



**Licensing Act 2003**

**Responsible Authority Representation Form**

<b>Responsible Authority</b>	Licensing Authority
<b>Location</b>	Civic Office, Waterdale, Doncaster, DN1 3BU
<b>Officer Details</b>	Name: Daniel B Weetman Job title: Senior Environmental Health Practitioner Tel: 01302 734009 Email: Daniel.weetman@doncaster.gov.uk

<b>Application Details</b>	
<b>Our Reference</b>	WK/218019249 / PI/000204585
<b>Address of Premises</b>	Intake Booze, 71 Sandringham Road, Intake, Doncaster, DN2 5HY
<b>Type of Application</b>	Review: Premises Licence LN/201800243

<b>Details of Representation</b>
<p>The Licensing Authority makes this representation in support of Doncaster Trading Standard's application to review the premises licence of Intake Booze, 71 Sandringham Road, Intake, Doncaster, DN2 5HY.</p> <p>The licensing objective relevant to this representation is Prevention of crime and disorder.</p> <p>On accessing records held by the Licensing department, I noted that there is a history of continuing non-compliance with licence conditions attached to the premises licence.</p> <p>An inspection of the premises was carried out on 2 July 2018 by Licensing Compliance Officer, Mrs Smith. She noted the following non-compliances:</p> <ul style="list-style-type: none"><li>• Premises licence summary was not on display</li><li>• The premises licence was not available for inspection</li><li>• No age challenge posters displayed</li><li>• No signs asking people to leave the premises quietly and respect neighbours displayed</li></ul> <p>A follow up inspection was carried out by Licensing Compliance Officer Mr Greatorex on 14 September 2018 and the following non-compliances were noted:</p> <ul style="list-style-type: none"><li>• Premises licence summary was not on display</li><li>• No 'Challenge 21' posters on display</li><li>• Refusals log not kept</li><li>• CCTV system was not recording</li></ul>

On both visits, an inspection sheet was completed by the officer and a copy left at the premises. Mr Greatorrex carried out a further visit to the premises on 21 September 2018 where he found that most of the outstanding issues had been resolved except the CCTV system was still not recording.

Mr Greatorrex has provided a witness statement summarising his involvement with the premises which is attached to this form.

According to the application for a review of the premises licence, Doncaster Trading Standards conducted a test purchase at the premises on 10 September 2018 where the premises sold cigarettes that were found to be smuggled. It is an offence under Section 144 of the Licensing Act 2003 to knowingly keep or allow to be kept on licensed premises any smuggled goods.

I also note that the seller of the cigarettes during the test purchase was identified by Trading Standards as the previous premises licence holder, Mr Shuan Sofi. Mr Sofi had his premises licence revoked at a hearing by the Licensing Sub-committee on 14 February 2018 due to his involvement in the supply of illicit tobacco products from the premises.

Following Mr Ali's application for a premises licence, representations were made by Trading Standards due to their concerns over Mr Sofi's continued involvement in the business, and the application proceeded to a hearing on 14 May 2018. At that hearing the Licensing Sub-Committee decided to grant the Premises Licence as it was submitted by Mr Ali, and accepted by the Sub-Committee that Mr Sofi would no longer be involved in the business. This is clearly not the case. A copy of the minutes of the hearing are attached to this form.

The premises continue to be run in a way that permits criminal activity, fails to comply with conditions attached to the premises licence and fails to promote the licensing objectives.

The Licensing Authority recommends that the Licensing Sub-Committee consider revocation of the premises licence.

<b>Date Submitted</b>	4 October 2018
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**DONCASTER**  
Doncaster Metropolitan Borough Council

Criminal Procedure Rules, r 27.2  
Criminal Justice Act 1967, s 9  
Magistrates' Courts Act 1980, s.5B

## Witness Statement

**STATEMENT OF: Robyn Christopher GREATOREX**

**OCCUPATION OF WITNESS: Licence Compliance Coordinator**

**AGE OF WITNESS: Over 18** (if over 18 enter 'Over 18')

This statement (consisting of 0 page(s) 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.

