

[Insert name and address of relevant licensing authority and its reference number (optional)]

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 Greg Bristol

(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 Intake Booze Unit 4, 71 Sandringham Road Intake	
Post town Doncaster	Post code (if known) DN2 5HY

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

Number of premises licence or club premises certificate (if known) LN/201800243

Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
- 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 ✓ yes

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 Greg Bristol Trading Standards Service Doncaster Council Civic Office Waterdale Doncaster DN1 3BU
Telephone number (if any) 01302 737534
E-mail address (optional) Greg.Bristol@doncaster.gov.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 2)

This review is made on the grounds of Prevention of Crime and Disorder and of Public Safety.

Following grant of the Premises Licence to Ismayil Ali on 19 June 2018 the Council had received a complaint regarding sale of illicit tobacco products. A test purchase was attempted and illicit tobacco products were purchased.

Illicit tobacco products are often not subject to the production controls of legitimate tobacco products and have been implicated in house fires.

Sale of illicit tobacco products is a criminal offence.

High strength lager and cider (more than 6.4% abv) was on sale shortly after the licence was granted, in breach of the licence conditions.

Please provide as much information as possible to support the application (please read guidance note 3)

In February 2018 the Premises Licence for Intake Booze, was revoked following a test purchase and subsequent seizure of illicit tobacco products.

Upon application for a new Premises Licence by Ismayil Ali the Trading Standards Service objected on the grounds the previous licence holder had continued involvement in the premises. At a hearing of the licensing sub-committee Ismayil Ali made it clear that previous licence holder would not be involved in the business. The determination by the Licensing Sub-Committee states "the committee also accepts that as soon as Mr Ali has purchased the business then [the previous licence holder] will not be involved in the operation of the licence."

A Premises Licence was granted to Ismayil Ali on 19 June 2018.

On 26 June 2018 I visited the premises and noted that Debowie lager at 7% abv and Frosty Jack cider at 7.5% abv were on display for sale, and that Okocim lager at 6.5% abv was stored behind the counter. A condition on the Premises Licence states "No Beers, Lager or Cider above 6.5% ABV to be sold at these premises."

On 30 July 2018 a complaint was received that illicit tobacco products were being sold from the premises.

On 10 September 2018 a test purchase was attempted. Two packets of Rothmans Demi 20s cigarettes were sold to the purchaser for £4 each. The packaging did not comply with the Regulations and had not been subject to UK duty. They were in fact smuggled.

The test purchase was recorded on video. The seller of the products is identified as the previous licence holder who was working in the premises.

Intake Booze, in various guises, has been open since 2015. In that time the Trading Standards Service has prosecuted all three business owners for sale of illicit tobacco products. The premises continue to be used as a front for illicit tobacco sales.

Have you made an application for review relating to the premises before

Please tick ✓ yes

If yes please state the date of that application

Day	Month	Year
24	05	2018

If you have made representations before relating to the premises please state what they were and when you made them

A representation was made on 24 May 2018 at the time when Ismayil Ali applied for a new Premises Licence for Intake Booze.

The previous Premises Licence holder was being prosecuted for sale of illicit tobacco products. As a result of a test purchase and seizure in December 2017 the Premises Licence revoked.

The Trading Standards Service were concerned that the previous Premises Licence holder was working in the premises and that the sale of illicit tobacco products would continue.

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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**



Signature

Date **26 September 2018**

Capacity **Tobacco and Alcohol Control Officer**

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Greg Bristol
Trading Standards Service
Civic Office
Waterdale

Post town
Doncaster

Post Code
DN1 3BU

Telephone number (if any) 01302 737534

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) Greg.Bristol@doncaster.gov.uk

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.