



Agenda for a meeting of the Bradford District Licensing Panel to be held on Friday, 2 March 2018 at 10.00 am in Committee Room 5 - City Hall, Bradford

Members of the Committee – Councillors

LABOUR	INDEPENDENT
M Slater Jamil	Morris

Notes:

- This agenda can be made available in Braille, large print or tape format on request by contacting the Agenda contact shown below.
- The taking of photographs, filming and sound recording of the meeting is allowed except if Councillors vote to exclude the public to discuss confidential matters covered by Schedule 12A of the Local Government Act 1972. Recording activity should be respectful to the conduct of the meeting and behaviour that disrupts the meeting (such as oral commentary) will not be permitted. Anyone attending the meeting who wishes to record or film the meeting's proceedings is advised to liaise with the Agenda Contact who will provide guidance and ensure that any necessary arrangements are in place. Those present who are invited to make spoken contributions to the meeting should be aware that they may be filmed or sound recorded.
- If any further information is required about any item on this agenda, please contact the officer named at the foot of that agenda item.

From:

Michael Bowness
Interim City Solicitor
Agenda Contact: Claire Tomenson
Phone: 01274 432457
E-Mail: claire.tomenson@bradford.gov.uk

To:

A. PROCEDURAL ITEMS

1. DISCLOSURES OF INTEREST

(Members Code of Conduct - Part 4A of the Constitution)

To receive disclosures of interests from members and co-opted members on matters to be considered at the meeting. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

Notes:

- (1) Members may remain in the meeting and take part fully in discussion and voting unless the interest is a disclosable pecuniary interest or an interest which the Member feels would call into question their compliance with the wider principles set out in the Code of Conduct. Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (2) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*
- (3) Members are also welcome to disclose interests which are not disclosable pecuniary interests but which they consider should be made in the interest of clarity.*
- (4) Officers must disclose interests in accordance with Council Standing Order 44.*

2. INSPECTION OF REPORTS AND BACKGROUND PAPERS

(Access to Information Procedure Rules – Part 3B of the Constitution)

Reports and background papers for agenda items may be inspected by contacting the person shown after each agenda item. Certain reports and background papers may be restricted.

Any request to remove the restriction on a report or background paper should be made to the relevant Strategic Director or Assistant Director whose name is shown on the front page of the report.

If that request is refused, there is a right of appeal to this meeting.

Please contact the officer shown below in advance of the meeting if you wish to appeal.

(Claire Tomenson - 01274 432457)

B. BUSINESS ITEMS

3. INTERNATIONAL FOOD STORE, 510-514 GREAT HORTON ROAD, BRADFORD 1 - 64

The Assistant Director Waste, Fleet and Transport Services will present a report (**Document “M”**) which outlines an application for review of a Premises Licence authorising the sale of alcohol at International Food Store, 512-514 Great Horton Road, Bradford.

Members are invited to consider the information and documents referred to in this report and, after hearing interested parties, determine the related application.

(Melanie McGurk – 01274 431873)

THIS AGENDA AND ACCOMPANYING DOCUMENTS HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER

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City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL

Report of the Assistant Director Waste, Fleet & Transport Services to the meeting of Bradford District Licensing Panel to be held on 2 March 2018.

M

Subject:

Application for a Review of a Premises Licence for International Food Store, 512-514 Great Horton Road, Bradford, BD7 3HH.

Summary statement:

Application for review of a Premises Licence authorising the sale of alcohol.

John Major
Assistant Director
Waste, Fleet & Transport Services

Report Contact: Melanie McGurk
Senior Licensing Officer
Phone: (01274) 431873
E-mail: melanie.mcgurk@bradford.gov.uk

Portfolio:

Neighbourhoods & Community Safety

Overview & Scrutiny Area:

Corporate

1. SUMMARY

The application is for the review of a Premises Licence authorising the sale of alcohol.

2. BACKGROUND

2.1 The Premises

International Food Store, 512-514 Great Horton Road, Bradford, BD7 3HH.

2.2 Premises Licence holder

Mr Rebaz Zaher.

2.3 Designated Premises Supervisor

Mr Rebaz Zaher.

A copy of the Licence is attached at Appendix 1.

2.4 Application Received asking for a Review of the Licence

Responsible Authority

Intelligence was received by West Yorkshire Trading Standards Service (WYTSS) which indicated that the premise was selling illegal tobacco.

On 29 October 2015, WYTSS carried out an inspection and found 6260 sticks of illegal cigarettes concealed under the counter and 2450 grams of illegal hand rolling tobacco.

WYTSS continued to receive complaints about the business and on 10 August 2017, WYTSS officers found 2180 sticks of illegal cigarettes behind the counter.

West Yorkshire Trading Standards Service considers the above matters to be extremely serious as the owner has supplied illegal tobacco products and shown a blatant disregard for the law. Therefore WYTSS would recommend revocation of the licence.

The application for review is attached at Appendix 2.



2.5 Representations

Individual, Body or Business

A representation has been received from a Ward Councillor, regarding anti-social behaviour by individuals who congregate outside existing shops and licensed premises to drink and socialise.

The representation is attached at Appendix 3.

