

NOTICE OF MEETING

MEETING	LICENSING ACT 2003 SUB-COMMITTEE
DATE:	THURSDAY 22 SEPTEMBER 2011
TIME:	9.30 am
VENUE:	COUNCIL CHAMBER - TOWN HALL
CONTACT:	<i>Gemma George, Senior Governance Officer</i> <i>Telephone: 01733 452268</i> <i>e-mail address gemma.george@peterborough.gov.uk</i>
<i>Despatch date:</i>	<i>14 September 2011</i>

AGENDA

PAGE NO

1. **Apologies for Absence**
2. **Declarations of Interest**
3. **Application for Review of Premises Licence:**
 - 3.1 The B Stop, 415 Lincoln Road, Peterborough, PE1 2PF **1 - 38**
 - 3.2 Peterborough Supermarket, 317 Lincoln Road, Peterborough, PE1 2PH **39 - 66**



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 452268.

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LICENSING ACT 2003 SUB COMMITTEE		AGENDA ITEM No. 3.1
22 SEPTEMBER 2011		PUBLIC REPORT
Contact Officers:	Adrian Day, Licensing Manager Darren Dolby, Licensing Regulatory Officer	Tel: 454437 Tel. 453561

APPLICATION:	Review of Premises Licence
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PREMISES:	The B Stop, 415 Lincoln Road, Peterborough, PE1 2PF
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REFERENCE NUMBER:	MAU 061773
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GLOSSARY OF TERMS: Attached at Appendix A – Page 5
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1. PURPOSE OF REPORT

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

2. BACKGROUND INFORMATION

- 2.1 On the 31st May 2005 an application to convert an existing justices off licence was submitted by Mr Shaid Majid. As no representations were received from the police the premises licence was granted on 29th June 2005. This licence was issued with the name of the premises being 'News N Booze'.
- 2.2 On 23rd March 2006 an application to transfer the premises licence to Ms Samira Majid was submitted and, as there were no Police objection the transfer was granted on 7th April 2006.
- 2.3 On 29th March 2006 an application to transfer the Designated Premises Supervisor of the premises to Ms Samira Majid was submitted. As there was no Police objection the transfer was granted on 13th April 2006.
- 2.4 On 23rd May 2006 an application was submitted to extend the hours for the sale of alcohol. After a Police objection to this extension mediation was undertaken resulting in additional conditions being placed upon the licence. The variation was then granted on 29th June 2006. However the premises licence holder was unable to meet the requirements of these new conditions until 7th December 2006 so the premises continued to sale alcohol as per it's original authorisations. On 7th December 2006 the Licensing Authority were satisfied that the new conditions were being complied and the extended hours were authorised.

- 2.5 On 30th March 2007 the premises licence holder changed the name of the premises to 'The B Stop'. A copy of this licence is attached at **Appendix B – Page 9**.
- 2.6 On 18th April 2007 an application to review the premises licence was made by Cambridgeshire Constabulary. This review was sought after staff at the premises sold alcohol on two occasions to underage persons. These offences took place on 6th April and 17th February 2007. As a result of this review further conditions were imposed on the premises licence by the Licensing Act 2003 Sub-Committee. A copy of the current premises licence is attached at **Appendix C – Page 19**.

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 Trading Standards, a Responsible Authority, the licensing authority must hold a hearing.
- 3.2 A copy of the application to review was received 4th August 2011 and a copy of which is attached at **Appendix D – Page 29**.
- 3.3 A copy of the 'Notice' that 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 is attached at **Appendix E – Page 35**.
- 3.4 A representation in support of the review and recommendations was received from Cambridgeshire Constabulary as a Responsible Authority, a copy of this representation is attached at **Appendix F – Page 37**.
- 3.5 No other representations have been received from any of the remaining Responsible Authorities or any interested parties.

4. RESPONSIBLE AUTHORITY

LICENSING OBJECTIVE:	REPRESENTATIVE:
<p>Prevention of Crime and Disorder</p>	<p>Responsible Authority: Trading Standards As per the application for review attached at Appendix D – Page 29</p> <p>Responsible Authority: Cambridgeshire Constabulary attached at Appendix F – Page 37</p> <p><i>To comply with the Data Protection Act all letters have been distributed to Committee Members and the applicant, but are not for public circulation.</i></p>

4.1 Summary of issues raised by Responsible Authorities

- i. Her Majesty's Revenue and Customs (HMRC) have seized alleged non UK duty paid alcohol from the premises on 24th November 2010 and also on 20th April 2011
- ii. The premises have failed to provide documentation for the seized alcohol on both occasions to prove that UK duty had been paid.
- iii. The UK Duty evaded was £59.98 on 24th November 2010 and £88.20 on 20th April 2011. This is a total of £148.18 duty evaded.
- iv. Guidance issued under section 182 of the Licensing Act 2003 recommends revocation, even in the first instance.