Signature:  Dated the ...2 October 2018.....

I am a licence compliance officer with Doncaster Metropolitan Borough Council it is part of my duties to inspect licensed premises to ensure they are complying with the conditions of their premises licence. From records in my possession I can say the premises of Intake Booze 71 Sandringham Road Doncaster were inspected at 10:45 on the 2 July 2018. At that time the summary of the licence was not on display and a copy of the licence was not available for inspection both are legal requirements of holding the premise licence. There were no age challenge posters and no signs asking people to leave the premises quietly and respect the neighbours both these are conditions placed within the licence and therefore Intake Booze were not complying with the conditions of the said licence.

As a result of the above I attended the premises at 13:30 on the 14 September 2018 and carried out a further licensing compliance visit. At that time there was no summary of the licence on display a legal requirement of holding a licence. The CCTV was not recording there were no challenge 21 posters on display and no refusal log was kept to record any incidents within the premises. These three things are all conditions of the licence and again display breaches of that licence. On both occasions a visit sheet for the premises was completed and signed by a member of staff from the store. I can produce a copy of the visit on the 2 July 2018 as exhibit RCG1 and a copy of the visit sheet for the 14 September 2018 as exhibit RCG2. I can identify both exhibits by my signature on the rear of the exhibits.

On both occasions the store were blatantly not complying with the conditions contained within their premise licence and showed a complete disregard for the licence granted allowing them to sell alcohol.

Signed: 

**Business Name:** Intake Bar **Licence No.** 201800243  
**Address:** 71 Sandringham Rd.  
Intake  
Doncaster DN2 511Y  
**Type:** Premises Licence/Club Premises Certificate/Other (please specify) Premises

Licence inspection: Is the Summary on Display: Yes/No /  Is the Licence/Conditions held at Premises: Yes/No

Premises Licence Holder: Ismayil Ali DPS (if applicable): Ismayil Ali

Is the DPS as per Licence? Yes/No / NA / /

Is the DPS present? Yes/No/NA / /   
 Person Authorised in absence: \_\_\_\_\_

**LICENSABLE ACTIVITIES carried on:**

Regulated Entertainment: Plays / Films / Indoor Sporting Events / Boxing or Wrestling / Live Music/ Recorded Music / Performances of Dance / Adult Entertainment / Anything Similar

Does the Licence/Certificate permit the Licensable Activities carried on: Yes / No /  Supply of Alcohol: On / Off / Both / /

Children allowed: Yes/No /   
 Capacity (if applicable): 2100

**AWARENESS OF LICENSING OBJECTIVES BY PREMISES LICENCE HOLDER / DPS:**   
 (Key = A - Very Good, B - Good, C - Fair, D - Poor)

**CONDITIONS OF LICENCE / CERTIFICATE:**

The following Conditions of the Licence were NOT being complied with:

1) Challenge 25 poster  
Summary not on display  
licence not available

**Details of any matters identified during the inspection requiring your attention.**

Details of any matters identified during the inspection requiring your attention.	Legal Requirement/ Recommendation
1) Challenge 25 poster to be displayed	Legal Req
2) licence Summary to be displayed	Legal Req
3) Premises licence to be available	Legal Req
4) NO sign to respect neighbours	Legal Req

Following an inspection of the above premises, I can confirm that the overall inspection outcome was:

Compliant

Non-compliant

INSPECTING OFFICER(S) S. Smith

SIGNATURE 

DATE OF INSPECTION 2.7.2018

TIME STARTED 10.45

TIME ENDED 10.59

BUSINESS REPRESENTATIVE Sgt Smith

SIGNATURE 

To discuss the above findings or request further advice please contact the above officer on (01302) 734076

**FOR OFFICIAL USE ONLY**

Capacity	<u>2100</u>	Venue Type	<u>IC</u>	Awareness	<u>15</u>
Hours	<u>5</u>	Compliance	<u>20</u>	Confidence	<u>15</u>
				TOTAL	<u>30</u>

Risk Rating Assessment: V. High  High  Medium  Low  Very Low

**No Smoking**

Compliant

Signage

EXHIBIT RECEIVED  
[REDACTED]



