

DECISION NOTICE - LICENSING ACT 2003 SUB-COMMITTEE

REVIEW OF THE PREMISES LICENCE – LIFESTYLE CONVENIENCE STORE, 29 LONDON ROAD, PETERBOROUGH, PE2 8AN

1 AUGUST 2018

This Decision Notice refers to the review of the premises licence for Lifestyle Convenience Store, 29 London Road, Peterborough, PE2 8AN.

The Sub-Committee considered the representations made at the hearing and in writing in support of the review by:

- Simon Andrews, Regulatory Officer
- Karen Woods, Trading Standards;
- PC Grahame Robinson, Cambridgeshire Constabulary;
- Ardan Mahmood licence holder;
- Ahmad Gafoor, DPS; and
- Cherrie Cornock, (new shop assistant, and supporter and translator).

The Sub-Committee considered the information before it and took into account the following facts:

After receipt of a number of complaints, Trading Standards undertook several test purchases over a period of time and seized significant quantities of illicit tobacco.

An interview was undertaken with the Licence Holder Mr Mahmood, who denied knowledge of the items being in the premises.

The Sub-Committee were told that the tobacco had been handled by a person - a Mr Mustafa - who was working in the business in order to assess its viability with a view to purchasing it.

We were told that the sale to Mr Mustafa fell through in April 2018.

The Sub-Committee were told that, Mr Mohammed was told on the morning of the hearing that the lease was now owned by the same Mr Mustafa.

The Sub-Committee noted the concerns raised by Trading Standards regarding who was in fact said to be running the business.

The Sub-Committee were reminded of the provisions within the Government Guidance issued under the Act, at paragraphs 11.24, 11.26, 11.27 and 11.28.

The Sub-Committee believed that criminal activity was associated with the premises and that these premises were not promoting the licence objective of crime prevention, therefore the Sub-Committee considered revocation in the first instance, in line with paragraph 11.28 of the Guidance.

The Sub Committee, were concerned with the serious health and other risks associated with illegal importation and unregulated sales of such tobacco products. Such sales deprive Her

Majesty's Revenue Customs, allow an unfair business advantage, and pose a risk to unsuspecting members of the public.

The Sub-Committee considered other options available but believed that these would not promote the licensing objective of the Prevention of Crime and Disorder.

The Sub-Committee therefore revoked the licence for the premises, known as Lifestyle Convenience Store, 29 London Road, Peterborough, PE2 8AN.

Any party in objection to the decision may appeal to the Peterborough Magistrates Court within 21 days of receiving this formal notice at:

Peterborough Court House, Bridge Street, Peterborough, PE1 1ED. Tel No. 01223 376000. There is a fee to pay.

Councillor Hiller

Sub-Committee Chairman