

Ref: Licensing / 97 St Pauls Road

Darren Dolby
 Regulatory Officer (Licensing)
 Peterborough City Council
 Bridge House
 Peterborough
 PE1 1HU



Tuesday 15th November 2011

Dear Darren,

Premises Licence Application No: 062198 – 97 St Pauls Road, Peterborough – ‘Fags & Booze’

On 28th October 2011 correspondence was received from Peterborough County Council Licensing team highlighting an application for a new premises license for 97 St Pauls Road submitted by Qaiser Ijaz. The application was endorsed with their reference: 062198.

On 30th October 2011 Cambridgeshire Constabulary received by way of service correspondence from Qaiser Ijaz who submitted an application for the grant of a new premises license for 97 St Pauls Road, Peterborough, PE1 3DR.

97 St Pauls Road is an off license premises which currently operates under a license to sell alcohol. However this license, which was revoked by Council Committee on 28th September 2011 is subject to an appeal by the current licensee at Peterborough Magistrates Court, and not due to be heard until 12:00pm on Monday 23rd January 2012. The revocation and appeal are as a result of a joint operation conducted by HMRC, Trading Standards and Cambridgeshire Police designed to clamp down on illegal trade of illicit and counterfeit goods. On 20th April 2011 the venue was found with £135.57 worth of unpaid revenue on illicit goods.

During the review process of 97 St Pauls Road, the regulatory authority supplied information to the committee that this was not the first case of finding illicit trade taking place at the shop. It was disclosed that on 04th July 2010, following a joint operation conducted by HMRC, trading Standards and Cambridgeshire Police, unpaid revenue on illicit goods to the value of £306.71 was found at the store. The store keeper at the time was Qaiser Ijaz. He was also found with illicit goods in his vehicle at the time. The Committee should refer to the personal statement of HMRC Officer, Stephen Christmas, dated 04th November 2011 for exact details of the find.

It is through this information and the fact that I feel the application is an exercise to evade the revocation and appeal process of the current license that I must make representation against the license application and appeal to the Council Committee to refuse the application. I do not believe that the applicant has the due consideration to uphold the principles of licensing through past experience.

Furthermore, 97 St Pauls Road falls within the catchment of Operation CAN-Do, a multi agency approach geared towards tackling crime, drug abuse and alcohol related anti social behaviour. As such the community needs to see positive action in relation to crime and disorder and such action would send out a clear message that crime will not be tolerated and reassure the community.

Kind regards

PC1572 Grahame Robinson
Licensing Officer – Northern Division
Peterborough

The Trading Standards team are submitting an objection for the grant of the premises licence for **Fags & Booze at 97 St Pauls Road Peterborough** on the grounds of the prevention of crime and disorder objective.

A recent decision has been made by Peterborough City Council Licensing Committee to revoke the premises licence following two seizures of non duty paid alcohol and tobacco from the premises on 4th July 2010 and 20 April 2011.

The premises had failed on both occasions to provide documentation for the seized alcohol and tobacco.

On 4th July 2010 Jin Ling cigarettes and Amber Leaf Hand Rolling Tobacco were seized from Mr Ijaz Qaiser along with a seizure from Mr Qaiser's private vehicle. These cigarettes are not legitimately sold in the UK and the cigarettes found in both the shop and Mr Qaiser's private vehicle had foreign health warnings which would indicate that the UK duty had not been paid and could not legally be sold in the UK.

Please see attached a witness statement from HM Revenue & Customs regarding the seizure on 4th July 2010.

Although the premises licence holder will change, Trading Standards has concerns over Mr Qaiser becoming the holder of the premises licence. Previous history shows he does not have regard to the licensing objectives particularly to preventing crime and disorder and that the application is being used to circumvent the revocation of the previous licence for the same premises.

Additionally, the premises are located within area of new multi-agency initiative *Operation CAN-do*, which is tackling drug and alcohol related crime in the area, and is designed to provide visible reassurance to the community.

Whilst we strenuously object, if the Licensing Committee decide that the applicant be granted the licence then we would like to see the following conditions added –

- No alcoholic drinks will be purchased by the store owners or staff from sellers calling at the store
- All invoices (originals or copies) for all alcoholic goods 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

WITNESS STATEMENT

ENGLAND AND WALES ONLY

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

Statement of: **Stephen Christmas**

Age if under 18: **over 18** (If over 18 insert 'over 18')

Occupation: **HM Revenue & Customs Officer**

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

Signature: _____

Date: **4th November 2011**

I am an Officer of HM Revenue & Customs currently engaged on Inland Detection team duties. On the 4th July 2010 I attended Booze n Fags, 97 St Pauls Road, Peterborough, PE1 3DR with other Officers of HM Revenue & Customs to conduct a verification of the excise goods on the premises. I entered the premises at 10.20 hours and identified myself to Mr. Ijaz QAISER. During the verification of the excise goods on the premises a quantity of 25.9 litres of spirits with counterfeit labels, 20 Jin Ling cigarettes bearing foreign health warnings and 2x50gram pouches of Amber Leaf Hand Rolling Tobacco which were believed to be non UK duty paid were detected. A search of Mr. QAISER's private vehicle was also conducted and a further 400 Jin Ling cigarettes bearing foreign health warnings were detected.-----
Mr QAISER was unable to provide evidence of UK duty payment in the form of purchase invoices for the excise goods identified. Jin Ling cigarettes are not legitimately sold in the UK and the cigarettes found in both the shop and Mr QAISER's private vehicle had foreign health warnings which would indicate that the UK duty had not been paid and could not legally be sold in the UK. The goods were subsequently seized. -----
I left the premises at 11.40 hours-----
No appeal against the seizure of the goods has ever been received.-----

Date: 4th NOVEMBER 2011

Signature: _____
(signature of witness)

Signature: _____
(signature witnessed by)

STATEMENT OF WITNESS: ENGLAND AND WALES ONLY