Business Name: INTAKE BOOZE Licence No. \_\_\_\_\_  
 Address: 71 SANDRINGHAM ROAD  
INTAKE  
ONZ SHY.  
 Type: Premises Licence Club Premises Certificate/Other (please specify)

Licence inspection: Is the Summary on Display: Yes/No No Is the Licence/Conditions held at Premises: Yes/No Yes

Premises Licence Holder: ISMAYIL ALI DPS (if applicable): ISMAYIL ALI

Is the DPS as per Licence? Yes/No/NA Yes

Is the DPS present? Yes/No/NA No  
Person Authorised in absence: \_\_\_\_\_

LICENSABLE ACTIVITIES carried on:

Regulated Entertainment: Plays / Films / Indoor Sporting Events / Boxing or Wrestling / Live Music/ Recorded Music / Performances of Dance / Adult Entertainment / Anything Similar

Provision of Late Night Refreshment: Yes/No No Supply of Alcohol: On/Off/Both Both

Does the Licence/Certificate permit the Licensable Activities carried on: Yes/No No

Children allowed: Yes/No No  
Capacity (if applicable): 20

AWARENESS OF LICENSING OBJECTIVES BY PREMISES LICENCE HOLDER / DPS:  
(Key = A - Very Good, B - Good, C - Fair, D - Poor) D

CONDITIONS OF LICENCE / CERTIFICATE:

The following Conditions of the Licence were NOT being complied with:

- NO SUMMARY ON DISPLAY.
- CCTV NOT RECORDING.
- NO CHALLENGE 21 POSTERS.
- NO REFUSAL LOG.

Details of any matters identified during the inspection requiring your attention.

	Legal Requirement/ Recommendation
<u>SUMMARY TO DISPLAY</u>	<u>LEGAL</u>
<u>CCTV NEEDS REPAIRING.</u>	<u>LEGAL.</u>
<u>NO CHALLENGE 21 POSTERS</u>	<u>LEGAL</u>
<u>NO REFUSAL LOG.</u>	<u>LEGAL</u>

Following an inspection of the above premises, I can confirm that the overall inspection outcome was:-

Compliant

Non-compliant

INSPECTING OFFICER(S) RECREATOR EX (Print name)

SIGNATURE [Signature]

DATE OF INSPECTION 14.9.18

TIME STARTED 1330

TIME ENDED 1415

BUSINESS REPRESENTATIVE MONIKA KLOS (Print name)

SIGNATURE [Signature]

To discuss the above findings or request further advice please contact the above officer on (01302) \_\_\_\_\_

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Capacity	<u>5</u>	Venue Type	<u>10</u>	Awareness	<u>20</u>
Hours	<u>5</u>	Compliance	<u>20</u>	Confidence	<u>20</u>
Rateable Value		Acc details correct		Total	<u>80</u>
				No. of gaming machines	

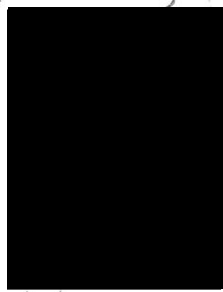
Risk Rating Assessment: V. High  High  Medium  Low  Very Low

No Smoking

Compliant

Signage

EXHIBIT REC 2  
V2C



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DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

MONDAY, 18TH JUNE, 2018

A MEETING of the LICENSING SUB-COMMITTEE was held in the COUNCIL CHAMBER, CIVIC OFFICE on MONDAY, 18TH JUNE, 2018, at 9.30 am.

PRESENT:

Chair - Councillor Ken Keegan

Councillors Duncan Anderson, Steve Cox and John Gilliver.

1 Declarations of interest, if any

There were no declarations of interest made at the meeting.

2 Minutes of the Meeting held on 14th May, 2018

RESOLVED that the minutes of the Licensing Sub-Committee meeting held on 14th May, 2018 be approved as a correct record and signed by the Chair.

