

LICENSING ACT 2003 SUB-COMMITTEE

THURSDAY 9 JULY 2015

1.30 PM

Bourges/Viersen Room - Town Hall

AGENDA

Page No

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

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

3. **Application for Review of Premises Licence - Baltia Off Licence - 148/150 Huntly Grove, Peterborough, PE1 2QN** 3 - 30



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

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

Committee Members:

Councillors: P Thacker (Chairman), Coles and R Herdman

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

LICENSING ACT 2003 SUB COMMITTEE		AGENDA ITEM No 3
9 JULY 2015		PUBLIC REPORT
Contact Officers:	Donna Hall, Public Protection Manager Darren Dolby, Licensing Regulatory Officer	Tel. 453514 Tel. 453540

APPLICATION: Review of Premises Licence

PREMISES: Baltia Off Licence – 148/150 Huntly Grove, Peterborough, PE1 2QN

REFERENCE NUMBER: MAU : 071435

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

1. PURPOSE OF REPORT

1.1 To consider and determine an application for the review of a Premises Licence under Section 51 of the Licensing Act 2003 served by Cambridgeshire Constabulary in relation to the above premises. Taking into account the representations in support of the review made by Trading Standards as a Responsible Authority, and the Safer Peterborough Partnership in their capacity of ‘Other Persons’. The review was bought under the Prevention of Crime and Disorder objective.

2. BACKGROUND INFORMATION

- 2.1 A conversion application (Grandfather rights) of a Justices ‘Off Licence’ was made by Mr H Rehman and granted in September 2005. The licence was transferred to Mr P Lee in December 2004. The licence was then transferred to the current licence holder Mr M Jabari Jaferi on 9 March 2015 and Mrs G Siatkiene became the DPS (Designated Premises Supervisor) at the same time.
- 2.2 A copy of the current licence is attached at **Appendix B Page 9.**

3. APPLICATION

- 3.1 In accordance with section 51 of the Licensing Act 2003 following the submission of an application to review the premises licence from Cambridgeshire Constabulary, a Responsible Authority, the licensing authority must hold a hearing.
- 3.2 A copy of the application to review was received on 20 March 2015, a copy of this application is attached at **Appendix C – Page 19.**
- 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 Representations in support of the review were received from Trading Standards as a Responsible Authority and the Safer Peterborough Partnership in their role of 'Other Persons'. No other representations have been received from any of the remaining Responsible Authorities or other persons. Copies of these representations are attached at **Appendix D Page 27.**

4. SUMMARY OF ISSUES RAISED BY RESPONSIBLE AUTHORITIES

- Illicit tobacco and cigarettes found hidden in the premises.
- The DPS had a premises licence application for another premises refused by the Licensing Act 2003 Sub Committee in September 2013. This was after a representation from Trading Standards after seizures of illicit alcohol and cigarettes and the premises.
- Section 11.28 of Guidance (issued under section 182 of the Licensing Act 2003) recommends that revocation of the licence even in the first instance, should be seriously considered where reviews arise and the licensing authority determines, that the crime prevention objective is being undermined through the premises being used to further crimes.
- Impact on Public Safety as the illicit cigarettes breach EU Standards which is an offence under UK regulations requiring traders to supply safe goods.
- The distribution and sale of illicit goods is linked to serious and organised crime

5. POLICY & GUIDANCE IMPLICATIONS

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

5.2 Council's Statement of Licensing Policy

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

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

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

6. LEGAL OFFICER'S COMMENTS

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

- 6.2 In this case, the application was received at these offices on 20 May 2015.

- 6.3 The application before this committee will consider –

- (i) The application to review the licence; and
- (ii) Any relevant representations.

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

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

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

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

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

LICENSING ACT 2003 GLOSSARY OF TERMS

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

‘Child’

(a) means an individual aged under 16

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

DCMS: Department for Culture Media and Sport

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

‘Other Persons’:

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

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

‘Licensable Activities’ means: -

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

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

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

‘Licensing Objectives’

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

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

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

- The steps being taken to promote the Licensing Objectives

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

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

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

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

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

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

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

‘Responsible Authority’ means any of the following: -

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

‘Supply of alcohol’:

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

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

- Duration – they are limited to events lasting for up to 168 hours (7 days);
- Scale – they cannot involve the presence of more than 499 people at any one time;
- Use of the same premises – the same premises cannot be used on more than 12 occasions in a calendar year, but are subject to the overall aggregate of 21 days irrespective of the number of occasions on which they have been used; and

- The number of notices given by an individual within a given period of time – a Personal Licence Holder is limited to 50 notices in one year and another person to 5 notices in a similar period.

