

## LICENSING ACT 2003 SUB-COMMITTEE

FRIDAY 18 DECEMBER 2015

1.30 PM

Forli Room - Town Hall

### AGENDA

Page No

1. **Apologies for Absence**
2. **Declarations of Interest**

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification " that has been disclosed to the Solicitor to the Council.

3. **Application for a Premises Licence Review - International Shop, 9 Fitzwilliam Street** 3 - 30



There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Gemma George on 01733 452460 as soon as possible.

#### Emergency Evacuation Procedure – Outside Normal Office Hours

*In the event of the fire alarm sounding all persons should vacate the building by way of the nearest escape route and proceed directly to the assembly point in front of the Cathedral. The duty Beadle will assume overall control during any evacuation, however in the unlikely event the Beadle is unavailable, this responsibility will be assumed by the Committee Chair.*

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<http://democracy.peterborough.gov.uk/documents/s21850/Protocol%20on%20the%20use%20of%20Recording.pdf>

Committee Members:

Councillors: P Thacker (Chairman), Coles and S Martin

Further information about this meeting can be obtained from Karen S Dunleavy on telephone 452233 or by email – [karen.dunleavy@peterborough.gov.uk](mailto:karen.dunleavy@peterborough.gov.uk)

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<b>LICENSING ACT 2003 SUB COMMITTEE</b>		AGENDA ITEM No 3
<b>18 DECEMBER 2015</b>		<b>PUBLIC REPORT</b>
Contact Officers:	Gary Wright, Market Development Manager Darren Dolby, Licensing Regulatory Officer	Tel. 452281 Tel. 453540

**APPLICATION:** Review of Premises Licence

**PREMISES:** International Shop – 9 Fitzwilliam Street, Peterborough, PE1 2RU

**REFERENCE NUMBER:** MAU : 072295

**GLOSSARY OF TERMS:** Attached at **Appendix A** on **Page 6**

**1. PURPOSE OF REPORT**

1.1 To consider and determine an application for the review of a Premises Licence under Section 51 of the Licensing Act 2003 served by Cambridgeshire Constabulary in relation to the above premises and taking into account the representation in support of the review made by Trading Standards as a Responsible Authority. The review was bought under the Prevention of Crime and Disorder objective.

**2. BACKGROUND INFORMATION**

2.1 A conversion application (Grandfather rights) of a Justices Restaurant Licence was made by Mr I Ahmed and granted in September 2005. The licence was transferred to Mr S Paudel in January 2007 and subsequently surrendered in November 2008. In January 2009 a new premises licence application for Late Night Refreshment was applied for by Mr A Azeizm and was granted in February 2009. This licence was transferred to Mr F Sharif and surrendered in September 2011. In June 2014 an application for an ‘off licence’ was submitted by Mr Omar. After mediation the application was granted in July 2014.

2.2 A copy of the current licence is attached at **Appendix C Page 17.**

**3. APPLICATION**

3.1 In accordance with section 51 of the Licensing Act 2003 following the submission of an application to review the premises licence from Cambridgeshire Constabulary, a Responsible Authority, the licensing authority must hold a hearing.

3.2 A copy of the application to review was received on 27 October 2015, a copy of this application is attached at **Appendix B – Page 9.**

3.3 A statutory ‘Notice’ was displayed on the premises in accordance with Part 5 no. 38 of Statutory Instruments 2005 No. 42 – The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005.

3.4 A representation in support of the review was received from Trading Standards as a Responsible Authority. No other representations have been received from any of the remaining Responsible Authorities or other persons. Copies of these representations are attached at **Appendix D Page 29**.

#### **4. SUMMARY OF ISSUES RAISED BY RESPONSIBLE AUTHORITIES**

- Illicit tobacco and cigarettes found hidden in the premises on two separate occasions within a short time period.
- Section 11.28 of Guidance (issued under section 182 of the Licensing Act 2003) recommends that revocation of the licence even in the first instance, should be seriously considered where reviews arise and the licensing authority determines, that the crime prevention objective is being undermined through the premises being used to further crimes.
- Impact on Public Safety as the illicit cigarettes breach EU Standards which is an offence under UK regulations requiring traders to supply safe goods.
- The distribution and sale of illicit goods is linked to serious and organised crime

#### **5. POLICY & GUIDANCE IMPLICATIONS**

5.1 The following sections/paragraphs are applicable to this application:

##### **5.2 Council's Statement of Licensing Policy**

- Objectives: *section 4 on Page 5*
- Other Legislation : *section 7 page 7*
- Reviews: *section 16 on Page 15 and 16*
- Delegation / Decision Making / Administration: *Section 17 page 16 and 17*