3 Application for a new Premises Licence - Intake Booze, 71 Sandringham Road, Intake, Doncaster, DN2 5HY

The Sub-Committee considered an application for a new premises licence in respect of Intake Booze, 71 Sandringham Road, Intake, Doncaster, DN2 5HY. The procedure for considering the application was set out in Appendix A.

The Sub-Committee Members, the Applicant, the Applicant's representative and Responsible Authorities had received the agenda prior to the meeting.

Subsequent to the dispatch of the agenda papers, additional information from Trading Standards was circulated to Members of the Sub-Committee, the Applicant and the representative acting on behalf of the Applicant, prior to the commencement of the hearing.

At the commencement of the hearing, the Chair made introductions and outlined the procedure to be followed.

David Smith, the Licensing Officer, introduced the report and outlined the salient points.

It was pointed out that South Yorkshire Police had proposed 3 additional Conditions which the Applicant had agreed to.

The Applicant, Mr Ismayil Ali, and a representative acting on behalf of the Applicant, Mr Steve Butler, were in attendance at the meeting, made representations and answered questions.



All parties were then asked to leave the room whilst the Sub-Committee deliberated on the Application and reached a decision.

**RESOLVED** that the Licensing Sub-Committee having considered the application for a new Premises Licence for Intake Booze, 71 Sandringham Road, Intake, Doncaster, DN2 5HY, and having taken into account the written representations made and the evidence presented at the meeting, the steps that were appropriate to promote the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy, decided to grant the Licence in the terms set out in Appendix B, subject to the following:-

1. the Conditions put forward by South Yorkshire Police set out at Appendix F; and
2. that the CCTV in the premises shall ensure that the whole of the premises were covered.

The Sub-Committee made its decision for the following reasons:-

The applicant submitted that this was a new Premises Licence, but he was aware of existing problems of the selling of illicit cigarettes. Mr Ali would only buy the shop if he obtained the Licence and wanted to run the premises in accordance with the Licensing Objectives and the Sub-Committee accepted this assertion based on his history of running businesses in a responsible and legal manner. The Sub-Committee noted that the reason Mr Sofi was still in the premises because he was the current owner. It had been submitted by Mr Ali and the Sub-Committee believed that Mr Sofi would no longer be involved in the business. Trading Standards said the only link they had to say that Mr Sofi would still be involved in the premises was Mr Sofi's comments and Trading Standards said that this was relevant.

Mr Ali was to be the Designated Premises Supervisor (DPS), but would train staff, including in the sale of illicit tobacco, as he would not be there all the time as he had other businesses and made it clear that Mr Sofi would not be involved in the business, despite what Mr Sofi had said to Trading Standards.

Trading Standards said that there was a history of selling illicit tobacco. Since it opened in 2015, there had been prosecutions or other issues with all the previous owners including Mr Sofi where the Licence was revoked. Trading Standards recently visited the shop and Mr Sofi was working there, and Mr Sofi said he would assist the new owner in the shop due to the new owners lack of experience. The concern from Trading Standards was that that Licence was revoked and it would be in Mr Ali's name, but Mr Sofi would still be there and Trading Standards said they did not have complete confidence that illicit sales would not be made. However, Trading Standards also were specifically not suggesting Mr Ali engaged in illegal sales, but there was nothing in the operating schedule that addressed illicit sales and would have expected some mention given the history. Trading Standards said that certain requirements such as Business Rates and the Food Business Registration were still in the name of Mr Sofi which led them to believe that Mr Sofi would be involved. Trading Standards had also spoken to an employee recently employed by Mr Sofi, which further made them believe he would be involved in the premises. The concern was that Mr Ali would be the DPS and Mr Sofi would still be in the premises selling illicit tobacco.

The Sub-Committee accepted that Mr Ali was not yet the business owner which explained why Mr Sofi was still involved with the premises. The Sub-Committee also accepted that as soon as Mr Ali had purchased the business, then Mr Sofi would not be involved in the operation of the Licence. The Sub-Committee had no concerns with Mr Ali as a Premise Licence Holder and therefore believed that, as the Licence Holder, he would seek to promote the Licensing Objectives.

CHAIR:  \_\_\_\_\_

DATE: 4/7/2018