5. LICENSING OFFICERS COMMENTS

- 5.1 Section 11.23 of Guidance (issued under section 182) states, *'A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises or money laundering by criminal gangs or the sale of contraband or stolen goods there or the sale of firearms. Licensing authorities do not have the power to judge the criminality or otherwise of any issues. This is a matter for the courts of law. The role of the licensing authority when determining such a review is not therefore to establish the guilt or innocence of any individual, but to ensure that the crime prevention objective is promoted.*

6. POLICY & GUIDANCE IMPLICATIONS

- 6.1 The following sections/paragraphs are applicable to this application:

6.2 Council's Statement of Licensing Policy

- Objectives: *section 4 on Page 5*
- Other Legislation : *section 7 page 7*
- Reviews: *section 16 on Page 12 and 13*
- Delegation / Decision Making / Administration: *Section 17 page 13 and 14*

6.3 Guidance Issued under Section 182 of the Licensing Act 2003 (October 2010)

- Reviews: *Section 11 pages 98 to 102*
- Determining applications: *Section 9 pages 78 to 81*

7. LEGAL OFFICER'S COMMENTS

- 7.1 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.

- 7.2 In this case, the application was received at these offices on 4th August 2011.

- 7.3 The application before this committee will consider –

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

- 7.4 The committee will take such of the steps as it considers that action is necessary 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

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

'The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary 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 time. It is expected that licensing authorities will regard such warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the holder of the licence. But, where responsible authorities like the police or

environmental health officers have already issued warnings requiring improvements – 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.

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.

‘Interested parties’:

- a person living in the vicinity of the premises in question;
- a body representing persons living in that vicinity, e.g. a residents association;
- a person involved in a business in the vicinity of the premises in question;
- a body representing persons involved in such a business e.g. a trade association
- a member of the relevant licensing 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

‘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

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.

Or the provision of entertainment facilities:

Facilities for enabling persons to take part in entertainment of the following description for the purpose or purposes, which include the purpose of being entertained:

- making music
- dancing
- entertainment of a similar description

‘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
- 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 96 hours;
- 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 15 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

‘Vicinity’: Given the normal everyday meaning of being ‘near to’ when considering the relevance of representations received from individual’s residence or business.

Licensing Act 2003\glossary of terms 13 March 2007

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PART A

Premises Licence

**Peterborough City Council, Environmental Services,
 Bridge House, Town Bridge, Peterborough, PE1 1HU**

Premises Licence Number

049770

Part 1 - Premises Details

Postal address of premises, or if none, ordnance survey map reference or description The B Stop 415 Lincoln Road	
Post Town Peterborough	Post Code PE1 2PF
Telephone Number 01733 890186	

Where the licence is time limited the dates Start Date N/A End Date N/A
--

Licensable activities authorised by the licence Recorded Music The recorded music will take place indoors
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 Recorded Music Monday to Sunday During opening hours
Sale by Retail of Alcohol Monday to Sunday Between 08.00 hrs and 02.00hrs Non-standard timings As per attached embedded restrictions

The opening hours of the premises Monday to Sunday Between 08.00 hrs and 02.00hrs
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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

Ms Samira Majid
34 Cobden Street
Peterborough
PE1 2HD

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

Ms Samira Majid
34 Cobden Street
Peterborough
PE1 2HD

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	047629
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.

Supply of alcohol (Premises Licence)

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

1. 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.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Annex 2 - Conditions consistent with the Operating Schedule

Crime and Disorder

- 1) Video/CCTV equipment shall be installed inside/outside the premises and maintained in working order.
- 2) Video/CCTV equipment will be set to record from the time that the premises open to the public until the premises close and all members of the public have left.
- 3) Monitoring digital images shall be retained for one month and shall be produced to an authorised officer on demand.
- 4) Notices advising that CCTV has been installed on the premises shall be posted up so that they are clearly visible to the public within the licensed premises.
- 5) Implementation and continual training for staff at the premises to ensure they are trained to prevent making sales to under age customers. Training records will be kept, maintained and available for inspection by the Police and Authorised Council Officers.
- 6) The existing CCTV system within the store will be upgraded to meet the Police's requirements and will be compliant with existing CCTV data protection laws. The images will be kept for a minimum of 31 days and will be available for inspection by both Police and Authorised Council Officers.
- 7) If requested by the police a 'serving hatch' will be built into the existing building to serve customers after 11pm.

