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TITLE:	APPLICATION FOR REVIEW OF PREMISES LICENCE UNDER SECTION 53C OF THE LICENSING ACT 2003
TO:-	LICENSING SUB-COMMITTEE
DATE:	16th June 2026
AT:	QUEEN ELIZABETH ROOM, SCAITCLIFFE HOUSE, ACCRINGTON
BY:	SENIOR LICENSING OFFICER ON BEHALF OF THE EXECUTIVE DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is 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.

2. RECOMMENDATIONS

- 2.1 That the Committee consider the application to review the premises licence for Nawaz Food Store and Off Licence made by Lancashire Constabulary and any submissions made by the premises licence holder, and to make a determination within 5 days of the hearing.

3. INFORMATION

- 3.1 The premises was first issued with a licence in September 2005.
- 3.2 Mr Mohammed Nawaz nominated himself as the Designated Premises Supervisor (DPS) on the date of the licence in September 2005 and this is still the current position.
- 3.5 Nawaz Food Stores and Off Licence, 1, Edleston Street, Accrington, BB5 0HG is situated on a busy street in a mainly residential area. The premises benefits 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 is attached at **Appendix 1** .

- 3.6 A review application was submitted by Lancashire Constabulary in respect of the premises licence on 8th December 2022. A hearing was held on 31st January 2026 and the decision was made to revoke the licence. The licence holder lodged an appeal, but an agreement was reached before a hearing took place, and the conditions in Annex 5 of the current licence were added.
- 3.7 On 29th April 2026 an application for the review of the premises licence pursuant to section 51 of the Act was received from Lancashire Constabulary. The ground for the review is 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 review application is attached at **Appendix 2**.
- 3.8 The applicant alleges that illegal tobacco and prescription medication were being sold at the premises.
- 3.9 On receipt of the application, the Licensing Manager attended the premises and undertook a compliance check and it was recorded that there were other breaches of the licence conditions.

4.0 Advertisement

- 4.1 The Licensing Authority 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.
- 4.2 Responsible Authorities and other persons were invited to make representations in respect of the application for the review of the premises licence by 27th May 2026.
- 4.3 During the consultation period other representations were received from Lancashire Trading Standards and the Local Authority. Copies of the representations are attached at **Appendix 3**

5.0 Implications

- 5.1 The Act at section 52(2) and (3) states that, before determining the application, the licensing authority must 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 considers necessary for the promotion of the licensing objectives.
- 5.2 The steps referred to in paragraph 5.1 above are:-
- 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.

5.3 Where the licensing authority takes a step mentioned at a) or b) in paragraph 5.2 above in relation to the review, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

5.4 When making a decision the Authority must have regard to its own Licensing Policy as well as Home Office Guidance. The latest Home Office Guidance was issued in December 2022 and it sets 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.**

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

For further information on the details of this report, please contact:

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