

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.

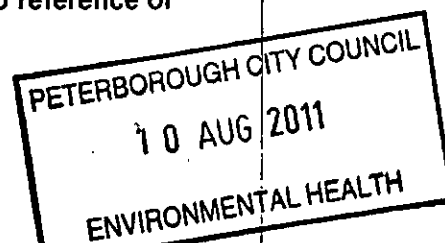
I Karen Woods

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Yummy Fish & Chips 106 Dogsthorpe Road	
Post town Peterborough	Post code (if known) PE1 3AL



Name of premises licence holder or club holding club premises certificate (if known) Mr Warren Wong

Number of premises licence or club premises certificate (if known) 058716

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises

- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

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

Please tick

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

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Karen Woods Peterborough City Council Trading Standards Department Bridge House Town Bridge Peterborough PE1 1HU
Telephone number (if any) 01733 453407
E-mail address (optional) karen.woods@peterborough.gov.uk

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

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

<p>Please state the ground(s) for review (please read guidance note 1)</p> <p>Trading Standards are requesting a review of the premises licence for Yummy Fish & Chips under the prevention of crime and disorder following a joint operation by Trading Standards, HM Revenue & Customs (HMRC) and Cambridgeshire Police to clamp down on the illicit tobacco and alcohol trade.</p>
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Please provide as much information as possible to support the application
(please read guidance note 2)

On 20th April 2011 a joint initiative by Trading Standards, HM Revenue & Customs and Cambridgeshire Police was carried out to clamp down on the illicit tobacco and alcohol trade.

HMRC Officers seized a total of 237 litres Wine , 75.55 litres Spirits (2 Litres of 5 Lakes Vodka, 9.1 Litres Sambuca, 23.1 Litres Perfekta Vodka, 2.1 Litres Nicolaj Vodka, 11.2 Litres Aros Vodka, 14 Litres Kirova Vodka, 1.75 litres High Commissioner Whisky , 1.4 litres Napoleon Brandy, 1.4 litres Luxor Brandy , 9.5 Litres Smirnoff Vodka) and 573 Litres of Beer, from owners Mr and Mrs Warren Wong as liable to forfeiture by virtue of the Customs & Excise Acts.

A further 3800 Premier King Size Blue Cigarettes and 2.5 kilos Hand Rolling Tobacco (2 Kilos Samson and 0.5 Kilos Amber Leaf) were seized from shop worker Angela Gilbride.
as liable to forfeiture by virtue of the Customs & Excise Acts.

They were satisfied that due to the proprietors inability to produce invoices or receipts to prove duty payment, that United Kingdom Excise Duty had not been paid on said goods.

The revenue due on the seized goods is £ 1832.43 and £ 1468.01
Total £ 3300.44
The goods were seized in accordance with section 139 of Customs & Excise Management Act 1979.

No notice of claim against the forfeiture was received within the statutory time limit therefore the Spirits, Wine, Beer, Cigarettes and Tobacco are condemned as forfeited in accordance with paragraph 5 of schedule 3 to the above legislation.

A Witness statement from HMRC is attached as APPENDIX 1 to this review.
Recommendations;

A revocation of the alcohol licence.

Reasons for the above recommendation;

Trading Standards as a responsible authority recommends revocation due to the seriousness of the illicit trade.

This is supported by guidance issued under section 182 of the Licensing Act 2003 11.26 There is a certain criminal activity that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously.

One of them being;
- for the sale of smuggled tobacco and alcohol.

Guidance 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 in 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.

Please tick yes

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

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to this premises please state what they were and when you made them

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 (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature

.....

Date

10th August 2011

Capacity

REGULATORY OFFICER - TRADING STANDARDS

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

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.

WITNESS STATEMENT**ENGLAND AND WALES ONLY**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.27, CP Rules Part 27.1)

Statement of:

Age if under 18:

(If over 18 insert 'over 18')

Occupation: H M Revenue and Customs

This statement (consisting of _____ page(s) each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature:

Date: 04th August 2011

I am an Officer of H M Revenue & Customs based in Haven House, Ipswich, Suffolk, IP4 1DN. In my role as a Law Enforcement Coordinator my duties include being responsible for exchanging information with the Police and other Agencies relating to matters of mutual interest.

I have been asked by Karen Woods, Regulatory Officer in Regulatory Services, Trading Standards Department, to supply details of inspections made by HM Revenue & Customs Officers, on 20th April 2011 at Yummy Fish and Chips 106 Dogsthorpe Road Peterborough, PE1 3AL for the purpose of supporting an action being taken by Peterborough Trading Standards.

I have examined the reports concerning the visit and can confirm that HM Revenue and Customs Officers seized a total of 237 litres Wine , 75.55 litres Spirits (2 Litres of 5 Lakes Vodka, 9.1 Litres Sambuca, 23.1 Litres Perfekta Vodka, 2.1 Litres Nicolaij Vodka, 11.2 Litres Aros Vodka, 14 Litres Kirova Vodka, 1.75 litres High Commissioner Whisky , 1.4 litres Napoleon Brandy, 1.4 litres Luxor Brandy , 9.5 Litres Smirnoff Vodka) and 573 Litres of Beer, from owners Mr and Mrs Warren Wong as liable to forfeiture by virtue of the Customs & Excise Acts.

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The revenue due on the seized goods is £ 1832.43 and £ 1468.01

Total £ 3300.44

The goods were seized in accordance with section 139 of Customs & Excise Management Act 1979.

No notice of claim against the forfeiture was received within the statutory time limit therefore the Spirits, Wine, Beer, Cigarettes and Tobacco are condemned as forfeited in accordance with paragraph 5 of schedule 3 to CEMA.

Date: 4th August 2011

Signature: _____

(signature of witness)

Signature: _____

(signature witnessed by)

STATEMENT OF WITNESS: ENGLAND AND WALES ONLY

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