Public Safety

- 8) Escape routes and exits, including external exits, shall be maintained to ensure that they are not obstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified.
- 9) Doors at exits shall be regularly checked to ensure that they function satisfactorily and a record of the check will be kept.

Public Nuisance

- 10) Litter shall be prevented at all times and where identified regularly cleared from the vicinity of the premises

Protection of Children from Harm

- 11) 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 suspect that the individual may be under 18 years of age.

Annex 2A – Embedded Restrictions

Embedded Restrictions:

Licensees should note that the under enclosed embedded restrictions 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.

ALCOHOL ‘OFF’ LICENCES

Alcohol shall not be sold or supplied except during permitted hours

On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.

On Good Friday, 8 a.m. to 10.30 p.m.

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty’s naval, military or air forces;

Alcohol shall not be sold in an open container or be consumed in the licensed premises

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

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Annex 4 – Plans

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PART B

Premises Licence Summary

Peterborough City Council, Licensing Section,
 Bridge House, Town Bridge, Peterborough, PE1 1HU

Premises Licence Number

049770

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description The B Stop 415 Lincoln Road	
Post Town Peterborough	Post Code PE1 2PF
Telephone Number 01733 890186	

Where the licence is time limited the dates Start Date N/A End Date N/A
--

Licensable activities authorised by the licence Recorded Music The recorded music will take place indoors
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 Recorded Music Monday to Sunday During opening hours
Sale by Retail of Alcohol Monday to Sunday Between 08.00 hrs and 02.00hrs Non-standard timings As per embedded restrictions

The opening hours of the premises Monday to Sunday Between 08.00 hrs and 02.00hrs
--

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

Ms Samira Majid
37 Cobden Street
Peterborough
PE1 2HD

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

Ms Samira Majid

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

Restricted

Premises Licence

**Peterborough City Council, Environmental Services,
 Bridge House, Town Bridge, Peterborough, PE1 1HU**

Premises Licence Number

049830

Part 1 - Premises Details

Postal address of premises, or if none, ordnance survey map reference or description The B Stop 415 Lincoln Road	
Post Town Peterborough	Post Code PE1 2PF
Telephone Number 01733 890186	

Where the licence is time limited the dates Start Date N/A End Date N/A
--

Licensable activities authorised by the licence Recorded Music The recorded music will take place indoors
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 Recorded Music Monday to Sunday During opening hours
Sale by Retail of Alcohol Monday to Sunday Between 08.00 hrs and 02.00hrs Non-standard timings As per attached embedded restrictions

The opening hours of the premises Monday to Sunday Between 08.00 hrs and 02.00hrs
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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

Ms Samira Majid
34 Cobden Street
Peterborough
PE1 2HD

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

Ms Samira Majid
34 Cobden Street
Peterborough
PE1 2HD

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	047629
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.

Supply of alcohol (Premises Licence)

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1. 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.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Annex 2 - Conditions consistent with the Operating Schedule

Crime and Disorder

- 1) Video/CCTV equipment shall be installed inside/outside the premises and maintained in working order.
- 2) Video/CCTV equipment will be set to record from the time that the premises open to the public until the premises close and all members of the public have left.
- 3) Monitoring digital images shall be retained for one month and shall be produced to an authorised officer on demand.
- 4) Notices advising that CCTV has been installed on the premises shall be posted up so that they are clearly visible to the public within the licensed premises.
- 5) Implementation and continual training for staff at the premises to ensure they are trained to prevent making sales to under age customers. Training records will be kept, maintained and available for inspection by the Police and Authorised Council Officers.
- 6) The existing CCTV system within the store will be upgraded to meet the Police's requirements and will be compliant with existing CCTV data protection laws. The images will be kept for a minimum of 31 days and will be available for inspection by both Police and Authorised Council Officers.
- 7) If requested by the police a 'serving hatch' will be built into the existing building to serve customers after 11pm.

Public Safety

- 8) Escape routes and exits, including external exits, shall be maintained to ensure that they are not obstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified.
- 9) Doors at exits shall be regularly checked to ensure that they function satisfactorily and a record of the check will be kept.

Public Nuisance

- 10) Litter shall be prevented at all times and where identified regularly cleared from the vicinity of the premises

Protection of Children from Harm

- 11) 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 suspect that the individual may be under 18 years of age.

Annex 2A – Embedded Restrictions

Embedded Restrictions:

Licensees should note that the under enclosed embedded restrictions 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.

