

Ref: Mini Poli / License Review



Creating a safer
Cambridgeshire

Friday 18th October 2013

Darren Dolby
Licensing Authority
Peterborough City Council
Bayard Place
Peterborough
PE1 1HZ

Dear Darren,

Re: Premises License Review – Mini Poli Licensed Premises – Enterprise Way and Ivatt Way.

On 24th September 2013 Cambridgeshire Constabulary received notification from the Licensing Authority at Peterborough City Council of an application to review both Premises Licenses of Mini Poli at 42 Ivatt Way, Westwood, Peterborough, PE3 7PN (Premises License No: 064532) and Mini Poli, Ashwood House, Unit A, Enterprise Way, Bretton, Peterborough, PE3 8YQ (Premises License No: 067356). Both Premises Licenses are held by Tradycja Limited at 42 Ivatt Way, Company Number: 6279310. The Designated Premises Supervisor (DPS) for the Enterprise Way address is Mr. Tarik Bayraktar. The DPS for the Ivatt Way address is Ms. Gulsum Mankir. Both persons live at 25 Hyholmes, Bretton, Peterborough, PE3 8LG.

I understand that HM Revenue & Customs (HMRC) carried out an inspection of both premises on the 04th July 2013. Karen woods of Trading Standards at Peterborough City Council has submitted a review application in response to HMRC Officers seizing a substantial amount of alleged illicit alcohol namely 51,506.46 litres of assorted beer and cider and 9.5 litres of spirits. HMRC advise that the proprietors' have failed to produce valid invoices or receipts and therefore calculate that revenue due on the goods including VAT amounts to £66,167.48. Furthermore no claim against forfeiture has been received within the statutory time limit and the seized alcohol has been forfeited.

I would suggest that given the quantity and value of the goods any legitimate and valid invoices or receipts would have been produced immediately or at least within the notified timescales. It is my assertion that if a licensed premises which has such products, it is reasonable to assume they represent some form of commercial enterprise, which would cause concern and bring into question the suitability of the premises promoting the licensing objectives. On this occasion the amount of revenue due on the seized goods is considerable. The owner has failed to submit any notice of claim against the forfeiture, evidence which would ultimately disprove any involvement with illicit goods.

The stance of the Licensing team in Northern District is to support partners and deal robustly with issues of licensing to help drive down crime and disorder associated with licensable activities. As with all responsible authorities, we have a duty to make representations to the relevant authority where we consider activities relevant to the licensed premises to have a detrimental impact on the four licensing objectives; prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.

Cambridgeshire Constabulary take a very serious view on the sale of illicit goods realising the negative implications upon the licensing objectives of preventing crime and disorder and Public Safety. Such crime has a detrimental effect upon the immediate community and can be harmful to unwitting customers including children. Distribution and sale of illicit goods is linked to serious and organised crime and nationally is a drain on the

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economy. It is also very clear that unannounced visits and routine inspections on Licensed Premises are fundamentally necessary to prevent and deter crime.

We support Trading Standards and HMRC review application and ask the Licensing Sub-committee to seriously consider the facts. S182 of the Licensing Act 2003, Para: 11.23 states – “*There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously*”. Guidance details numerous serious activities, including – ‘*for the sale of smuggled tobacco and alcohol*’. Para 11.28 supports the above in suggesting that where the ‘*crime prevention objective is being undermined through the premises to further crimes*’ - serious consideration should be given to revocation of the license. I advise that, given the circumstances, this may be relevant in this case and should seriously be considered.

The Licensing Sub-Committee will determine what steps should be taken in connection with the Premises License, for the promotion of the crime prevention objective. In doing so numerous measures are available. In understanding this I would ask the Committee to consider applying the attached licensing conditions to the Operating Schedules should revocation be considered as unsuitable in this case.

The Prevention of Crime and Disorder:

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions in particular facial recognition. Cameras shall encompass all entrances and exits to the premises, fire exits and all area where the sale / supply of alcohol occur. A camera will be positioned outside the premises covering the shop frontage.
2. CCTV equipment must be maintained in good working order, be correctly time and date stamped. Recordings must be kept in date order, numbered sequentially and kept for a period of 28 days.
3. The Premises License Holder must ensure at all times a Designated Premises Supervisor or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format and hand this footage over to the Police / Local Authority on demand.
4. The recording equipment and discs / usb pen drives shall be kept in a secure environment under the control of the DPS or other responsible named individual.
5. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings of the system actions taken are to be recorded.
6. In the event of a technical failure of the CCTV equipment the Premises License Holder / Designated Premises Supervisor must report the failure to the Police or local authority immediately.
7. Notices advising that CCTV has been installed on the premises shall be posted so that they are clearly visible to the public within the licensed premises.
8. Staff training in relation to identifying and preventing sales of alcohol to any person who is, or appears to be drunk should be undertaken on a monthly basis. This training, together with on-going training to prevent underage sales (Challenge 25) should be recorded in a written format and be available to an authorised officer upon demand.
9. A refusals log will be maintained on a daily basis recording all refused attempted purchases of alcohol, carried out by drunks or underage persons.
10. No alcoholic drinks will be purchased by the store owners or staff from sellers calling at the store.
11. All invoices (originals or copies) for all alcoholic goods for retail sale on the premises will be kept at the licensed premises and made available to Police, Council and HMRC Officers upon request.
12. A strict stock control system will be introduced so that the licensee can quickly identify where and when alcoholic drinks have been purchased.
13. A ultra-violet light will be available and maintained at the store for the purpose of checking the UK Duty Stamp on all spirits as soon as practical after they have been purchased.

14. 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 the Trading Standards department and HMRC as soon as possible.

Promote Public Safety -

15. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
16. Valid Public liability Insurance shall be kept in force and a copy of the schedule shall be available for inspection by an authorised officer on request.
17. No person will be allowed to enter or leave the premises with an open vessel of alcohol and the licensee will actively discourage and prevent anyone congregating or drinking outside the premises.

The Protection of Children from Harm –

18. Signage will be prominently placed within the premises advertising the fact that the premises operate the 'Challenge 25' initiative.
19. 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 believe that the individual may be less than 21 years of age.
20. A refusal log will be accurately maintained on every refusal made in relation to the attempted purchase of alcohol by a juvenile or intoxicated person.

Yours faithfully,

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