

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 Millfield Off Licence 653 Lincoln Road	
Post town Peterborough	Post code (if known) PE1 3HA
Name of premises licence holder or club holding club premises certificate (if known) Mr Ghulam Abbas Jaferi <input type="checkbox"/> Eastfield Road, Peterborough PE1 4AS	
Number of premises licence or club premises certificate (if known) 063681	

Part 2 - Applicant details

I am

- | | |
|---|-------------------------------------|
| 1) an interested party (please complete (A) or (B) below) | Please tick yes |
| 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)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes

Please state the ground(s) for review (please read guidance note 1)

Trading Standards are requesting a review of the premises licence for Millfield Off Licence 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 APPENDIX C
(please read guidance note 2)

On the 5th March 2014 a test purchase exercise was carried out and an officer was able to purchase a packet of foreign labelled Marlboro Gold cigarettes for £5 from a male working in the shop.

On the 21st March 2014 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 Millfield Off Licence 653 Lincoln Road, Peterborough and the search resulted in the seizure of 104 packets of 7 different brands of cigarettes and 6 pouches of hand rolling tobacco. These items were found hidden in the premises and stored in a van outside.

The cigarettes and hand rolling tobacco were not labelled with the UK English language health warnings.

Following an investigation, on the 15th October 2014 Mr Ghulam Abbas Jaferi pleaded guilty at Peterborough Magistrates Court to 5 offences under the Tobacco Products (Manufacture, Presentation & Sale)(Safety) Regulations 2002 for supplying and possessing foreign labelled cigarettes and also under the General Product Safety Regulations 2005 as the Jin Lings failed the ignition propensity for cigarettes therefore not a safe product.

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	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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 20th October 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.

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