ALCOHOL ‘OFF’ LICENCES

Alcohol shall not be sold or supplied except during permitted hours

On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.

On Good Friday, 8 a.m. to 10.30 p.m.

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty’s naval, military or air forces;

Alcohol shall not be sold in an open container or be consumed in the licensed premises

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

- 12) A Personal Licence holder is present at all times whilst the premises is open for the sale of alcohol.

Annex 4 – Plans

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PART B

Premises Licence Summary

Peterborough City Council, Licensing Section,
Bridge House, Town Bridge, Peterborough, PE1 1HU

Premises Licence Number

049830

Premises Details

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

The B Stop
415 Lincoln Road

Post Town Peterborough

Post Code PE1 2PF

Telephone Number 01733 890186

Where the licence is time limited the dates

Start Date N/A

End Date N/A

Licensable activities authorised by the licence

Recorded Music

The recorded music will take place indoors

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

Recorded Music

Monday to Sunday During opening hours

Sale by Retail of Alcohol

Monday to Sunday Between 08.00 hrs and 02.00hrs

Non-standard timings As per embedded restrictions

The opening hours of the premises

Monday to Sunday Between 08.00 hrs and 02.00hrs

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

Ms Samira Majid
37 Cobden Street
Peterborough
PE1 2HD

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

Ms Samira Majid

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

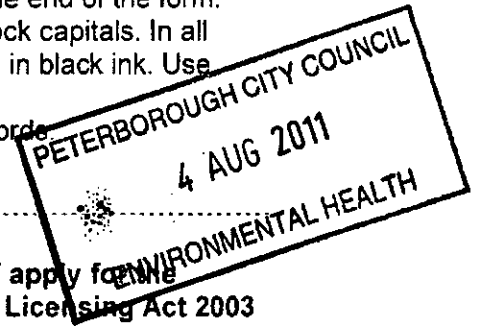
Restricted

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 The B Stop 415 Lincoln Road	
Post town Peterborough	Post code (if known) PE1 2PF

Name of premises licence holder or club holding club premises certificate (if known) Ms Samira Majid
--

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

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
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
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

Trading Standards are requesting a review of the premises licence for The B Stop (known as News n Booze) under the prevention of crime and disorder following a joint operation by Trading Standards, HM Revenue and Customs (HMRC) and Cambridgeshire Police to clamp down on the illicit tobacco and alcohol trade.

Please provide as much information as possible to support the application
(please read guidance note 2)

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

HMRC officers seized a total of 28.5 Litres Italian Wine from manager of the shop Mr Mohammed Shafiq 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 £88.20

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 Wine is condemned as forfeited in accordance with paragraph 5 of schedule 3 to the above legislation.

On 24/11/2010 a visit was also undertaken by HMRC officers to the premises when officers seized a total of 6.3 Litres Spirits (8x .70cl bottles of Glens Vodka = 5.6 litres and 0.7cl Dexter Whisky) from Shafiq Muhammed

The revenue due on the seized goods is £59.98

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 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

.....

Capacity

..... 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.

LICENSING ACT 2003 NOTICE OF REVIEW OF PREMISES LICENCE

Notice is given that Peterborough City Council, as the Licensing Authority, has on the 4TH of August 2011 has been asked to review the Premises Licence by Peterborough Trading Standards for the following licensed premises:

News & Booze/B Stop, 415 Lincoln Road, Peterborough, PE1 2PF

The grounds for review are made under the Licensing Objectives 'Crime & Disorder'

Anyone wishing to make representations concerning this review should do so in writing to:

Peterborough City Council, Licensing Section, Bridge House, Town Bridge, Peterborough, PE1 1HU

Representations in respect to this review must reach the Licensing Authority by 1st of September 2011

Persons wishing to inspect the review application may do so by attending the office of the licensing section during office hours, Monday to Friday. Alternatively the review application may be viewed on the public register section of the Licensing Authorities website,

http://www.peterborough.gov.uk/business/licensing_and_permits/licensing_act_2003/public_register.aspx

It is an offence knowingly or recklessly to make a false statement in connection with an application, the maximum fine for which on summary conviction is £5000

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Ref: B Stop - 415 Lincoln Rd / Licensed Premises



Creating a safer
Cambridgeshire

Wednesday 31st August 2011

Terri Martin
Regulatory Officer (Licensing)
Peterborough City Council
Bridge House
Peterborough
PE1 1HU

APPENDIX F

Dear Terri,

Re: HMRC / Trading Standards review – B Stop – 415 Lincoln Rd

On the 20th April 2011 Cambridgeshire Constabulary supported Trading Standards and HMRC in a joint initiative designed to clamp down on the illegal trade of illicit and counterfeit goods. B Stop – 415 Lincoln Road was visited and illicit goods were seized showing revenue due to the value of £88.20

Cambridgeshire Constabulary are also aware that a previous visit undertaken by HMRC on 24th November 2010 to the same address location resulted in the seizure of various goods with revenue due to the value of £59.98.

