

DECISION NOTICE - LICENSING ACT 2003 SUB-COMMITTEE

REVIEW OF THE PREMISES LICENCE – INTERNATIONAL SHOP – 9 FITZWILLIAM STREET, PETERBOROUGH, PE1 2RU

18 December 2015

The Sub Committee considered the representations made in writing in support of the review by:

- Cambridgeshire Police;
- Trading Standards; and
- The premises licence holder was not in attendance and was not represented.

The Sub Committee considered and listened to the following points raised:

- The premises was entered under warrant on 13th October 2015. Some 15,040 cigarettes were found hidden in two places along with 3.9kg of hand rolling tobacco;
- The tobacco products were foreign imported products that did not comply with UK labelling regulations and HM Revenue & Customs duty had not been paid;
- On 21st October, the premises were once again searched by police officers. A further 1,560 cigarettes and 350g hand rolling tobacco was found. These products also proved to be illicit; and
- The premises licence holder is held in custody for serious drug related offences and is expected to be put on trial on 4th April 2016.

The Government Guidance issued under section 182 of the Licensing Act 2003 at paragraph 11.27 states that '*There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously*'. This includes the sale and storage of smuggled tobacco.

The Guidance further states that '*It is envisaged that licensing authorities, the police 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 license – even in the first instance – should be seriously considered*'.

The licensing Sub Committee believes that given the circumstances surrounding this review and the seriousness of the allegations associated with the premises, and the quantity of tobacco seized in two visits, just days apart, lead the Sub Committee to believe that no other available remedy would suffice in order to uphold the licensing objective of the prevention of crime and disorder other than revocation.

The Committee considered such steps appropriate for the promotion of the licensing objectives. The steps were –

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

and for this purpose the conditions of the licence were modified if any of them is altered or omitted or any new condition was added

The Sub Committee therefore revoke the premises licence in its entirety for the premises, known as International Shop – 9 Fitzwilliam Street, Peterborough, PE1 2RU.

Any party in objection to the decision may appeal to the Peterborough Magistrates Court within 21 days of receiving this formal notice at:

Peterborough Court House, Bridge Street, Peterborough, PE1 1ED. Tel No. 0845 3100575.
There is a fee to pay.

Councillor Thacker MBE

Sub-Committee Chairman