##### **5.3 Guidance Issued under Section 182 of the Licensing Act 2003 (March 2015)**

- Reviews: *Section 11 pages 75 to 80*
- Determining applications: *Section 9 pages 55 to 62*

#### **6. LEGAL OFFICER'S COMMENTS**

6.1 The Licensing Authority (hereafter referred to as "the Council) is charged with implementing the provisions of the Licensing Act 2003. This is an application for a review of a premises licence following the application by Trading Standards (Responsible Authority) to review the premises licence made under section 51 of the Licensing Act 2003.

6.2 In this case, the application was received at these offices on 27 October 2015.

6.3 The application before this committee will consider –

- (i) The application to review the licence,
- (ii) Any relevant representations

6.4 The committee will take such of the steps as it considers that action is appropriate for the promotion of the licensing objectives. The steps are –

- (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 are modified if any of them is altered or omitted or any new condition is added

6.5 In addition the guidance issued under section 182 of the Licensing Act 2003 states:

‘The licensing authority may decide that the review does not require it to take any further steps appropriate to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder. However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to concerns, licensing authorities should not merely repeat that approach and should take this in to account when considering what further action is appropriate.’

## LICENSING ACT 2003 GLOSSARY OF TERMS

Note: In this document, the following definitions are included to provide an explanation of certain terms included in the Act. In some cases they are an abbreviation of what is stated in the Licensing Act 2003 or an interpretation of those terms. For a full definition of the terms used, the reader must refer to the Licensing Act 2003.

### **‘Child’**

(a) means an individual aged under 16

(b) a child is unaccompanied if he is not in the company of an individual aged 18 years or over

**DCMS:** Department for Culture Media and Sport

**‘Designated Premises Supervisor’** means the person (who must be a Personal Licence Holder), in the case of premises selling alcohol, who will normally have been given the day to day responsibility for running the premises by the holder of the Premises Licence or will be the Premises Licence holder.

### **‘Other Persons’:**

- persons who live, or are involved in a business, in the relevant licensing Authorities area and who are likely to be affected by the application and are not a Responsible Authority.

**‘Late Night Refreshment’** means the supply of hot food or hot drink to members of the public (whether for consumption on or off the premises) between the hours of 11.00 pm and 5.00 am.

**‘Licensable Activities’** means: -

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of Regulated Entertainment
- The provision of Late Night Refreshment

**‘Licensing Authority’:** - is the licensing function of Peterborough City Council

**‘Licensed Premises’ includes club premises and events unless the context otherwise requires.**

### **‘Licensing Objectives’**

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

**‘Operating Schedule’** means a document containing a statement of the following matters (and any others that may be prescribed): -

- The relevant Licensable Activities
- The times at which the Licensable Activities are to take place and any other times when premises are open to the public
- Information regarding the person who will be specified in the Premises Licence as the Premises Supervisor
- Where the Licensable Activities involve the supply of alcohol, whether it is for the supply on and/or off the premises
- The steps being taken to promote the Licensing Objectives

**‘Challenge 25’** means that a retailer will ask for proof of identification if they have reason to believe that the person making a purchase of alcohol is under the age of 25.

**‘Rateable Value’**: as regards a premises, is the value for the time being in force for the premises entered in the local non-domestic rating list for the purposes of Part III of the Local Government Finance Act 1988(b).

**‘Regulated Entertainment’** (Schedule 1 of the Act) means: -

- A performance of a play
- An exhibition of a film
- An indoor sporting event
- A boxing or wrestling entertainment
- A performance of live music
- Any playing of recorded music
- A performance of dance

Except where there is an exemption under the Live Music Act 2012 or Statutory Instrument 2013 No. 1578 The Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013.

Or entertainment of a similar description falling within the last three of the categories listed above, where the entertainment takes place in the presence of and for the purposes of entertaining that audience or spectators.

**‘Relevant Licensing Authority’**: is the Authority in the area the premises are situated.

**‘Responsible Authority’** means any of the following: -

- Cambridgeshire Constabulary (The Chief Officer of Police)
- Cambridgeshire Fire and Rescue (The Fire Authority)
- Health and Safety Team, Peterborough City Council
- Planning authority, Peterborough City Council
- Trading Standards, Peterborough City Council
- Environmental Health – Pollution, Peterborough City Council
- Children’s Services – Child Protection & Review Manager
- Primary Care Trust or Local Health Board (Director of Public Health)
- The Relevant Licensing Authority, Peterborough City Council
- Maritime & Coastguard Agency, Walton on Naze. (For vessels carrying more than 12 passengers.)
- Environment Agency, Peterborough (For vessels carrying 12 or less passengers).

