

## APPENDIX C



### 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 **Liz Robin**

*(Insert name of applicant)*

**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

Haran's 10 Norfolk Street.

Post town Wisbech

Post code (if known) PE13 3LD

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

Mr Kanapathipillai Kumaravel Thivakaran

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

PREM 0350

#### 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)

## APPENDIX C

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)

## APPENDIX C

### (C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Liz Robin, Cambridgeshire County Council, Director of Public Health, Shire Hall, Castle Hill, Cambridge. CB3 0AP.
Telephone number (if any) <b>01733 207176</b>
E-mail address (optional) Liz.robins@cambridgeshire.gov.uk

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

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

## APPENDIX C

**Please state the ground(s) for review** (please read guidance note 2)

This application for a review of the premises licence for Haran's, 10 Norfolk Street, Wisbech. PE13 3LD is being submitted by the Director of Public Health at Cambridgeshire County Council. This is following a two test purchases of tobacco being undertaken by Cambridgeshire Trading Standards on the 17<sup>th</sup> of January 2018 and then again on the 19<sup>th</sup> of June 2019 (part of a multi-agency enforcement day).

The Licensing committee needs to be aware that there are consequences of selling illicit tobacco as set out below:

- Maintaining higher prices of tobacco (making tobacco less affordable) is a key component of the UK's comprehensive strategy of tobacco control, and is one of the six internationally recognised cross-cutting strands that the current government supports in [Health Lives, Healthy People: A Tobacco Control Plan for England](#).
- The availability of illicit tobacco trade, which makes cheap tobacco readily available in local communities, undermines licit tobacco prices and this fundamental component of the UK's comprehensive tobacco control strategy.
- Often illicit tobacco trade is seen as a victimless crime; however, this is not the case, illicit tobacco trade makes it easier for children to start smoking, takes advantage of cash-strapped families, and helps fund organised crime. Additionally, if the cigarettes or tobacco is counterfeit they will not necessarily meet industry safety standards, such as fire safety standards (e.g. RIP – Reduced Ignition Propensity standards), which can cause greater safety risks to local communities, particularly through increased residential fires.
- The problems linked with illicit tobacco are wider than the loss of revenue to the exchequer, although this in itself is substantial. Illicit tobacco fuels teen smoking by being sold at pocket money prices often packets are sold for £2 or £3, and are frequently sold in individual sticks (a practice that has been illegal in the UK since 1991 (The Children's and Young Persons (Protection from Tobacco) Act, 1991) with each cigarette stick being sold for pennies.
- Illicit tobacco worsens health inequalities as the sellers often target areas of high deprivation and low income, and it harms local businesses by removing their customers, as well as undermining wider tobacco control measures.
- Removing illicit tobacco supplies in local areas will strengthen and re-enforce the Governments' policies on tobacco tax and pricing which is known to promoting smoking cessation among current users, deterring young people from starting to smoke, and reducing how much continuing users consume.

## APPENDIX C

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

Haran's has been granted a licence to sell alcohol. This comes with the following responsibilities:

- To not sell alcohol to people under the age of 18 and to ensure that age verification is in place
- To not sell alcohol to people who present drunk
- Not to sell alcohol when there is no designated place supervisor present
- To ensure appropriate training is in place

Haran's has now been found to be selling illicit tobacco on two separate occasions with an 18 month gap. If the owner does not pay attention to the laws around control of tobacco then owner is acting illegally and is therefore in breach of the licensing objective to "prevent crime and disorder". The owner is also selling products which cannot be guaranteed to meet safety controls/standards which are in force in respect of the sale of tobacco. The owner is therefore in breach of the licensing objective to maintain "public safety".

This evidence calls into question how suitable the owner is to hold a licence to sell alcohol and in the opinion of the Director of Public Health Licensing committee should consider removing the alcohol licence for Haran's.

# APPENDIX C

Please tick ✓ yes

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

If yes please state the date of that application

Day    Month    Year

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

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

N/A

# APPENDIX C

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 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 **5/8/19**

Capacity **Director of Public Health.**

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 6)	
<b>Post town</b>	<b>Post Code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	

## **APPENDIX C**

### **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.