“Cambridgeshire Constabulary take a very serious view on the sale of illicit and/or counterfeit goods realising the serious implications upon the licensing principle of preventing crime and disorder. Such crime has a detrimental effect upon the community and can be harmful to unwitting customers. Such crime is linked to serious and organised crime.

Under the guidelines as set out under S.182 of the Licensing Act 2003 (11.26) Cambridgeshire Constabulary fully support our partners, HMRC and Trading Standards, as a responsible authorities, and there recommendations for the full revocation of the license for B Stop – 415 Lincoln Road, due to evidence of illicit trade”.

Yours faithfully,
Grahame Robinson
Police Constable 1572
Licensing Officer
Northern Division

LICENSING ACT 2003 SUB COMMITTEE		AGENDA ITEM No. 3.2
22 SEPTEMBER 2011		PUBLIC REPORT
Contact Officers:	Adrian Day, Licensing Manager Darren Dolby, Licensing Regulatory Officer	Tel: 454437 Tel. 453561

APPLICATION:	Review of Premises Licence
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PREMISES:	Peterborough Supermarket, 317 Lincoln Road, Peterborough, PE1 2PH
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REFERENCE NUMBER:	MAU 061774
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GLOSSARY OF TERMS:	Attached at Appendix A – Page 42
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1. PURPOSE OF REPORT

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

2. BACKGROUND INFORMATION

2.1 On the 11th July 2006 an application for a new off licence was submitted jointly by Mr Murat Tasci & Mr Ergun Tasci. As there were no representations from any of the responsible authorities nor from any interested parties the premises licence was granted on 11th August 2006. A copy of this current premises licence is attached at **Appendix B – Page 45**.

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 Trading Standards, a Responsible Authority, the licensing authority must hold a hearing.

3.2 A copy of the application to review was received 4th August 2011 and a copy of which is attached at **Appendix C – Page 53**.

3.3 A copy of the 'Notice' that 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 is attached at **Appendix D – Page 59**.

- 3.4 A representation in support of the review and recommendations was received from Cambridgeshire Constabulary as a Responsible Authority, a copy of this representation is attached at **Appendix E – Page 61**.
- 3.5 No other representations have been received from any of the remaining Responsible Authorities or any interested parties.
- 3.6 A letter was received by the premises licence holder’s agent, NARTS, containing a voluntary set of additional conditions that the premises licence holders are now adhering to and also copies of invoices from Achala Traders UK Ltd and Roy Nut Foods Ltd. They purport that these copy invoices indicate that UK Duty has been paid on the Vodka and that a member of staff from Roy Nuts Foods Ltd would be willing to confirm that duty had been paid on the tobacco. These papers are attached at **Appendix F – Page 63**.

4. RESPONSIBLE AUTHORITY

LICENSING OBJECTIVE:	REPRESENTATIVE:
Prevention of Crime and Disorder	<p>Responsible Authority: Trading Standards As per the application for review attached at Appendix C – Page 53</p> <p>Responsible Authority: Cambridgeshire Constabulary attached at Appendix E – Page 61</p> <p><i>To comply with the Data Protection Act all letters have been distributed to Committee Members and the applicant, but are not for public circulation</i></p>

4.1 Summary of issues raised by Responsible Authorities

- i. Her Majesty’s Revenue and Customs (HMRC) have seized alleged non UK duty paid alcohol & tobacco from the premises on 20th April 2011
- ii. The premises had initially failed to provide documentation for the seized alcohol & tobacco to prove that UK duty had been paid.
- iii. The UK Duty evaded for both alcohol & tobacco was £373.43.
- iv. Guidance issued under section 182 of the Licensing Act 2003 recommends revocation, even in the first instance.

5. LICENSING OFFICERS COMMENTS

5.1 Section 11.23 of Guidance (issued under section 182) states, ‘A number of reviews may arise in connection with crime that is not directly connected with licensable activities . For example, reviews may arise because of drugs problems at the premises or money laundering by criminal gangs or the sale of contraband or stolen goods there or the sale of firearms. Licensing authorities do not have the power to judge the criminality or otherwise of any issues. This is a matter for the courts of law. The role of the licensing authority when determining such a review is not therefore to establish the guilt or innocence of any individual, but to ensure that the crime prevention objective is promoted.