**‘Supply of alcohol’**:

- the sale by retail of alcohol, or
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.

**‘Temporary Event Notice’** means a Permitted Temporary Activity involving one or more Licensable Activities subject to the following various conditions and limitations: -

- Duration – they are limited to events lasting for up to 168 hours (7 days);
- Scale – they cannot involve the presence of more than 499 people at any one time;
- Use of the same premises – the same premises cannot be used on more than 12 occasions in a calendar year, but are subject to the overall aggregate of 21 days irrespective of the number of occasions on which they have been used; and
- The number of notices given by an individual within a given period of time – a Personal Licence Holder is limited to 50 notices in one year and another person to 5 notices in a similar period.

(In any other circumstances, a full Premises Licence or Club Premises Certificate will be required for the period of the event).

**'the Act'**: means the Licensing Act 2003



**Peterborough City Council, Licensing Section, Town Hall  
Bridge Street, Peterborough, PE1 1FA**

**Application for the review of a premises licence or club premises  
certificate 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, Alec Wood, Chief Constable of Cambridgeshire Constabulary apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or club premises, or if none, ordnance survey map reference or description</b>	
International Shop 9 Fitzwilliam Street	
<b>Post town</b> PETERBOROUGH	<b>Post code (if known)</b> PE1 2RU

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>
Mr Rebwar Sulaiman Omar, [REDACTED]

<b>Number of premises licence or club premises certificate (if known)</b>
069611

## Part 2 - Applicant details

Please tick ✓ yes

I am

- |    |   |                                     |
|----|---|-------------------------------------|
| 1) | an interested party (please complete (A) or (B) below)                                | <input type="checkbox"/>            |
| a) | a person living in the vicinity of the premises                                       | <input type="checkbox"/>            |
| b) | a body representing persons living in the vicinity of the premises                    | <input type="checkbox"/>            |
| c) | a person involved in business in the vicinity of the premises                         | <input type="checkbox"/>            |
| d) | a body representing persons involved in business in the vicinity of the premises      | <input type="checkbox"/>            |
| 2) | a responsible authority (please complete (C) below)                                   | <input checked="" type="checkbox"/> |
| 3) | a member of the club to which this application relates<br>(please complete (A) below) | <input type="checkbox"/>            |

### (A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr  Mrs  Miss  Ms  Other title   
(for example, Rev)

**Surname**

**First names**

I am 18 years old or over

Please tick ✓ yes

**Current address**

**Post Town**

**Postcode**

**Daytime contact telephone number**

**E-mail address  
(optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address
Telephone number (if any)
E-mail (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address Cambridgeshire Constabulary Hinchingsbrooke Park Huntingdon Cambridgeshire PE29 6NP
Telephone number (if any) [REDACTED]
E-mail (optional) [REDACTED]

**This application to review relates to the following licensing objective(s)**

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

<p><b>Please state the ground(s) for review</b> (please read guidance note1)</p> <p>This application to review the premises license is based on evidence which shows breaches to the licensing objective of:</p> <ul style="list-style-type: none"><li>• Crime &amp; Disorder – the premises is being used for the storage and sale of smuggled cigarettes and tobacco.</li></ul>
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**Please provide as much information as possible to support the application** (please read guidance note 2)

Re: License Review – International Shop, 9 Fitzwilliam Street, Peterborough.

'International Supermarket' 9 Fitzwilliam Street, Peterborough is an 'Off license' / convenience store operating under a premises license (PL No: 069611) issued by Peterborough City Council (PCC). The premises license was issued in July 2014.

The Premises License Holder (PLH) is Mr Rebwar Sulaiman Omar of [REDACTED]. The Designated Premises Supervisor (DPS) is Mr. Aso Hassan Ali [REDACTED]. Mr. Ali holds an Alcohol Personal License issued by Peterborough City Council (APLH No: 059232). The premises license allows the sale of alcohol between 09:30hrs and 22:00hrs Monday to Sunday and is open from 08:00hrs to 22:30hrs Monday to Sunday.