3. OTHER CONSIDERATIONS

Legal Appraisal

3.1 The Licensing Act 2003 requires the Council to carry out its various licensing functions so as to promote the following four licensing objectives:

- a) the prevention of crime and disorder
- b) public safety
- c) the prevention of public nuisance
- d) the protection of children from harm

3.2 The Council must also have regard to the Guidance issued by the Home Office under Section 182 of the Licensing Act 2003. Paragraphs 11.1 to 11.30 of the Guidance specifically details how applications for review of licences should be determined. Regard must also be taken of the Council's statement of Licensing Policy for the District.

An extract of the Home Office Guidance is attached to this report at Appendix 4.

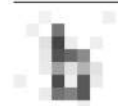
3.3 Where it is decided it is necessary to depart from the statutory guidance or the Licensing Policy on the merits of a particular case; then special reasons justifying this must be given that can be sustained.

3.4 Only "relevant representations" can be taken into account. In order to be "relevant" a representation must fairly relate to achieving a licensing objective. If it does not, it must be discounted.

3.5 Any licensing conditions that Members may propose attaching must also relate to achieving one of the licensing objectives; be tailored to the actual premises and style of licensable activity; must be reasonably achievable by the applicant and in his/her control.

Statement of Policy Issues

3.6 The following parts of the Licensing Policy are of particular importance; Part 4 (Prevention of Crime & Disorder) and Part 6 (Prevention of Public Nuisance).



3.7 The Annexes to the Policy sets out various types of model condition that could be considered.

4. FINANCIAL & RESOURCE APPRAISAL

There are no apparent finance or resource implications.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

There are no apparent risk management implications.

6. LEGAL APPRAISAL

Referred to in part 3 of this report.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

The Council has to comply with the public sector equality duty in S.149 Equality Act 2010.

7.2 SUSTAINABILITY IMPLICATIONS

There are no apparent sustainability implications.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

There are no apparent implications.

7.4 COMMUNITY SAFETY IMPLICATIONS

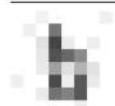
When determining the application the Licensing Authority is required to pay due regard to the licensing objectives referred to in 3.1 of this report.

7.5 HUMAN RIGHTS ACT

The following rights are applicable:

Article 1 First Protocol to the Convention – Right to peaceful enjoyment of possessions subject to the state's right to control the use of property in accordance with the general interest. The Council's powers set out in the recommendations fall within the states right. A fair balance must be struck between public safety and the applicant's rights.

Article 6 – A procedural right to a fair hearing. As refusal of the application is an



option, adherence to the Panels' usual procedure of affording a hearing to the applicant is very important. The applicant should also be able to examine the requirements of the fire authority. If the decision is to refuse then reasons should be given.

7.6 TRADE UNION

Not applicable.

7.7 WARD IMPLICATIONS

Ward Councillors have been notified of receipt of the application.

8. NOT FOR PUBLICATION DOCUMENTS

None.

9. OPTIONS

9.1 Members may:

- (a) Refuse the application for review of the licence; or
- (b) Decide not to impose any further restrictions on the licence; or
- (c) Decide to impose additional restrictions or remove any licensable activities on the licence, where necessary in order to address the licensing objectives; or
- (d) Suspend the licence for a period not exceeding 3 months; or
- (e) Revoke the premises licence; or
- (f) Remove the named Designated Premises Supervisor from the Licence.

9.2 Should the applicant or any other party to the hearing feel aggrieved at any decision with regard to the licence or to any conditions or restrictions attached by Members they may appeal to the Magistrates Court.

10. RECOMMENDATIONS

Members are invited to consider the information and documents referred to in this report and, after hearing interested parties, determine the related application(s).

11. APPENDICES

- 1. Premises Licence
- 2. Application for review received 8 January 2018.



3. Representation from a Ward Councillor.
4. Extract from the Government Guidance.

12. BACKGROUND DOCUMENTS

Application form, plan etc.





Licensing Act 2003 - Premises Licence

Licence No: 209377

Date Issued: 8 August 2017

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

International Food Store
512-514 Great Horton Road, Bradford, BD7 3HR

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

DATE FIRST GRANTED - ANNUAL FEE DATE

Licensing Act 2003 Fees Regulations 2005

8 August 2017

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

The Supply of Alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

The Supply of Alcohol Primary	Mon 08:00-00:00
	Tue 08:00-00:00
	Wed 08:00-00:00
	Thu 08:00-00:00
	Fri 08:00-00:00
	Sat 08:00-00:00
	Sun 10:00-22:00

THE OPENING HOURS OF THE PREMISES

Primary	Mon 08:00-00:00
	Tue 08:00-00:00
	Wed 08:00-00:00
	Thu 08:00-00:00
	Fri 08:00-00:00
	Sat 08:00-00:00
	Sun 10:00-22:00

WHERE THE LICENCE AUTHORIZES SUPPLY OF ALCOHOL WHETHER THIS IS ON AND/OR OFF SUPPLIES

The Supply of Alcohol Off Premises

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Mr Rebaz Zaher
512-514 Great Horton Road, Bradford, BD7 3HR

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Mr Rabaz Zaher
33 Bracewell Avenue, Bradford, BD15 7TD

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence Number: 202848

Issued By: Bradford

ANNEXES

Annex 1 – Mandatory Conditions

REQUIREMENT FOR A DESIGNATED PREMISES SUPERVISOR

No supply of alcohol may be made under the premises licence:

- (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

AUTHORISATION OF PERSONAL LICENCE HOLDER

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

AGE VERIFICATION

The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –

- a) a holographic mark, or
- b) an ultraviolet feature.