6. POLICY & GUIDANCE IMPLICATIONS

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

6.2 Council’s Statement of Licensing Policy

- Objectives: section 4 on Page 5
- Other Legislation : section 7 page 7
- Reviews: section 16 on Page 12 and 13

- Delegation / Decision Making / Administration: *Section 17 page 13 and 14*

6.3 **Guidance Issued under Section 182 of the Licensing Act 2003 (October 2010)**

- Reviews: *Section 11 pages 98 to 102*
- Determining applications: *Section 9 pages 78 to 81*

7. **LEGAL OFFICER'S COMMENTS**

7.1 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.

7.2 In this case, the application was received at these offices on 4th August 2011.

7.3 The application before this committee will consider –

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

7.4 The committee will take such of the steps as it considers that action is necessary 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

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

'The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary 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 time. It is expected that licensing authorities will regard such warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the holder of the licence. But, where responsible authorities like the police or environmental health officers have already issued warnings requiring improvements – 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.

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.

‘Interested parties’:

- a person living in the vicinity of the premises in question;
- a body representing persons living in that vicinity, e.g. a residents association;
- a person involved in a business in the vicinity of the premises in question;
- a body representing persons involved in such a business e.g. a trade association
- a member of the relevant licensing 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

'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

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.

Or the provision of entertainment facilities:

Facilities for enabling persons to take part in entertainment of the following description for the purpose or purposes, which include the purpose of being entertained:

- making music
- dancing
- entertainment of a similar description

'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
- 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 96 hours;
- 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 15 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

‘Vicinity’: Given the normal everyday meaning of being ‘near to’ when considering the relevance of representations received from individual’s residence or business.

Licensing Act 2003\glossary of terms 13 March 2007

PART A

APPENDIX B

Premises Licence

Peterborough City Council, Environmental Services,
 Bridge House, Town Bridge, Peterborough, PE1 1HU

Premises Licence Number

048371

Part 1 - Premises Details

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

Peterborough Supermarket
 317 Lincoln Road
 Peterborough

Post Town

Post Code PE1 2PH

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 08.00hrs and 02.00hrs

The opening hours of the premises

Monday to Sunday Between 08.00hrs and 02.00hrs

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

Mr Murat Tasci
25 Buckthorn Road
Hampton Hargate
Peterborough
PE7 8EE

Mr Ergun Tasci
25 Buckthorn Road
Hampton Hargate
Peterborough
PE7 8EE

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

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

Mr Ergun Tasci
25 Buckthorn Road
Hampton Hargate
Peterborough
PE7 8EE

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 047597
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.

Supply of alcohol (Premises Licence)

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

1. 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.

2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Annex 2 - Conditions consistent with the Operating Schedule

Crime and Disorder

3. Any incidences of a criminal behaviour that may occur on the premises will be reported to the Police.

Public Safety

4. Escape routes and exits, including external exits, shall be maintained to ensure that they are not obstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified.
5. In the absence of adequate daylight the lighting in any area accessible to the public shall be fully operational.
6. Fire safety signs shall be adequately illuminated.

Public Nuisance

7. Prominent, clear and legible notices at all exits shall be displayed on the premises requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.

Protection of Children from Harm

8. A proof of age policy agreed by the police and local authority shall be implemented.
9. A register of refused sales shall be kept and maintained on the premises.

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

None

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PART B

Premises licence summary

Peterborough City Council, Licensing Section,
 Bridge House, Town Bridge, Peterborough, PE1 1HU

Premises Licence Number

048371

Premises Details

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

Peterborough Supermarket
 317 Lincoln Road

Post Town Peterborough

Post Code PE1 2PH

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 08.00hrs and 02.00hrs

The opening hours of the premises

Monday to Sunday Between 08.00hrs and 02.00hrs

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

Mr Murat Tasci
 25 Buckthorn Road
 Hampton Hargate
 Peterborough
 PE7 8EE

Mr Ergun Tasci
 25 Buckthorn Road
 Hampton Hargate
 Peterborough
 PE7 8EE

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

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

Mr Ergun Tasci

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

N/A

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.