***This review is in relation to the known storage and sale of illicit smuggled cigarettes and tobacco.***

The PLH – Omar – has recently been arrested by Cambridgeshire Police and charged [REDACTED]. A trial date has been set for 04<sup>th</sup> April 2016 [REDACTED]. Three other co-conspirators are on remand along with OMAR – two of which have been disclosed as employees at 9 Fitzwilliam Street.

As a result of the Police investigation into this serious crime a power from the Justice of the Peace was secured (Section 8 PACE Warrant) to enter and search 9 Fitzwilliam Street. The premises was entered on Tuesday 13<sup>th</sup> October 2015. Two 'hides' were found within a tiled passageway between the shop and the store room (both inside the shop). Officers found 15,040 cigarettes and 3.9Kg of hand rolling tobacco. All these items were illicit foreign labelled cigarettes and were seized as officers believed they were all 'non-duty' paid items.

*OMAR stated during the Police interview that he had hidden compartments within the shop. He stored illegal tobacco within and sold it knowing it to be illegal.*

On Wednesday 21<sup>st</sup> October 2015 PC1572 Robinson, the Police Licensing Officer for Peterborough District, along with Trading Standards Officer, Karen Woods, entered the premises to ensure the premises was carrying out licensed activities in accordance with its premises license (S.179 LA2003). During the inspection it was established that the CCTV was not working – which was required as part of the Operating Schedule. It was later established that the CCTV had been seized by Police in connection with the investigation. PC Robinson carried out a search in accordance with S.180 LA2003. A black bin bag was found on a shelf under the till, and behind the counter where the shop keeper would stand. This bin bag, with its opening folded back to aid access, contained numerous items of foreign labelled cigarettes and hand rolling tobacco.

The shop keeper at the time was a female Romanian national, who was identified and established as living in a flat above the shop.

The Licensing objective of "Prevent Crime and Disorder" is not being upheld by the PLH, DPS or employees from the International Shop at 9 Fitzwilliam Street.

Cambridgeshire Constabulary take a very serious view on the sale of illicit and/or counterfeit goods. This is a serious breach of the licencing objective to "Prevent Crime and Disorder" and in my opinion does not "Promote Public Safety". Such crime has a detrimental effect upon the immediate and wider communities of Peterborough and can be harmful to unwitting customers including children. Foreign cigarettes and hand rolling tobacco are not subject to the strict regulation and control measures that would benefit UK authorised sale items and in most cases have not had UK duty paid on them. Distribution and sale of illicit / counterfeit cigarettes is linked to serious and organised crime and nationally is a drain on the economy.

Section 182 Guidance - Licensing Act 2003 Para 11.27 states –

*"There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously".*

This includes amongst other criminal activity –

*"The sale or storage of smuggled tobacco and alcohol".*

Para 11.28 states –

*"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 licence – even in the first instance – should be seriously considered".*

Cambridgeshire Constabulary recommend the Premises License is revoked with immediate effect

Please tick

Have you made an application for review relating to this premises before

No

If yes please state the date of that application

Day      Month      Year

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**Suggested Recommendation:**

Cambridgeshire Constabulary recommend that the premises license for International Shop, 9 Fitzwilliam Street, Peterborough (PL 069611) is revoked with immediate effect.

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 3)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (please read guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature: [REDACTED]

Date: 26<sup>th</sup> October 2015 .....

Capacity: Police Licensing Officer, Northern District, Cambridgeshire Constabulary.

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 5)	
<b>Post town</b>	<b>Post code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	

**Notes for Guidance**

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.

4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

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**PART A****Premises Licence**

Peterborough City Council, Governance Directorate,  
Bayard Place, Broadway, Peterborough, PE1 1HZ

Premises Licence Number

069611

**Part 1 - Premises Details****Postal address of premises, or if none, ordnance survey map reference or description**

International Shop  
9 Fitzwilliam Street

Post Town Peterborough

Post Code PE1 2RU

Telephone Number

**Where the licence is time limited the dates**

Start Date N/A  
End Date N/A

**Licensable activities authorised by the licence****Sale by retail of alcohol**

The supply of alcohol will be for consumption off the premises.

**The times the licence authorises the carrying out of licensable activities****Sale by Retail of Alcohol**

Monday to Sunday Between 09.30hrs and 22.00hrs

**The opening hours of the premises**

Monday to Sunday Between 08.00hrs and 22.30hrs

**Where the licence authorises supplies of alcohol whether these are on and / or off supplies**

The supply of alcohol will be for consumption off the premises.