DUTY & TAX

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition set out in paragraph 1:

(a) 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979,

(b) 'permitted price' is the price found by applying the formula 'P' equals 'D' plus ('D' times 'V'), where-

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol,

(c) 'relevant person' means, in relation to premises in respect of which there is in force a premises licence-

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence,

(d) 'relevant person' means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question, and

(e) 'value added tax' means value added tax charged in accordance with the Value Added Tax Act 1994.

Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ('the first day') would be different from the permitted price on the next day ('the second day') as a result of a change to the rate of duty or value added tax.

The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions Consistent with Operating Schedule

All Four Licensing Objectives

1. A personal licence holder shall be present on the premises when sales of alcohol are taking place.

The Prevention Of Crime And Disorder

2. A CCTV System shall be installed at the premises, be maintained in good working order and used at all times the premises remain open to the public for licensable activities. Any CCTV footage shall be kept for at least 28 days and be available to the Licensing Authority or a Responsible Authority on request.

3. All staff shall be trained in appropriate circumstances ways to refuse custom e.g. to those appearing to be

intoxicated or underage.

Public Safety

4. All external and internal security lighting shall be maintained in good working order and used, where appropriate, at all times the premises remain open to the public.

The Prevention Of Public Nuisance

5. The premises licence holder shall ensure that the external areas of the premises are kept clear of litter and refuse.

The Protection Of Children From Harm

6. An appropriate proof of age policy, incorporating the principles of the "Challenge 25" Campaign be implemented; incorporating measures to ensure that any patron wishing to purchase alcohol who may reasonably appear to be under 25 years of age are asked to prove that they are at least 18 years old by displaying evidence of their identity and age in the form of a valid UK passport, new style driving licence displaying their photograph or PASS identification.

Annex 3 – Conditions attached after a hearing by the Licensing Authority

Not applicable



Licensing Act 2003 - Premises Licence Summary
Licence No: 209377

Date Issued: 8 August 2017

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION

International Food Store
512-514 Great Horton Road, Bradford, BD7 3HR

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

DATE FIRST GRANTED ANNUAL FEE DATE

Licensing Act 2003 Fees Regulations 2005

8 August 2017

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

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WHERE THE LICENCE AUTHORIZES SUPPLY OF ALCOHOL WHETHER THIS IS ON AND/OR OFF SUPPLIES

The Supply of Alcohol Off Premises

NAME AND (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Mr Rabaz Zaher
512-514 Great Horton Road, Bradford, BD7 3HR

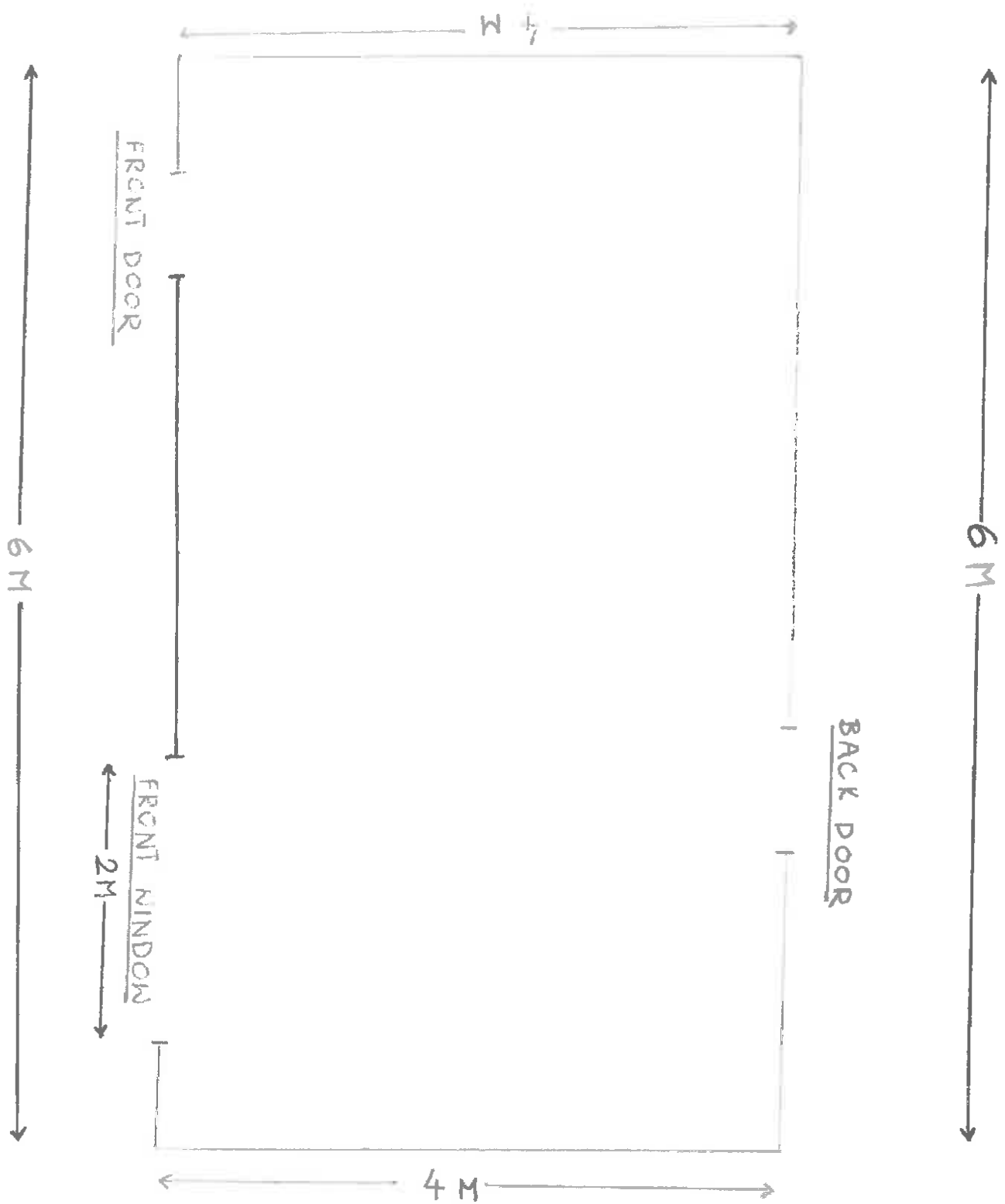
REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Mr Rabaz Zaher

WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

No restrictions.



Appendix 2

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 David Lodge acting on behalf of West Yorkshire Trading Standards Service

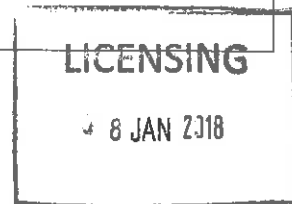
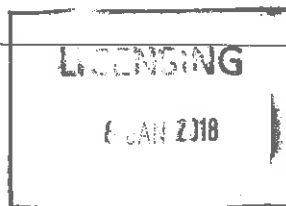
apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description International Foods, 510-514 Great Horton Road	
Post town Bradford	Post code (if known) BD7 3HH

Name of premises licence holder or club holding club premises certificate (if known) Rebuz Zaver

Number of premises licence or club premises certificate (if known)
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Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises

- 2) a responsible authority (please complete (C) below)
- 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 West Yorkshire Trading Standards Service PO Box 5 Nepshaw Lane South Morley Leeds LS27 7JQ (Case Officer: David Clutterbrook)
Telephone number (if any) 0113 3939874
E-mail address (optional) david.clutterbrook@wyjs.org.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

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

The facts of the case are as follows:

The retail premises, International Foods, 510-514 Great Horton Road, BD7 3HH was known to West Yorkshire Trading Standards Service (WYTSS). Intelligence received by WYTSS indicated that the business was dealing in illegal tobacco. This action risks the health of many local citizens whilst subsequently depriving the exchequer of duty.

Having received complaints that International Foods was dealing in illegal tobacco, WYTSS carried out an inspection on the 29/10/2015 and found 6260 sticks of illegal cigarettes concealed under the counter and 2450 grams of illegal hand rolling tobacco.

WYTSS continued to receive complaints about the business and on the 10/08/2017 WYTSS officers entered and found 2180 sticks of illegal cigarettes behind the counter.

The proceeds of course all going to the trader with no duty being paid.

The owner of this store has supplied illegal tobacco products and has shown a blatant disregard for the law. The supply of illegal tobacco causes genuine businesses to lose income which in turn effects the local economy as genuine

businesses pay rent, rates, employ local people and buy products and services from other local businesses.

WYTSS, as a Responsible Authority, considers the matters outlined above to be extremely serious. In these circumstances WYTSS considers that they have no option other than to seek a review of the Premises Licence and would recommend a full revocation of the licence.

Please provide as much information as possible to support the application
(please read guidance note 2)

Please see attached package of papers to support this submission:

Section 9 Statements from:

Babul Hussain

Noreen Akhtar

Copy of seizure 29/10/2015

Copy of Code B Notice of Powers and Rights 29/10/2015

Copy of sign over 10/08/2017

Copy of Code B Notice of Powers and Rights 10/08/2017

Photographs of Seized Tobacco

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

--	--	--	--	--	--	--	--	--	--

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 **X**
- I understand that if I do not comply with the above requirements my application will be rejected **X**

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

03-01-18

Capacity

HEAD OF SERVICE

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

David Lodge: Head of Trading Standards
Nepshaw Lane South
Morley

Post town
Leeds

Post Code
LS27 7JQ

Telephone number (if any) 0113 3939704

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) david.lodge@wyjs.org.uk

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.



Statement of: Noreen AKHTAR

Age of witness: (if over 18 enter 'over 18')


Over 18

Occupation:

Enforcement Officer

This statement (consisting of 1 page each 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.

Dated: 14th November 2017

Signature: 

I am employed by West Yorkshire Trading Standards service as an Enforcement Officer. I am an authorised officer for the provisions of the Trade Marks Act 1994, Tobacco & Related Products Regulations 2016, The Standardised Packaging of Tobacco Products Regulations 2015 and The Consumer Rights Act 2015.

