather rights'. Three members of the family, comprising Mohammed, Asif and Saika, held Personal Alcohol Licences. It was in effect a family business.

Paragraph 1.16 of the Home Office Revised Guidance issued under section 182 of the Licensing Act 2003 (February 2026), in relation to Licence Conditions – General Principles stated, *inter alia*, that conditions:

- should be proportionate, justifiable and be capable of being met;
- must be unambiguous and clear in what they intend to achieve;

Mr Craig considered that the conditions applied at Annex 3 were not suitably clear. For example, Condition 2 might have included the words 'age verification training' with regard to the 'refresher test'.

In connection with Condition 5 it was reported that Mr Asif Nawaz could now operate the CCTV.

Mr Craig also challenged the Police assertion that Mr Mohammed Nawaz either knew that the tobacco products were present in his son's room, or should have known. Sgt Dundon clarified that this statement was in reference to the prescription medicines in the shop not the tobacco upstairs. Mr Craig confirmed that Mr Mohammed Nawaz had no knowledge of the presence of those items. He did, however, accept some responsibility for this oversight.

Mr Criag contended that revocation of the premises licence would not be a proportionate response. If the Sub-Committee was minded to take any steps, a suspension of the licence at the top end of three months limit might be more appropriate. Suspension should not be a punishment but could act as deterrent. It would send a clear message, not only to his client, but also to the wider licensing community and would give time for the necessary improvements to be put in place.

The Chair noted that clarification had been received that Mr Mohammed Nawaz was unaware of the prescription medication in the shop. She sought clarification as to his knowledge of the cigarettes found above the shop. Mr M Nawaz confirmed that he had had no knowledge of these either. Sgt Dundon clarified that the prescription medicines in the shop were behind the counter (underneath the till) and that the cigarettes were found elsewhere in the building, not in the shop.

Mr Mohammed Nawaz, spoke to indicate that he wished to work with the Police. He accepted that he might have made a mistake and that when alcohol had been sold to underage persons the girls had looked to be 18. He asserted that he was not in the business of selling of alcohol to children, and he felt that he might have been unfairly targeted.

In response to a query by the Chair about any reminders issued to Mr Mohammed Nawaz, Liz Wallace-Mills confirmed that she had made the Premise Licence Holder aware of the breaches in conditions via a letter following her visit on 29th April 2026 to place the blue notices about the review. The second visit had been carried out 28 days later. Mr Craig indicated the Mr Mohammed Nawaz had been very emotional about the situation. The Chair acknowledged that the situation in family-run businesses could often be complex.

Questions

The Chair invited members to ask any questions. No questions were raised.

The Chair then asked if the applicant or other responsible authorities had any questions. No questions were raised.

All parties were asked if they wished to sum up. Each party indicated that that they did not wish to do so.

The relevant parties were asked to leave the meeting room while members considered their decision. Mr Hoyle and Mr Joinson were present to advise upon the procedure, to refer to any notes taken and to record the decision and the reasons for that decision.

The parties returned to hear the decision of the Sub-Committee.

Mr Hoyle read out the reasons for the decision, followed by the formal decision as indicated below.

Resolved – In accordance with Section 52 of the Licensing Act 2003, and after considering the representations made by the Applicant and the Responsible Authorities, Licensing Sub-Committee resolve that the premises licence relating to Nawaz Food Stores and Off Licence should be revoked.

Note: The detailed reasons for the decision are set out in the formal Decision Notice.

Signed:.....

Date:

Chair of the meeting
At which the minutes were confirmed