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Rebwar Sulaiman Omar



**Telephone:** [Redacted]

**Registered number of holder, for example company number, charity number (where applicable)**

N/A

**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol**

Mr Aso Hassan Ali  
21 Dunstan Court  
Eastfield  
Peterborough  
PE1 5JF

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Licence Number	059232
Issuing Authority	Peterborough City Council

## **Annex 1 - Mandatory conditions**

Licensees should note that the under enclosed Mandatory conditions should be read in conjunction with the granted licence and these conditions shall be enforceable where relevant to the operation of the premise and its activities.

### **Exhibition of films**

This registration authorises the exhibition of films subject to the following conditions:

1. I will not exhibit any film unless –
  - (a) it has received a "U", "PG", "12", "12A", "15" or "18" certificate from the British Board of Film Classification; or
  - (b) it is a current newsreel which has not been submitted to the British Board of Film Classification.
2. Where films are classified by the film classification body, (British Board of Film Classification) I will make sure that children (persons under 18) are only admitted in accordance with the classification of the film:  
  
U – Universal – suitable for audiences aged 4 years and over;  
PG – Parental Guidance – some scenes may be unsuitable for young children;  
12 – viewing by persons aged 12 years and over;  
12A – viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult;  
15 – viewing by persons aged 15 years and over;  
18 – viewing by persons aged 18 years and over.
3. Where the Licensing Authority has made a recommendation on the restriction of admission of children to a film, I will make sure that notices are displayed both inside and outside the premises so that persons are aware of the classification.

### **Supply of alcohol (Premises Licence)**

This registration authorises the supply of alcohol subject to the following conditions:

4. No supply of alcohol may be made at a time when
  - (a) there is no designated premises supervisor in respect of the premises licence, or
  - (b) when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
5. Every supply of alcohol under the premises licence must be made or

authorised by a person who holds a personal licence.

6. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

An irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

Games or other activities which require or encourage, or are designed to require or encourage, individuals to—

Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

Drink as much alcohol as possible (whether within a time limit or otherwise);

Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

Provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—

The outcome of a race, competition or other event or process, or

The likelihood of anything occurring or not occurring;

Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

7. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

8. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

9. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol,

identification bearing their photograph, date of birth and a holographic mark

10. The responsible person shall ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) customers are made aware of the availability of these measures.
11. 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a);
  - (b) “permitted price” is the price found by applying the formula—
$$P = D + (D \times V)$$
where—
    - (i) P is the permitted price,
    - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(b).
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that subparagraph shall be taken

to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4.—(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### **Door Supervision (where supervisors are engaged this condition applies)**

12. All door supervisors will be Security Industry Authority registered.

## **Annex 2 - Conditions consistent with the Operating Schedule**

### **Crime and Disorder**

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions in particular facial recognition. Cameras shall encompass all entrances and exits to the premises, fire exits and all area where the sale / supply of alcohol occurs. A camera will be positioned outside the premises covering the shop frontage.
2. CCTV equipment must be maintained in good working order, be correctly time and date stamped. Recordings must be kept in date order, numbered sequentially and kept for a period of 28 days.
3. The Premises License Holder must ensure at all times a Designated Premises Supervisor or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format and hand this footage over to the Police / Local Authority on demand.
4. The recording equipment and discs / usb pen drives shall be kept in a secure environment under the control of the DPS or other responsible named individual.
5. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings of the system actions taken are to be recorded.
6. In the event of a technical failure of the CCTV equipment the Premises License Holder / Designated Premises Supervisor must report the failure to the Police or local authority immediately.
7. Notices advising that CCTV has been installed on the premises shall be posted so that they are clearly visible to the public within the licensed premises.
8. The Designated Premises Supervisor or nominated employee shall participate in the Pubwatch / NightSafe scheme.
9. Staff training in relation to identifying and preventing sales of alcohol to any person who is, or appears to be drunk should be undertaken on a monthly basis. This training, together with ongoing training to prevent underage sales (Challenge 25) should be recorded in a written format and be available to an authorised officer upon demand.
10. A Personal License Holder (APLH) will be on the premises at all times the sale by retail of alcohol takes place.
11. No Beer, Lager or Cider above 6.5% Abv (alcohol content) will be offered for sale in the premises.
12. No alcoholic drinks will be purchased by the store owners or staff from sellers calling at the store.
13. All invoices (originals or copies) for all alcoholic goods for retail sale on the premises will be kept at the shop and made available to Police, Council and HMRC Officers upon request.
14. A strict stock control system will be introduced so that the licensee can quickly identify where and when alcoholic drinks have been purchased.
15. An ultra-violet light will be available at the premises for the purpose of checking the UK

Duty Stamp on all spirits as soon as practical after they have been purchased.