On Thursday 29th October 2015 entered the premises of International Foods 512-514 Great Horton Road, Bradford. A search of the premises was carried out and 2 small bags containing illicit tobacco behind the counter.

A search of the premises was also carried out by Jack and Buster, Wagtail UK specialist tobacco detection dogs. Both gave a positive indication in a corner behind the counter. Having accessed this area, more illicit tobacco was found.

All illegal tobacco products found at the premises were seized.

Following information given to the police and positive indications again from the tobacco detection dogs, entry was gained into a Black golf, VRM FG05 JVY believed to be linked to the business. A quantity of illicit tobacco was removed from the boot of this vehicle.

NOTE : If statements are typed double spacing should be used.
One side only of this paper should be used.

(Signed) 

Dated..... 14/11/17 Page 1 of 1



Statement of: Babul Hussain

Age of witness: (if over 18 enter 'over 18') Over 18

Occupation: Regulatory Compliance Officer

This statement (consisting of 1 pages each 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.

Dated: 23/10/2017

Signature: [Redacted]

I am a Regulatory Compliance Officer employed by West Yorkshire Trading Standards Service (WYTSS). I am an authorised officer for the purposes of the Trade Marks Act 1994, Consumer Protection Act 1987 and the Tobacco and Related Products Regulations 2016.

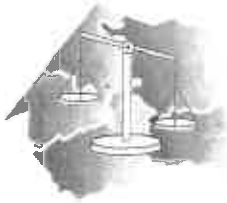
On the 29/10/2015 I entered the premises of International Foods, 510-514 Great Horton Road, BD7 3HH, and found 6260 sticks of illegal cigarettes concealed under the counter and 2450 grams of illegal hand rolling tobacco which were also concealed under the counter. Some of the tobacco was counterfeit and some of them were foreign labelled and non-duty paid.

On the 10/08/2017 WYTSS I entered and found 2180 sticks of illegal cigarettes behind the counter in a box. Some of the cigarettes were counterfeit and some of them were foreign labelled and non-duty paid.

NOTE : If statements are typed double spacing should be used.
One side only of this paper should be used.

(Signed) ... 23/10/17

Dated... [Redacted] ... 1 of 2



NOTICE OF POWERS AND RIGHTS

**ISSUED IN ACCORDANCE WITH PARAGRAPH 5.7 OF CODE B UNDER THE
POLICE AND CRIMINAL EVIDENCE ACT 1984**

Premise International Foods
 Address 512/514 Great Horton Road
Broadford BDF 3HF
 Name of Person Receiving Notice M. Abdulla Hassan Haj

INSPECTION USING STATUTORY POWERS

Under the Acts of Parliament listed below, an authorised Officer may, at all reasonable times and on production of his/her credentials if requested, enter any business premises and inspect any goods, and, if so authorised, inspect any weighing and measuring equipment.

This inspection visit is being carried out using statutory powers contained within the Acts indicated below. The Powers may vary between each Act.

- | | |
|--|---|
| <input type="checkbox"/> Agriculture Act 1970 | <input type="checkbox"/> Prices Act 1974 |
| <input type="checkbox"/> Consumer Credit Act 1974 | <input checked="" type="checkbox"/> Trade Descriptions Act 1968 |
| <input checked="" type="checkbox"/> Consumer Protection Act 1987 | <input checked="" type="checkbox"/> Trade Marks Act 1994 |
| <input type="checkbox"/> Fair Trading Act 1973 | <input type="checkbox"/> Video Recordings Act 1984 |
| <input type="checkbox"/> Food Safety Act 1990 | <input type="checkbox"/> Weights and Measures Act 1985 |
| <input type="checkbox"/> Hallmarking Act 1973 | <input type="checkbox"/> |

The Officer is also authorised under the other statutes listed on his/her warrant card.

If during the inspection the Officer has reason to suspect that an offence may have been committed, then (s)he may wish to exercise additional statutory powers. Some of these additional powers have been summarised, as far as practicable, on the reverse of this Notice, together with a summary of your rights.

OFFICER IN CHARGE OF INSPECTION N. Aichele
 OTHER OFFICERS OR PERSONS PRESENT S. JACKSON
B. HUSSAIN, PCS106, PC6121
Sgt 3298. DATE 29/10/15 TIME 11-15 am/pm

CONSENT TO USE EQUIPMENT

With your permission, I wish to make use of equipment held on the premises, namely a till, scanner or other similar equipment, for the purpose of checking prices. You are not obliged to give consent and you must understand that any information produced may be used in evidence in any court proceedings.

I HEREBY CONSENT TO THE OFFICERS NAMED ABOVE USING EQUIPMENT HELD ON THESE PREMISES. I HAVE READ AND UNDERSTOOD THE WARNING ABOVE.

SIGNATURE.....
 NAME (CAPITALS)..... Page 27 AGE 183024
 STATUS RELATIVE TO PREMISES.....