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

‘the Act’: means the Licensing Act 2003

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

Peterborough City Council, Governance,
Bayard Place, Broadway, Peterborough, PE1 1FD

Premises Licence Number

071101

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

Jip Convenience Store
148-150 Huntly Grove

Post Town Peterborough**Post Code** PE1 2QN**Telephone Number** 01733 554233**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 Saturday Between 08.00hrs and 23.00hrs
Sunday Between 10.00hrs and 22.30hrs
Non-standard timings As Per Attached Embedded Restrictions

The opening hours of the premises

Monday to Sunday Information not provided

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 Marwan Jalal Jabari
51 Shortfen
Orton Malborne
Peterborough
PE2 5NP

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

Mrs Gitana Siatkiene
87b Crown Street
New England
Peterborough
PE1 3HX

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	067992
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

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

Annex 4 – Plans

PART B

Premises Licence Summary

Peterborough City Council, Governance,
 Bayard Place, Broadway, Peterborough PE1 1FD

Premises Licence Number

071101

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description	
Jip Convenience Store 148-150 Huntly Grove	
Post Town Peterborough	Post Code PE1 2QN
Telephone Number 01733 554233	

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 Saturday Between 08.00hrs and 23.00hrs
Sunday Between 10.00hrs and 22.30hrs
Non-standard timings As Per Embedded Restrictions

The opening hours of the premises

Monday to Sunday Information not provided

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 Marwan Jalal Jabari
51 Shortfen
Orton Malborne
Peterborough
PE2 5NP

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

Mrs Gitana Siatkiene

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

Restricted

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LC1



**Peterborough City Council, Licensing Section, Bayard Place,
Broadway, Peterborough, PE1 1FZ.**

**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, Simon Parr, Chief Constable of Cambridgeshire Constabulary apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description	
Baltia Off License (formerly JIP Convenience Store) 148 – 150 Huntly Grove	
Post town PETERBOROUGH	Post code (if known) PE1 2QN
Name of premises licence holder or club holding club premises certificate (if known)	
Mr Marwan Jalal Jabari, 51 Shortfen, Orton Malborne, Peterborough, PE2 5NP	
Number of premises licence or club premises certificate (if known)	
071101	

Part 2 - Applicant details

Please tick ✓ yes

I am

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

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

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

Surname

First names

I am 18 years old or over

Please tick ✓ yes

Current address

Post Town

Postcode

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

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

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Cambridgeshire Constabulary Hinchingsbrooke Park Huntingdon Cambridgeshire PE29 6NP
Telephone number (if any) 01733 424438
E-mail (optional) grahame.robinson@cambs.pnn.police.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 note1)

This application to review the premises license for Baltia Off License is based on evidence which shows breaches to the licensing objective of:

- Crime & Disorder – the premises is being used for the sale and/or storage of smuggled tobacco and alcohol.

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

Re: License Review – Baltia Off License, 148-150 Huntly Grove, Peterborough.

'Baltia' is an off license / convenience store operating under a premises license (PL No: 071101) issued by Peterborough City Council (PCC). The premises was, until recently, known as JIP Convenience Store, when following a premises license transfer and designated premises supervisor variation, the name was changed to 'Baltia'.

The new premises license holder is Mr. Marwan Jalal Jabari, 51 Shortfen, Orton Malborne, Peterborough, PE2 5NP (as applied for). The new designated premises supervisor (DPS) is Mrs. Gitana Siatkiene, 87b Crown Street, New England, Peterborough, PE1 3HX. The premises license allows the sale of alcohol between 08:00hrs and 23:00hrs Monday to Saturday and 10:00hrs and 22:30hrs on a Sunday.

The applications to transfer the premises license and vary the DPS were received by the Police and Licensing Authority in Mar 2015. Routine background checks were carried out at the time and the applications were processed. However recent information has come to light that has set doubt on the whole transfer process, that which we believe involves the sole purpose of criminality connected to the sale of illicit/counterfeit cigarettes and alcohol.