16. If any spirits bought by the company have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to Trading Standards department and HMRC as soon as possible

### **Public Safety**

17. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
18. Valid Public liability Insurance shall be kept in force and a copy of the schedule shall be available for inspection by an authorised officer on request.
19. No person will be allowed to enter or leave the premises with an open vessel of alcohol and the licensee will actively discourage and prevent anyone congregating or drinking outside the premises.

### **Public Nuisance**

20. Arrangements should be in place to ensure that waste collection contractors do not collect refuse from the site at time that will cause disturbance to nearby properties.
21. An adequate number of suitable (lidded) receptacles shall be provided to receive and store refuse from the premises/site

### **Protection of Children from Harm**

22. Signage will be prominently placed within the premises advertising the fact that the premises operates the 'Challenge 25' initiative.
23. Any person selling or supplying alcoholic drink under the authority of a personal licence holder must ask for a photo ID proof of age where they have reason to believe that the individual may be less than 21 years of age.
24. A refusal log will be accurately maintained on every refusal made in relation to the attempted purchase of alcohol by a juvenile or intoxicated person.

**Annex 3 - Conditions attached after a hearing by the licensing authority**

**Annex 4 – Plans**

**PART B**

**Premises licence summary**

Peterborough City Council, Governance Directorate,  
Bayard Place, Broadway, Peterborough, PE1 1HZ

**Premises Licence Number**

069611

**Premises Details**

**Postal address of premises, or if none, ordnance survey map reference or description**

International Shop  
9 Fitzwilliam Street

**Post Town** Peterborough

**Post Code** PE1 2RU

**Telephone Number**

**Where the licence is time limited the dates**

Start Date N/A  
End Date N/A

**Licensable activities authorised by the licence**

**Sale by retail of alcohol**

The supply of alcohol will be for consumption off the premises.

**The times the licence authorises the carrying out of licensable activities**

**Sale by Retail of Alcohol**

Monday to Sunday Between 09.30hrs and 22.00hrs

**The opening hours of the premises**

Monday to Sunday Between 08.00hrs and 22.30hrs

**Where the licence authorises supplies of alcohol whether these are on and/ or off supplies**

The supply of alcohol will be for consumption off the premises.

**Name, (registered) address of holder of premises licence**

Rebwar Sulaiman Omar  
35 Pendleton  
Ravensthorpe  
Peterborough

**Registered number of holder, for example company number, charity number (where applicable)**

N/A

**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Mr Aso Hassan Ali

**State whether access to the premises by children is restricted or prohibited**

Restricted

**TRADING STANDARDS REPRESENTATION**

International Shop – 9 Fitzwilliam Street, Peterborough PE1 2RU

On the 27<sup>th</sup> October 2015, Trading Standards received notification from Peterborough City Council Licensing team an application to review the premises licence of International Shop, 9 Fitzwilliam Street, Peterborough.

The premises licence (069611) is held by Mr Rebwar Sulaiman OMAR [REDACTED]  
[REDACTED]

The review application by Cambridgeshire Constabulary refers to incidents concerning the sale and supply of illicit tobacco and the conspiracy to supply class A drugs.

On the 13<sup>th</sup> October 2015, Trading Standards assisted with the search and seizure of 15040 cigarettes (752 packets) and 3.9kg of hand rolling tobacco (79 pouches). These 13 brands were found in hidden concealments within the shop. Trading Standards confirmed that the foreign labelled cigarettes did not comply with labelling requirements and the hand rolling tobacco was suspected to be counterfeit therefore these products were seized.

On the 21<sup>st</sup> October 2015, Trading Standards revisited the shop with PC Robinson. A further 1560 cigarettes (78 packets) and 350g (7 pouches) of hand rolling tobacco were found under the counter. These tobacco products were seized by Trading Standards and the paperwork was left with the designated premises supervisor Mr Aso Hassan ALI.

Under the Guidelines as set out by section 182 of the Licensing Act 2003 (paragraph 11.27) Trading Standards take a serious view on the sale of illicit and counterfeit tobacco and do not feel that the business is upholding the licensing objective of preventing crime and disorder.

We fully support Cambridgeshire Constabulary and their recommendations for the full revocation of the licence.

Karen Woods  
Regulatory Officer - Trading Standards  
Business Regulation  
Peterborough City Council  
Town Hall, Bridge Street  
Peterborough  
PE1 1HG

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