West Yorkshire Trading Standards

Nepshaw Lane South, Morley, Leeds, LS27 7JQ
t: 0113 253 0241
www.wyjs.org.uk/tradingstandards



This matter is being dealt with by:
Tel: 0113 393 3361

Email: *tradingstandards@wyjs.org.uk*

Consumer Rights Act 2015 - Entry Notice

To: *Restoration & Property*

Date: *20/01/2018*

Address: *57/58a Burnley Road
Burnley BL7 7JF*

This notice is given in compliance with:

Paragraph 23(6) of Schedule 5 to the Consumer Rights Act 2015 which requires written notice to the occupier (if present) when entering commercial premises.

Purpose of entry: Inspection of products, equipment and documentation.

Details of why entry is necessary: to carry out an inspection to check compliance with consumer legislation the officer (stated below) is authorised to enforce as detailed in schedule 5 of the Consumer Rights Act 2015 or to ascertain compliance with an undertaking or to ascertain whether goods are liable to be forfeit.

Obstruction offence: Obstructing a duly authorised officer is an offence. Obstruction includes where a person intentionally obstructs an officer; intentionally fails to comply with instructions given by an officer; without good reason fails to give an officer assistance or information reasonably required; makes a statement or a reckless statement which they know is false or misleading.

Signed: 
(Authorised officer)

Print Name: *P. F. ...*

Trading Standards Officer / Enforcement Officer



West Yorkshire
Trading
Standards Service

West Yorkshire Joint Services

Record of Property Seized
Section 21, Police and Criminal Evidence Act 1984

103744

0226

Name and Address of Premises

AVONDALE FISH AND CHICKEN RESTAURANT
103744 WINDYBUSH ROAD SW19

Name of the Occupier of the Premises

Item Location	Description of Item	
1 MOTOR	46x20x24 (broken) Mercedes 1111	K00716194
2. VEHICLE	3x 400W Amberlog 1111	K00716194
3	3x 400W Amberlog 1111	K00716194
4	3x 400W Amberlog 1111	K00716194
5	3x 400W Amberlog 1111	K00716194
6	3x 400W Amberlog 1111	K00716194
7	3x 400W Amberlog 1111	K00716194
8	3x 400W Amberlog 1111	K00716194
9	3x 400W Amberlog 1111	K00716194
10	3x 400W Amberlog 1111	K00716194
11	3x 400W Amberlog 1111	K00716194
12	3x 400W Amberlog 1111	K00716194

I agree that the above is a true record of property removed from the above premises

Signed

Occupier of premises

Investigating Officer

Signature

Time

Date

Should you have any queries in relation to the above please contact the Investigating Officer on: 0113 253 0241
write to: PO Box 5, Nephshaw Lane South, Morley, Leeds, LS27 0QP • e-mail: info@wys.org.uk • Fax: 0113 253 0314



29/10/2015 12:34



10 mg Tar
0.9 mg Nicotine
0 mg Carbon
monoxide
200
MAY!

1000

1000

29/10/2015 12:57





29/10/2015 12:59



Minsk capital

Курящие способны жить шевелитино аморальнее и женского беспощадно

Minsk capital

Курящие способны жить раса... и женского беспощадно

29/10/2015 13:01





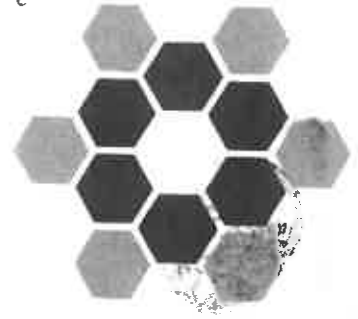
MASSACHUSETTS
FG05 JVV

29/10/2015 14:10

Tobacco Notice

West Yorkshire Trading Standards

Nepshaw Lane South, Morley, Leeds, LS27 7JQ
Email: dutyofficer@wyjs.org.uk
Website: www.wyjs.org.uk/tradingstandards



Notice of Powers and Rights

Issued in accordance with paragraph 6.7 of Code B under the Police and Criminal Evidence Act 1984

Premises/Limited Company Name: International Foods.
 Address: 510-514, Great Horton Rd. Bradford BD7 3HH
 Name of Person Receiving the Notice: Aurelia Kudrakova 27/3/1984.
 Officer in Charge: B. Hussain.
 Date of Search: 10/8/17 Time Commenced: _____ Time Concluded: _____

Purpose of Search: Consent / Exercise of Powers/ Warrant

Legislation

- | | |
|--|---|
| <input type="checkbox"/> Agriculture Act 1970 | <input checked="" type="checkbox"/> Trade Marks Act 1994 |
| <input type="checkbox"/> Consumer Credit Act 1974 | <input type="checkbox"/> Video Recordings Act 1984 |
| <input checked="" type="checkbox"/> Consumer Protection 1987 | <input type="checkbox"/> Weights and Measurers Act 1985 |
| <input type="checkbox"/> Fair Trading Act 1973 | <input checked="" type="checkbox"/> Consumer Rights Act 2015 |
| <input type="checkbox"/> Food Safety Act 1990 | <input type="checkbox"/> Consumer Protection from Unfair Trading Regulations 2008 |
| <input type="checkbox"/> Hallmarking Act 1973 | <input type="checkbox"/> Other |
| <input type="checkbox"/> Prices Act 1974 | |

Consumer Rights Act 2015

Entry is necessary to carry out an inspection to check compliance with consumer legislation the officer stated is authorised to enforce as detailed in schedule 5 of the Consumer Rights Act 2015 or to ascertain compliance with an undertaking or to ascertain whether goods are liable to be forfeited.