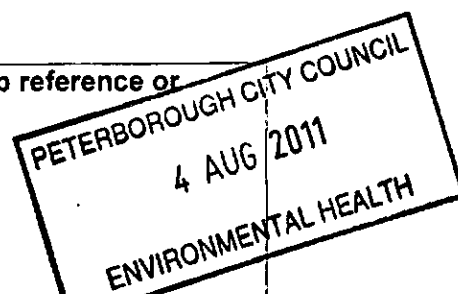
I Karen Woods

(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 Peterborough Supermarket 317 Lincoln Road	
Post town Peterborough	Post code (if known) PE1 2PH



Name of premises licence holder or club holding club premises certificate (if known) Mr Murat Tasci & Mr Ergun Tasci 25 Buckthorn Road Hampton Hargate Peterborough PE7 8EE
--

Number of premises licence or club premises certificate (if known) 048371

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"/> |

Please state the ground(s) for review (please read guidance note 1)

Trading Standards are requesting a review of the premises licence for Peterborough Supermarket (known as Peterborough Food and Wine Centre) under the prevention of crime and disorder following a joint operation by Trading Standards, HM Revenue and Customs (HMRC) and Cambridgeshire Police to clamp down on the illicit tobacco and alcohol trade.

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 and Customs and Cambridgeshire Police was carried out to clamp down on the illicit tobacco and alcohol trade.

HMRC officers seized a total of 3.75 Litres counterfeit Passion Vodka and 2.75 kg Shisha Tobacco (5 boxes Alfakher and 6 boxes Nakhla) from Murat Tasci, 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 £373.43

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 and Shisha Tobacco are condemned as forfeited in accordance with paragraph 5 of schedule 3 to CEMA.

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 3 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.

LICENSING ACT 2003 NOTICE OF REVIEW OF PREMISES LICENCE

Notice is given that Peterborough City Council, as the Licensing Authority, has on the 4TH of August 2011 has been asked to review the Premises Licence by Peterborough Trading Standards for the following licensed premises:

Peterborough Supermarket/Peterborough Food & Wine,
317 Lincoln Road, Peterborough, PE1 2PH

The grounds for review are made under the Licensing Objectives 'Crime & Disorder'

Anyone wishing to make representations concerning this review should do so in writing to:

Peterborough City Council, Licensing Section, Bridge House, Town Bridge, Peterborough, PE1 1HU

Representations in respect to this review must reach the Licensing Authority by 1st of September 2011

Persons wishing to inspect the review application may do so by attending the office of the licensing section during office hours, Monday to Friday. Alternatively the review application may be viewed on the public register section of the Licensing Authorities website,

http://www.peterborough.gov.uk/business/licensing_and_permits/licensing_act_2003/public_register.aspx

It is an offence knowingly or recklessly to make a false statement in connection with an application, the maximum fine for which on summary conviction is £5000

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Ref: Peterborough Supermarket / Licensed Premises

Wednesday 31st August 2011

Terri Martin
Regulatory Officer (Licensing)
Peterborough City Council
Bridge House
Peterborough
PE1 1HU



Creating a safer
Cambridgeshire

Dear Terri,

Re: HMRC / Trading Standards review – Peterborough Supermarket, 317 Lincoln Rd

On the 20th April 2011 Cambridgeshire Constabulary supported Trading Standards and HMRC in a joint initiative designed to clamp down on the illegal trade of illicit and counterfeit goods. Peterborough Supermarket, 317 Lincoln Road, Peterborough was visited and illicit goods were seized showing revenue due to the value of £373.43.

“Cambridgeshire Constabulary take a very serious view on the sale of illicit and/or counterfeit goods realising the serious implications upon the licensing principle of preventing crime and disorder. Such crime has a detrimental effect upon the community and can be harmful to unwitting customers. Such crime is linked to serious and organised crime.

Under the guidelines as set out under S.182 of the Licensing Act 2003 (11.26) Cambridgeshire Constabulary fully support our partners, HMRC and Trading Standards, as a responsible authorities, and there recommendations for the full revocation of the license for B Stop – 415 Lincoln Road, due to evidence of illicit trade”.

Yours faithfully,

Grahame Robinson
Police Constable 1572
Licensing Officer
Northern Division

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Licensing Department
55 Stoke Newington High Street
London
N16 8EL

Date: 14.09.2011

Licensing - alcohol and entertainment
Operations Directorate
Bridge House
Town Bridge
Peterborough
PE1 1HU

Dear Sir/ Madam

RE: Peterborough Food & Wine Centre, 317 Lincoln Road, PE1 2PH

I would like to confirm that NARTS is the acting agent for the above premises for the review application made by Trading Standards.

I can further confirm that our client was on holiday and upon his return he became aware that there had been a review application submitted by the Trading Standards.

After our instruction, we have advised our client to comply with the following five conditions voluntarily to prevent any further incidents which has never happened under his ownership for five years at this premises:

1. No alcoholic goods will ever be purchased from sellers calling to the shop.
2. Invoices (or copies) for all alcoholic goods on the premises will be kept at the shop and made available to officers from the council, police or HMRC upon request.
3. A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.
4. An ultra-violet light will be available at the premises for the purpose of checking the UK Duty Stamp on spirits as soon as practical after they have been purchased.
5. 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.



