

Application for the review of a premises licence or club?  
premises certificate under the Licensing Act 2003

1 JUL 2017

**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 Police Constable 113 D.Bryan.

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 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**

Maja Sklep  
28A Rockingham Road

**Post town** Kettering

**Post code (if known)** NN16 8JS

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

Azad Rasul AHMADI

**Number of premises licence or club premises certificate (if known)**

14/00801/LAPNEW

15/01037/LAPCHD

**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  
PC 113 D.Bryan  
C/O Wellingborough Police Station  
Midland Road  
Wellingborough  
Northamptonshire  
NN8 1HF

Telephone number (if any)  
101 EXT 343409

E-mail address (optional)  
david.bryan@northants.pnn.police.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
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

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

I act on behalf of the Chief Officer of Police Mr Edens, he has delegated responsibility and authorised me to act on his behalf with regard to representations made by Northamptonshire Police to Licensing Authorities across the county of Northamptonshire.

Northamptonshire Police call for the Review of the Premises Licence for Maja Sklep under the Licensing Objective of the Prevention of Crime and Disorder.

The application relates to the premises being used for criminal purposes, that of being used for the storage and sale of smuggled tobacco from 2014 to the last visit conducted at the premises in February 2017.

In May 2014 a premises licence for the sale of alcohol by retail was granted by Kettering Borough Council to Mr AHMADI the Premises Licence Holder and Designated Premises Supervisor for Maja Sklep. Mr AHMADI was trading the store prior to the grant of the premises licence, there is nothing to suggest Mr AHAMDI was selling alcohol prior to the grant.

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

On the 27<sup>th</sup> of March 2014 Northamptonshire County Council (NCC) Trading Standards Department (TSD) conducted a Test Purchase Operation at the store and illicit tobacco was purchased from the store.

Two packets of illicit Marlboro lights were sold at £5.00 each.

On the 12<sup>th</sup> of June 2014 TSD Officers conducted another Test Purchase Operation at the store and again illicit tobacco was purchased.

Two packets of illicit L&M cigarettes at £4.50 each.

On the 11<sup>th</sup> of July 2014 TSD Officers visited the store and illicit tobacco was seized from behind the till and on a shelf behind the till, also from a concealed unit hinged under the counter.

Total 55 packets of illicit cigarettes, 9 pouches of illicit hand rolling tobacco and 72 packets of foreign labelled blunts.

On the 13<sup>th</sup> of August 2014 TSD Officers visited the store to serve an Enterprise Act undertaking on Mr AHMADI.

On the 6<sup>th</sup> of November 2014 TSD Officers visited the store and illicit tobacco was seized from underneath the counter also illicit tobacco was discovered in the alleyway to the side of the store.

Total 275 packets of foreign labelled cigarettes and 6 pouches of hand rolling tobacco.

On the 12<sup>th</sup> of February 2015 Mr AHMADI entered into a formal undertaking under the terms of the Enterprise Act.

On the 2<sup>nd</sup> of September 2016 TSD Officers conducted a Test Purchase Operation at the store and illicit tobacco was sold.

One packet of Marlboro Gold cigarettes at £5.00.

On the 21<sup>st</sup> of December 2016 a Traders Notice was issued to Mr AHMADI by TSD Officers.

On the 20<sup>th</sup> of January 2017 a letter was issued to Mr AHMADI by TSD Officers informing that the store was being monitored by the department in respect of illicit tobacco sales, this was signed by Mr AHMADI.

On the 1<sup>st</sup> of February 2017 TSD Officers conducted a Test Purchase Operation at the store and illicit tobacco was sold, a packet of foreign labelled Marlboro Gold cigarettes.

On the 22<sup>nd</sup> of February 2017 TSD Officers visited the store and illicit tobacco was seized from within the store, 786 packets of cigarettes and 37 pouches of tobacco, 53 of these packets are counterfeit.

When making this application Northamptonshire Police have consulted the statutory section 182 Guidance that accompanies the Licensing Act 2003, specifically paragraphs 2.1 and 11.24 to 11.28 which relates to Reviews in connection with crime.

In addition the Licensing Committee must be satisfied that any measures that they deem fit are appropriate to address the licensing objective of the Prevention of Crime and Disorder. In this individual instance this centres directly on the management of

**the premises. To modify the Premises Licence and/or remove the Designated Premises Supervisor in Northamptonshire Police's opinion would not curtail this criminal activity as detailed already in these Review papers. It is also contended that a restriction of the licensing hours would also not address the criminality.**

**R (Bassetlaw District Council) v Worksop Magistrates Court outlines the case that the action(s) taken by the Licensing Committee can be punitive. Northamptonshire Police ask the Licensing Committee to consider Revocation of this particular Premises Licence in the interests of the wider community for reasons detailed in the above case. The wider community in this instance is the shop keeper selling tobacco legally and at a higher cost to their own business and those other businesses who are involved or considering engaging in this illegal activity.**

**Contained with these papers are copies of the formal documents served on the Premises Licence Holder by NCC TSD.**

**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

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**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

Capacity

**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.