The application to transfer the premises license was made out in the name of Marwan Jalal Jabari of 51 Shortfen, Orton Malborne, Peterborough. My investigation has revealed that this person does not live at this address, which is in fact the home address of the DPS son and the DPS when convenient. Marwan does in fact live in Scotland and has lived there at least since January 2013. Other checks confirm that he lives and works in Glasgow. What is certain is that Marwan does not live at 51 Shortfen – probably never has – and that his current address cannot be confirmed as being the correct official address for him. Therefore, any official correspondence in connection with the premises would most probably land in the hands of the DPS.

PC Gary Johnson of the CAN-Do Team recently carried out a number of visit to the premises, were the detail came to light. He attempted to speak with Marwan, after being told by the DPS that he was away on holiday in Scotland. Marwan confirmed he was in Scotland but categorically refused to give his address, and thereafter did not answer his phone.

It is believed that Marwan does not have any controlling influence or business connection with the premises and is merely a name on a piece of paper to facilitate the successful transfer of the Premises License to the DPS and her silent partner.

The DPS variation application, received at the same time, was made out in the name of Mrs. Gitana Siatkiene, 87b Crown Street, New England, Peterborough,

PE1 3HX. She holds an alcohol personal license, reference: 067992, issued by Peterborough City Council. Gitana was the owner of the Euroshop, 135 Dogsthorpe Road, Peterborough. Saade Jalal Jabar who was connected to the shop lives at 87b Crown Street, New England, Peterborough, PE1 3HX with his partner Gitana.

On Thursday 19th September 2013 Trading Standards made an appropriate and successful representation against a premises license application submitted by Gitana Siatkiene for Euroshop, which was supported by Cambridgeshire Constabulary. The applicants address as applied for on the paperwork indicated 87b Crown Street, Peterborough.

The Euroshop had been under the scrutiny of HM Revenue & Customs and Trading Standards with successive finds of illicit / counterfeit cigarettes and alcohol. Previous history shows us that there were 3 seizures by HM Revenue & Customs in August 2011, November 2011 and January 2012. These seizures totaled over 160,000 foreign labelled cigarettes, 33.6 litres of Lithuanian Vodka and 121.6 litres of other alcoholic beverages from the Euroshop and 87b Crown Street. As a result Mr. Jabar was prosecuted, pleaded guilty and sentenced to 2 years in prison on 4 counts of knowingly keeping, harboring or in any manner dealing with those goods with intent to defraud her majesty of duty payable on those goods. The cigarettes and alcohol were' confiscated and disposed of.

Whilst Gitana was investigated she was not formally charged, however she was at the premises each time an inspection took place, is the partner of Jabar and resides in the same address as him. She now operates the off license on Huntly Grove, whilst the premises license holder appears to have no direct or indirect connection to the premises.

Police Officers have attended the off license and found Jabar working at the premises, and on one occasion was painting the front door. He was described as being extremely nervous when he realized officers recognized him. Concerns were raised with myself and the responsible authorities and the transfer process was revisited more thoroughly.

In the meantime HM Revenue & Custom, Trading Standards and Police Officers from Operation CAN-Do executed a warrant at 'Baltia', 148-150 Huntly Grove on 10th May 2015. A substantial amount of illicit cigarettes and alcohol were found. The matter is still subject of a HM Revenue & Customs criminal investigation.

The Licensing objective of preventing crime and disorder is no being upheld by Gitana or those she associates with. Guidance in accordance with Section 182 of the Licensing Act 2003 Para 11.27 states –

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

This includes amongst other criminal activity –

“The sale or storage of smuggled tobacco and alcohol”.

Para 11.28 states –

“It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered”.

Cambridgeshire Constabulary recommend the Premises License is revoked with immediate effect

Please tick

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

 No

If yes please state the date of that application

Day Month Year

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Suggested Recommendation:

Cambridgeshire Constabulary recommend that the premises license for Baltia Off License is revoked with immediate effect.

Please tick ✓ yes

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

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

Part 3 – Signatures (please read guidance note 3)

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

Signature: GRAHAME PAUL ROBINSON.....

Date: 19th May 2014.....

