

Ref: Trading Standards Review – London Road Late Store



Creating a safer  
**Cambridgeshire**

Thursday 30<sup>th</sup> November 2017

Darren Dolby  
Licencing Officer  
Peterborough City Council  
Town Hall  
Bridge Street  
Peterborough  
PE1 1HU

Dear Darren,

Re: Trading Standards review application – London Road Late Store

On the 29<sup>th</sup> November 2017 Cambridgeshire Constabulary received notification of a Licencing review application submitted by Peterborough City Council Trading Standards. The review application refers to the 'Off' Licensed premises called 'London Road Food & Wine' at 64 London Road, Woodston 77 Mayors Walk, Peterborough, PE2 9BA. The Premises Licence reference 075045 is held by Mr. Azad Jomaa Mohamed. He is also the designated premises supervisor and holds an Alcohol Personal Licence No: LBHIL3640 issued by London Borough of Hillingdon.

The Premises License and Designated Premises Supervisor (DPS) was transferred over to Mr. Mohamed on 30<sup>th</sup> March 2017. The Premises License allows for the sale of alcohol daily between 08:00hrs and 23:00hrs.

At 11:00hrs on Monday 21<sup>st</sup> August 2017 a compliance inspection was carried out by myself and Mr Darren Dolby, Peterborough City Council Licencing Officer. I carried out a search in accordance with the Licencing Act 2003 and discovered on a shelf under the till foreign labelled cigarettes namely:

- 400 x Russian Winston Blue Cigarettes
- 160 x Lithuanian Marlboro Gold

Mr Mohamed stated that the cigarettes belonged to a member of staff – who he named but could not confirm any further details such as address or contact number. Amazingly he clarified that this random person was just helping him out. The cigarettes were seized and Mr. Mohamed was given a stern verbal warning. I later informed Peterborough City Council Trading Standards.

During the compliance inspection a number of minor issues were found that rendered Mr. Mohammed non-compliant with the Licencing Act under the remit of his Premises License. These issues, which included insufficient CCTV, an incomplete Fire Risk Assessment and absent staff training records were noted by Mr Dolby and the licensee was given a period of time to rectify. I formed the impression that

Mr Mohamed may not be fit and proper to hold a premises license but agreed to give him the time to rectify the identified issues and gain compliance through advice and guidance.

On Tuesday 29<sup>th</sup> August 2017 Mr. Dolby and I re-visited the shop and spoke with Mr Mohamed about the previously identified lack of compliance. A number of issues had not been rectified and Mr. Mohamed was given further advice and another warning. A compliance search was carried out and nothing illicit or illegal was found on this occasion.

On 28<sup>th</sup> September 2017 Trading Standards, Cambridgeshire Constabulary and HMRC carried out an inspection of 'London Road Late Store'. A significant seizure of counterfeit and illicit cigarettes and alcohol were made (as per Trading Standards review application).

The Licensee initially failed a compliance inspection and illicit cigarettes were found on the premises. The verbal warning given by myself was clear and concise in that any further seizures would result in the review of the premises license. Clearly knowing the wrongs in such activity, Mr Mohamed has continued to be a party to secreted goods within the store, potentially to sell for his or someone else's gain. This leads me to seriously doubt whether Mr Mohamed is fit and proper to sell alcohol or hold a premises license.

Cambridgeshire Constabulary fully support the ongoing operation and partnership with Trading Standards and HMRC in a positive effort to prevent and deter counterfeit / illicit cigarettes and alcohol being sold or supplied in Peterborough.

We take a very serious view on the sale of illicit / counterfeit goods. This is a serious breach upon the licencing objective to prevent crime and disorder, and in my opinion does not promote public safety. Such crime has a detrimental effect upon the immediate community and can be harmful to unwitting customers including children. Foreign cigarettes and hand rolling tobacco are not subject to the strict regulation and control measures that would benefit UK authorised sale items and in most cases have not had UK duty paid on them. Distribution and sale of illicit / counterfeit goods is linked to serious and organised crime and nationally is a drain on the economy.

*Section 182 Guidance - 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 support Trading Standards in submitting their review application and also ask for the Licensing Sub-Committee to seriously consider revoking the Premises licence held by Mr Mohamed.**

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