

## FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

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

Herefordshire Council  
Licensing Department  
Council Offices  
Bath Street  
HEREFORD

**Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)**

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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 the 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.**

|   |  |
|---|--|
| I James Mooney<br>police for<br>the West Mercia<br>review<br>of a premises licence under section 53A of the Licensing Act 2003. | [on behalf of] the chief officer of<br>police area apply for the |
|---|--|

**1. Premises details:**

Postal address of premises, or if none or not known, ordnance survey map reference or description:

**Eastern European Foods  
Eign Street**

Post town: HEREFORD

Post code (if known): **HR4 0AJ**

**2. Premises licence details:**

Name of premises licence holder (if known): PR01382

Number of premises licence holder (if known):

**3. Certificate under section 53A(1)(b) of the Licensing Act 2003** [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

**4. Details of association of the above premises with serious crime, serious disorder or both:**

[Please read guidance note 2]

**The premises is a multi national small size convenience store.**

**On Monday 13 December 2010, a search warrant was executed at the premises. This was a joint operation between Herefordshire Trading Standards, HM Revenue and Customs, supported by officers from West Mercia Police. On this occasion, the premises licence holder Mr AZAD was on the premises. In the region of 300,000 cigarettes, 10kg of tobacco and a large amount of alcohol was seized. None of these items had been subject HMRC procedure and therefore no UK tax had been paid.**

**On Wednesday 16 March 2011, a further warrant was executed at the premises. On this occasion 4,400 cigarettes were seized for the same reasons as in December 2010.**

**On this visit it was established that Mr AZAD was not at the premises and that he was believed to be out of the country and had been since shortly after the visit in December. Therefore the premises does not have a designated premises supervisor and any sales of alcohol will be an unauthorised licensable activity. On this occasion a notice under S19 Criminal Justice and Police Act 2001 was served on a member of staff at the premises, indicating that there had been a breach of the premises licence and therefore the sale of alcohol should cease**

**These breaches directly impact on the licensing objectives of the prevention of serious crime and disorder.**

Signature of applicant:

Date: 17 March 2011

Capacity: Licensing Officer



**Contact details for matters concerning this application:**

Address: **Hereford Police Station**  
**Bath Street**  
**HEREFORD**

Telephone number(s): 01432 347102

Email: [licensing.herefordshire@westmercia.pnn.police.uk](mailto:licensing.herefordshire@westmercia.pnn.police.uk)

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

West Mercia Police  
Herefordshire Territorial Policing Unit  
Bath Street  
Hereford. HR1 2HT

**CERTIFICATE UNDER SECTION 53(1)(b) OF THE LICENSING ACT 2003**

I hereby certify that in my opinion the premises described below are associated with serious crime *1*.

Eastern European Foods  
Eign Street  
Hereford HR4 0AJ

Premise Licence Number; PR01382

Name of Premise Supervisor; Ali Ahmad AZAD

I am Superintendent Charles HILL of the West Mercia Police

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because.

- Two separate incidents where warrants were executed at the premises resulting in large amounts of tobacco, cigarettes and alcohol were found and seized. It has been established that these items are smuggled goods and have not been subject to HMRC checks and tax compliance
- The most recent visit established that the premises licence holder Ali AZAD is out of the country and has not been seen at the premises since December 2010. Therefore there is no designated premises supervisor in place and any sales of alcohol are unlicensed.
- The interim conditions being sought are necessary for the promotion of the licensing objectives of the prevention of crime, the protection of children from harm and ensuring public safety.

..... *Charles Hill Sgt 944* ..... *17/11* .....  
Signed Dated

1 Delete as applicable

2 Include business name and address and any other relevant identifying details

3 Insert rank of officer giving the certificate, which must be a superintendent or above

4 Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of the seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned.