

LICENSING ACT 2003 SUB-COMMITTEE

WEDNESDAY 30 JULY 2014

1.30 PM

Council Chamber - 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.

Members must also declare if they are subject to their party group whip in relation to any items under consideration.

3. **Application for the Review of Premise Licence Best Deli, 381 Lincoln Road** 3 - 28



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 Philippa Turvey 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.

Committee Members:

Councillors: P Thacker (Chairman), P Hiller (Vice Chairman) and Davidson

Substitutes: Councillors: G Casey, N Khan, B Saltmarsh, N Sandford and J R Fox

Further information about this meeting can be obtained from Philippa Turvey on telephone 01733 452460 or by email – philippa.turvey@peterborough.gov.uk

DRAFT LICENSING ACT 2003 SUB COMMITTEE		AGENDA ITEM No 3
30 July 2014		PUBLIC REPORT
Contact Officers:	Adrian Day, Licensing Manager Darren Dolby, Regulatory Officer Licensing	Tel: 454437 Tel. 453561

APPLICATION:	Review of Premises Licences
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PREMISES:	Best Deli – 381 Lincoln Road, Peterborough, PE1 2PF
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REFERENCE NUMBER:	MAU : 069586
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GLOSSARY OF TERMS:	Attached at Appendix A
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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 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 from Cambridgeshire Constabulary, also a Responsible Authority. The review was bought under the Prevention of Crime and Disorder objective.

2. BACKGROUND INFORMATION

- 2.1 An application for a premises licence for 381 Lincoln Road, Peterborough was originally made on 13th November 2007. No representations were received and the licence was granted on 12th December 2010. The licence has been transferred on two occasions and the current holder, Mr Mansor Azher, became the licence holder on 3rd September 2013. A copy of the current licence is attached at **Appendix B**.
- 2.2 On 1st October 2013 and 5th November 2013 two test purchase exercises took place at the premises by Police and Trading Standards Officers. The test purchasers were offered and were able to purchase foreign labelled tobacco and cigarettes. On 15th November 2013 a warrant was executed at the premises by a multi-agency team that was led by Trading Standards. The subsequent search uncovered 10 packets of illicit cigarettes. The cigarettes were not labelled with the UK English language health warnings. After an investigation by Trading Standards Mr Azher was offered a caution for the offence of being in possession of illicit cigarettes. Mr Azher declined the offer of a caution.

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 on 11th June 2014, a copy of this application is attached at **Appendix C**.
- 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 Cambridgeshire Constabulary as a Responsible Authority, a copy of this representation is attached at **Appendix D**.
- 3.5 No other representations have been received from any of the remaining Responsible Authorities nor any 'other persons'.

4. RESPONSIBLE AUTHORITY

LICENSING OBJECTIVE:	REPRESENTATIVE:
Prevention of Crime and Disorder	Responsible Authority: Trading Standards As per the application for review attached at Appendix C Responsible Authority: Cambridgeshire Constabulary attached at Appendix D

4.1 Summary of issues raised by Responsible Authorities

- i. Trading Standards have been offered, purchased and seized alleged non UK duty paid cigarettes from the premises on three occasions.
- ii. Guidance issued under section 182 of the Licensing Act 2003 recommends revocation, even in the first instance.

5 MEDIATION

- 5.1 Mediation did not take place.

6 LICENSING OFFICERS COMMENTS

- 6.1 Section 11.24 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 issue. 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 the promotion of the crime prevention objective.*

7. POLICY & GUIDANCE IMPLICATIONS

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

7.2 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*

7.3 Guidance Issued under Section 182 of the Licensing Act 2003 (June 2014)

- Reviews: *Section 11 pages 105 to 112*
- Determining applications: *Section 9 pages 80 to 89*

8. LEGAL OFFICER'S COMMENTS

8.1 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.

8.2 In this case, the application was received at these offices on 11th June 2014.

8.3 The application before this committee will consider –

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

8.4 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

8.5 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

'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
- 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

PART A**Premises Licence**

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

Premises Licence Number

068010

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

Best Deli
381 Lincoln Road

Post Town Peterborough

Post Code PE1 2PF

Telephone Number 07989343630

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 23.00hrs

The opening hours of the premises

Monday to Sunday Between 08.00hrs and 23.00hrs

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.

APPENDIX B

Part 2

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

Mansor Azher
547 Lincoln Road
Peterborough
PE1 2PB

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

Mansor Azher
547 Lincoln Road
Peterborough
PE1 2PB

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	067831
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.

3. 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

APPENDIX B

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.

4. 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.

(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.

Annex 2 - Conditions consistent with the Operating Schedule

All Licensing Objectives

Crime and Disorder

5. Alcohol will only be sold with the purchase of food from the premises.
6. 24 hour, 7 days a week CCTV connected to the internet will be installed on the premises and will be available to view by the Police and authorised Council Officers.
7. Signs stating 'No alcohol to be consumed on the premises' will be displayed at the premises in different.
8. No promotions on alcohol sales and a 'safe and responsible' policy will be in place on the premises.

Public Safety

9. Full training will be given to all staff, including ID card recognition.

Public Nuisance

10. Shop lighting will be left on throughout the night.
11. No persons wearing hoods or caps will be permitted on the premises.
12. No consumption of alcohol on the premises or in the immediate vicinity of the premises.
13. Bottles will not be opened by staff at the premises. Alcohol will only be sold in sealed containers.

Protection of Children from Harm

14. Proof of age policy will be in place and customers who appear to under 21 years of age will be asked for ID.
15. Responsible staff with experience will be employed.

APPENDIX B

Annex 3 - Conditions attached after a hearing by the licensing authority - NONE

APPENDIX B

Annex 4 – Plans

PART B

Premises licence summary

Peterborough City Council, Licensing Section,
Bayard Place, Broadway, Peterborough, PE1 1HZ

Premises Licence Number

068010

Premises Details

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

Best Deli
381 Lincoln Road

Post Town Peterborough

Post Code PE1 2PF

Telephone Number 07989343630

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 23.00hrs

The opening hours of the premises

Monday to Sunday Between 08.00hrs and 23.00hrs

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

Mansor Azher
547 Lincoln Road
Peterborough
PE1 2PB

APPENDIX B

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

Mansor Azher

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

Restricted

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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 Trading Standards

(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 Best Deli 381 Lincoln Road	
Post town Peterborough	Post code (if known) PE1 2PF
Name of premises licence holder or club holding club premises certificate (if known) Mansor Azher 547 Lincoln Road Peterborough PE1 2PB	
Number of premises licence or club premises certificate (if known) 068010	

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 | <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 (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 Peterborough City Council Trading Standards Department Bayard Place Broadway Peterborough PE1 1HZ
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
- 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 Best Deli under the prevention of crime and disorder objective following a seizure by Trading Standards 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 1st October 2013 an officer in plain clothes was instructed to enter Best Deli gathering evidence regarding the sale and supply of illicit tobacco. The officer was offered numerous different foreign labelled brands for £3 per packet.

On the 5th November 2013 a test purchase exercise was carried out and an officer was able to purchase a packet of foreign labelled packet of Marlboro Gold cigarettes for £4.80 from a male working in the shop.

On the 15th November a multi agency operation led by Trading Standards was conducted in the Peterborough area that involved HM Revenue & Customs and the Police.

A warrant was executed at Best Deli 381 Lincoln Road Peterborough and the search resulted in the seizure of 10 packets of cigarettes that were found hidden in the premises.

The cigarettes were not labelled with the UK English language health warnings.

Following an investigation, a letter was sent to Mr Azher on the 13th March offering a local authority caution. On the 7th May 2014 a copy of the letter and caution was hand delivered to Best Deli by Trading Standards and the Police. Mr Azher was present and advised that he had not received this through the post. It was requested that he replied to the letter by Friday 16th May.

On the 16th May 2014 Mr Azher left a voicemail message for Trading Standards advising that he would not be accepting the caution.

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

This is supported by guidance issued under section 182 of the Licensing Act 2003 11.27 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.

11.28 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.

If the committee decide not to revoke the premises licence then Trading Standards would like the committee to consider adding the following conditions:

- No alcoholic drinks or tobacco will be purchased by the store owners or staff from sellers calling at the store

- All invoices (originals or copies) for all alcoholic goods and tobacco products for retail sale on the premises will be kept at the shop and made available to Police, Council and HMRC Officers upon request

-A strict stock control system will be introduced so that the licensee can quickly

identify where and when alcoholic drinks have been purchased

-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

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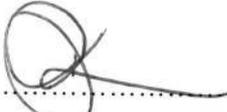
If you have made representations before relating to this premises please state what they were and when you made them

- 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 11th June 2014

Capacity Regulatory Officer - Trading Standards Department

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.

Ref: Best Deli 381 Lincoln Road / TS Review

Wednesday 09th July 2014

Darren Dolby
Licensing Officer
Peterborough City Council
Bayard Place
Peterborough
PE1 1FZ



Creating a safer
Cambridgeshire

Dear Darren,

Re: Trading Standards review application – Best Deli, 381 Lincoln Road

On 11th June 2014 Cambridgeshire Constabulary received notification from Peterborough City Council Licensing Authority of an application submitted by Trading Standards to review the premises license of Best 381 Lincoln Road, Peterborough, PE1 2PF. The premises License (reference 068010) is held by Mansor Azher of 547 Lincoln Road, Peterborough, PE1 2PB, and who is the designated premises supervisor.

The review application refers to incidents of concern following Test Purchase and a joint Operation in company with Cambridgeshire Constabulary and HMRC involving the Sale of illicit cigarettes. A number of premises were impacted upon and a considerable amount of illicit tobacco was seized from numerous premises, including that of Best Deli. Prosecution was instigated against other premises whilst Mr Azher was offered an official caution by Trading Standards for being found with a smaller amount of illicit cigarettes.

The sale of illicit cigarettes within the Operation Can-do area, which comes under a cumulative impact zone, is prolific. Positive action is being taken by the authorities against identified offenders and a clear message is being sent out that the evasion of duty and the risk of harming the local / wider community is not acceptable. In refusing a caution for the sale of illicit cigarettes, which I consider reasonable given the circumstances, Mr Azher is clearly demonstrating that he is not a fit and proper person to be responsible for the sale of alcohol.

Cambridgeshire Constabulary take a very serious view on the sale of illicit goods realising the serious implications upon the licensing principle of preventing crime and disorder and promoting public safety. Such crime has a detrimental effect upon the community and can be harmful to unwitting customers. This type of crime may be 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 Best Deli for the sale of smuggled tobacco.

Yours faithfully,

PC1572 Grahame Robinson
Cambridgeshire Constabulary
Licensing Officer – Peterborough District
Floor 4, Bayard Place
Peterborough
PE1 1FZ

Tel: 01733 424438

Email: grahame.robinson@cambs.pnn.police.uk

Mobile: 07921095030

@PboroCops

@Alcoholmatters