Search by Consent – Searches not included in statutory powers

Areas Officers are consented to search:

I confirm that I am consenting to the search for the purpose of:

I am aware that I am not obliged to consent, that I can withdraw my consent at any time. Anything that Officers discover can be seized in evidence.

Name of person: _____ Designation: _____
 Signature: _____ Time: _____
 Reason consent withdrawn: _____ Time: _____

186057

Consent to Use Equipment

I consent to the above named Officer making use of equipment held on the premises, namely a till, scanner or other similar equipment, for the purpose of checking prices. I am aware that I am not obliged to give consent and understand that any information produced may be used in evidence in court proceedings.

Name of person: _____ Designation: _____
 Signature: _____ Time: _____



FORFEITURE

NAME

Mr. G. H. H. H.

DATE

10/8/12

ADDRESS

*510-514
Great Horton Rd RD4 2HT*

DATE OF BIRTH

7/13/86

Following items have been forfeited under the provision of The Trade Marks Act 1994 / or

- Sample No. 108435*
- 5-20 EN HRT (Adwards)*
 - 7-20 NE BAW (Eggs)*
 - 8-20 NE BAW*
 - 10-20 Royal Red (W. 10/2/11)*
 - 11-20 Mist Bld (W. 10/1/11)*
 - 12-20 Jm Lign*
 - 13-20 Lm Bld*
 - 14-20 Pyl*
 - 15-20 Omega PA*
 - 16-20 Meribis PA*
 - 17-20 Meribis Cell*
 - 18-20 Pochman*
 - 19-20 Rhyth (Authorised Officer)*
 - 20-20 Pochman*
 - 21-20 Bst*

I hereby declare that I give up my rights to the property listed above and agree to the West Yorkshire Trading Standards Service taking possession of the said property and disposing of it as they think fit.

5-20 LUB

Signed















Appendix 3

Melanie McGurk

To: Cllr Aneela Ahmed
Subject: RE: International foods 510-514 great Horton road Bradford

From: Cllr Aneela Ahmed
Sent: 21 January 2018 15:21
To: Melanie McGurk
Cc: christopher.cahill2@westyorkshire.pnn.police.uk
Subject: International foods 510-514 great Horton road Bradford

Dear Melanie,

We the city ward Councillors would like support the application in for review by trading standards on the grounds that we already struggle with issues in that particular area and the surrounding streets.

This area is blighted by anti social behaviour street drinking and large groups convening on street corners to drink and socialise. The police have been involved on several occasions in removing groups from the area. These groups gather outside the existing shops and licensed premises for hours at end through the day and evening, this is intimidating to people going about their normal daily business .

Great Horton road is a busy highway this sort of behaviour creates more issues for the police and ourselves to deal with.

I have cc,d the police community officer into this email for their comments as well. As they have dealt with the local shop owners in the past for littering the pavement with their goods and have received words of warning. I understand that The premises has also been prosecuted for sale of illegal tobacco and littering the public highway as well.

KR
Cllr Lal

Cllr Azam

Cllr Ahmed

Sent from my iPad

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11. Reviews

The review process

- 11.1 The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.
- 11.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.
- 11.3 An application for review may be made electronically, provided that the licensing authority agrees and the applicant submits a subsequent hard copy of the application, if the licensing authority requires one. The licensing authority may also agree in advance that the application need not be given in hard copy. However, these applications are outside the formal electronic application process and may not be submitted via GOV.UK or the licensing authority's electronic facility.
- 11.4 In addition, the licensing authority must review a licence if the premises to which it relates was made the subject of a closure order by the police based on nuisance or disorder and the magistrates' court has sent the authority the relevant notice of its determination, or if the police have made an application for summary review on the basis that premises are associated with serious crime and/or disorder.
- 11.5 Any responsible authority under the 2003 Act may apply for a review of a premises licence or club premises certificate. Therefore, the relevant licensing authority may apply for a review if it is concerned about licensed activities at premises and wants to intervene early without waiting for representations from other persons. However, it is not expected that licensing authorities should normally act as responsible authorities in applying for reviews on behalf of other persons, such as local residents or community groups. These individuals or groups are entitled to apply for a review for a licence or certificate in their own right if they have grounds to do so. It is also reasonable for licensing authorities to expect other responsible authorities to intervene where the basis for the intervention falls within the remit of that other authority. For example, the police should take appropriate steps where the basis for the review is concern about crime and disorder or the sexual exploitation of children. Likewise, where there are concerns about noise nuisance, it is reasonable to expect the local authority exercising environmental health functions for the area in which the premises are situated to make the application for review.
- 11.6 Where the relevant licensing authority does act as a responsible authority and applies for a review, it is important that a separation of responsibilities is still achieved in this process to ensure procedural fairness and eliminate conflicts of interest. As outlined previously in Chapter 9 of this Guidance, the distinct functions of acting as licensing authority and responsible authority should be exercised by different officials to ensure a separation of responsibilities. Further information on how licensing authorities should achieve this separation of responsibilities can be found in Chapter 9, paragraphs 9.13 to 9.19 of this Guidance.