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

Contact name (where not previously given) and 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.

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Re: Licence Review – Baltia Store 148-150 Huntly Grove, Peterborough

On the 21st May 2015, Trading Standards received notification from Peterborough City Council Licensing Authority of an application submitted by Cambridgeshire Constabulary to review the premises licence of Baltia Store, 148-150 Huntly Grove, Peterborough.

In March 2015, an application to transfer the premises licence relating to Jip Convenience Store 148-150 Huntly Grove was received from the applicant Mr Marwan Jalal JABARI and stating the designated premises supervisor as Gitana Siatkiene. Following a visit to the shop by the Police in April, it had been renamed Baltia Store.

Ms Gitana Siatkiene previously owned the Euro Shop 135 Dogsthorpe Road, Peterborough with her partner Mr Saade Jalal Jabar.

On the 11th October 2012, Mr Jabar pleaded guilty to 4 out of 5 counts on indictment in relation to the fraudulent evasion of Excise Duty relating to 3 seizures and was given a 2 year custodial sentence. In relation to these 3 seizures, on all occasions the goods were found concealed within Euro Shop, their home address and personal vehicles. The seizures made in Euro Shop were witnessed by Trading Standards and Ms Siatkiene was present on each occasion.

In August 2013, Ms Siatkiene applied for a new premises licence for the Euro Shop. This application was strongly objected by Trading Standards. On the 4th October 2013, a hearing took place where it was explained to the Licensing Sub-Committee the history of illicit alcohol and tobacco with Ms Siatkiene and her partner Mr Jabar. The Sub-Committee refused to grant the licence for the premises.

Further intelligence of the sale and supply of illicit alcohol and tobacco was received from July 2014. This led to several seizures by HM Revenue and Customs between July-November 2014. These illicit products were found concealed within Euro Shop, their home address and personal vehicles.

On the 10th May 2015, Trading Standards assisted HM Revenue & Customs and the Police in executing a warrant at Baltia Store. Both Ms Siatkiene and Mr Jabar were present when we arrived.

A seizure of 9.1 litres (13 bottles) of non-duty-paid spirits were found concealed under food items in the freezer, 140 assorted non UK duty-paid cigarettes were concealed in a tin on a shelf behind cat food and 28 packets of flavoured non-tobacco molasses were concealed behind the counter. They were seized from Ms Siatkiene, the shop manager.

Mr Jabar's vehicle that was parked outside the shop contained 46,020 cigarettes, 16.212kg of hand rolling tobacco and 2.81 spirits all non UK duty-paid.

The total amount of goods seized from Mr Jabar between July – November 2014 and including 10th May 2015 are 658,800 cigarettes, 44.5 kgs hand rolling tobacco, 55.3 litres spirits and 9 litres wine. Total evaded revenue **£213,464.00**. Investigations are continuing in the HMRC case consisting of 6 separate offences.

Trading Standards take a serious view on the sale of illicit goods realising the implications upon the licencing principle of preventing crime and disorder. We are not confident in the management of the business as they have previously and continued to gain financially through crime.

Under the guidelines under S182 of the Licensing Act 2003, Trading Standards fully support Cambridgeshire Constabulary with their recommendation for the revocation of the licence for Baltia Stores. Further illegal activity of illicit alcohol and tobacco has shown that the business is not promoting the crime prevention licensing objective.

Turvey Philippa

From: Clark Graeme
Sent: 16 June 2015 15:49
To: Licensing
Cc: Grahame Robinson; Dolby Darren
Subject: Review Application - Baltia - Huntley Grove
Attachments: Baltia Off License Review 19 05 15.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon,

I refer to the attached Review Application and submit the following representation on behalf of the Eastern Neighbourhood Delivery Team (NDT).

The NDT is fully supportive of the review of the licence for the Baltia off Licence, 148 – 150 Huntly Grove, Peterborough. The NDT strongly supports the need to revoke the licence based on the fact that the crime and disorder objective within the licence has being breached.

Crime and disorder is an issue the NDT works in partnership to tackle and it believes issues such as what have been uncovered at this location should, on this occasion, be dealt with by taking robust action in respect of the licence.

Regards,

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For more information about the Safer Peterborough Partnership visit www.saferpeterborough.org.uk

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