Please also note that we have attached to this letter a copy of invoice from Achala Traders UK ltd for the six bottles of Vodka that has been seized from our clients premises. There is also an invoice attached from Roy Nut Foods Ltd to give details of the company where we bought Shisha tobacco products.

Our client has informed us that he has contacted Mr. Riza from Roy Nut Foods Ltd and Mr. Riza has verbally agreed to confirm the purchases to anyone who may call from the Council.

If you require any further information please do not hesitate to contact me.

Yours Faithfully

Ozlem Ozcan
Premises Licence Consultant

Achala Traders UK Ltd

INVOICE

Peterborough shopping centre ltd.
317 Lincoln Rd.
Peterborough PE1 2PH

Invoice number: 1024
Invoice date: 07/03/2011

Quantity	Details	Box	Price	Total
6 X70 CL	Vodka Passion	4	£ 34.99	£ 139.96
VAT 20%	-----			£ 27.99
TOTAL	-----			£ 167.95

140 Westbourne Terrace
London W2 6QD

Vat no: GB 873198879
Company no: 05537899

Unit 25 Wadsworth Business Centre,

21 Wadsworth Rd, Perivale, UK, UB6 7LQ

Tel: +(44)2088106161/2088667646

Fax: +(44)2031740287

Email: roynutfoods@hotmail.co.uk

Website:

VAT Registration #: 989585527

www.roynutfood.co.uk

Invoice No: 3195

Date: 24/06/2011

mob: 07908995632

Bill To:

Peter Borough F & W Centre

Ship To:

317 Lincoln Rd, PE1 2PH

Tel: 01733310573

No	Code	Description	Quantity	Unit Price	Amount	VAT		
1	0001	Jumbo Salted Pistachios (12*170gr)	3	£19.80	£59.40	<input type="checkbox"/>	£0.00	£59.40
2	0002	Jumbo Raw Pistachios (12*170gr)	2	£19.80	£39.60	<input type="checkbox"/>	£0.00	£39.60
3	0003	Jumbo Lemon Pistachios(12* 170gr)	2	£19.80	£39.60	<input type="checkbox"/>	£0.00	£39.60
4	0004	Heavy Salted Pistachios(12* 170gr)	3	£19.80	£59.40	<input type="checkbox"/>	£0.00	£59.40
5	0007	Raw Almonds (12*250gr)	2	£19.80	£39.60	<input type="checkbox"/>	£0.00	£39.60
6	0014	Almonds N/P (12*220gr)	1	£21.60	£21.60	<input type="checkbox"/>	£0.00	£21.60
7	0018	Raw Cashews (12*220gr)	2	£19.80	£39.60	<input type="checkbox"/>	£0.00	£39.60
8	0019	Cashews W240 (12*200gr)	4	£21.60	£86.40	<input type="checkbox"/>	£0.00	£86.40
9	0026	Walnuts G1(12* 200gr)	3	£26.00	£78.00	<input type="checkbox"/>	£0.00	£78.00
10	0033	Peanuts 28/30 (12*200gr)	2	£8.40	£16.80	<input type="checkbox"/>	£0.00	£16.80
11	0038	Raw Hazelnuts(12* 180gr)	1	£17.40	£17.40	<input type="checkbox"/>	£0.00	£17.40
12	0039	Jumbo Raw Hazelnuts (12*180gr)	1	£18.60	£18.60	<input type="checkbox"/>	£0.00	£18.60
13	0041	Brazil Nuts(12* 200gr)	1	£19.80	£19.80	<input type="checkbox"/>	£0.00	£19.80
14	0042	Bombay Mix (12*180gr)	2	£7.80	£15.60	<input type="checkbox"/>	£0.00	£15.60
15	0044	Mixed Nuts(12* 200gr)	2	£17.40	£34.80	<input type="checkbox"/>	£0.00	£34.80
16	0046	Mixed Nut Deluxe (12*200gr)	2	£24.00	£48.00	<input type="checkbox"/>	£0.00	£48.00
17	0061	Jumbo Pumpkin seeds (12*200gr)	3	£13.20	£39.60	<input type="checkbox"/>	£0.00	£39.60

* Indicates non-taxable item

Proof Of Delivery (Signature&Date)

Paid cash
~~£570~~

Subtotal £673.80

Discount 5.00%

VAT (20.00%) £0.00

Total £640.11 -

credit £70.15

£569.96