- 11.7 In every case, any application for a review must relate to particular premises in respect of which there is a premises licence or club premises certificate and must be relevant to the promotion of one or more of the licensing objectives. Following the grant or variation of a licence or certificate, a complaint regarding a general issue in the local area relating to the licensing objectives, such as a general (crime and disorder) situation in a town centre, should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time, could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 11.8 Where a licensing authority receives a geographic cluster of complaints, the authority may consider whether these issues are the result of the cumulative impact of licensed premises within the area concerned. In such circumstances, the authority may also consider whether it would be appropriate to include a special policy relating to cumulative impact within its licensing policy statement. Further guidance on cumulative impact policies can be found in Chapter 14 of this Guidance.
- 11.9 Representations must be made in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing. Representations may be made electronically, provided the licensing authority agrees and the applicant submits a subsequent hard copy, unless the licensing authority waives this requirement.
- 11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.
- 11.11 If the application for a review has been made by a person other than a responsible authority (for example, a local resident, residents' association, local business or trade association), before taking action the licensing authority must first consider whether the complaint being made is relevant, frivolous, vexatious or repetitious. Further guidance on determining whether a representation is frivolous or vexatious can be found in Chapter 9 of this Guidance (paragraphs 9.4 to 9.10).

Repetitious grounds of review

- 11.12 A repetitious ground is one that is identical or substantially similar to:
- a ground for review specified in an earlier application for review made in relation to the same premises licence or certificate which has already been determined; or
 - representations considered by the licensing authority when the premises licence or certificate was granted; or
 - representations which would have been made when the application for the premises

licence was first made and which were excluded then by reason of the prior issue of a provisional statement; and, in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or grant.

- 11.13 Licensing authorities are expected to be aware of the need to prevent attempts to review licences merely as a further means of challenging the grant of the licence following the failure of representations to persuade the licensing authority on an earlier occasion. It is for licensing authorities themselves to judge what should be regarded as a reasonable interval in these circumstances. However, it is recommended that more than one review originating from a person other than a responsible authority in relation to a particular premises should not be permitted within a 12 month period on similar grounds save in compelling circumstances or where it arises following a closure order.
- 11.14 The exclusion of a complaint on the grounds that it is repetitious does not apply to responsible authorities which may make more than one application for a review of a licence or certificate within a 12 month period.
- 11.15 When a licensing authority receives an application for a review from a responsible authority or any other person, or in accordance with the closure procedures described in Part 8 of the 2003 Act (for example, closure orders), it must arrange a hearing. The arrangements for the hearing must follow the provisions set out in regulations. These regulations are published on the Government's legislation website (www.legislation.gov.uk). It is particularly important that the premises licence holder is made fully aware of any representations made in respect of the premises, any evidence supporting the representations and that the holder or the holder's legal representative has therefore been able to prepare a response.

Powers of a licensing authority on the determination of a review

- 11.16 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.
- 11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.
- 11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker.
- 11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption)¹⁰;
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
- revoke the licence.

11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

11.21 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

¹⁰ See chapter 15 in relation to the licensing of live and recorded music.

Reviews arising in connection with crime

- 11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.
- 11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.
- 11.26 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.
- 11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
 - for the sale and distribution of illegal firearms;
 - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
 - for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
 - for prostitution or the sale of unlawful pornography;
 - by organised groups of paedophiles to groom children;
 - as the base for the organisation of criminal activity, particularly by gangs;

- for the organisation of racist activity or the promotion of racist attacks;
- for employing a person who is disqualified from that work by reason of their immigration status in the UK;
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

11.28 It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) 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.

Review of a premises licence following closure order

11.29 Licensing authorities are subject to certain timescales, set out in the legislation, for the review of a premises licence following a closure order under section 80 of the Anti-social Behaviour, Crime and Policing Act 2014 or section 38 of and Schedule 6 to the Immigration Act 2016. The relevant time periods run concurrently and are as follows:

- when the licensing authority receives notice that a magistrates' court has made a closure order it has 28 days to determine the licence review – the determination must be made before the expiry of the 28th day after the day on which the notice is received;
- the hearing must be held within ten working days, the first of which is the day after the day the notice from the magistrates' court is received;
- notice of the hearing must be given no later than five working days before the first hearing day (there must be five clear working days between the giving of the notice and the start of the hearing).

Review of a premises licence following persistent sales of alcohol to children

11.30 The Government recognises that the majority of licensed premises operate responsibly and undertake due diligence checks on those who appear to be under the age of 18 at the point of sale (or 21 and 25 where they operate a Challenge 21 or 25 scheme). Where these systems are in place, licensing authorities may wish to take a proportionate approach in cases where there have been two sales of alcohol within very quick succession of one another (e.g., where a new cashier has not followed policy and conformed with a store's age verification procedures). However, where persistent sales of alcohol to children have occurred at premises, and it is apparent that those managing the premises do not operate a responsible policy or have not exercised appropriate due diligence, responsible authorities should consider taking steps to ensure that a review of the licence is the norm in these circumstances. This is particularly the case where there has been a prosecution for the offence under section 147A or a closure notice has been given under section 169A of the 2003 Act. In determining the review, the licensing authority should consider revoking the licence if it considers this appropriate.

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