



North Tyneside Council

Licensing Sub Committee

Monday, 8 January 2024

Monday, 15 January 2024 0.01 Chamber – Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY commencing at 10.00 am.

Agenda Item	Page
1. Appointment of Chair	
The Sub-committee to appoint a Chair for the meeting.	
2. Declarations of Interest	
Members of the Sub-committee are invited to declare any registerable and/or non-registerable interests in matters appearing on the agenda, and the nature of that interest.	
3. Procedure for Licensing Act Hearings	3 – 8
To note the procedure for hearing of an application for the transfer of a premises licence.	
4. Prudhoe Stores 4 Prudhoe Street, North Shields, NE29 6QZ	9 – 110
To give consideration to an application to transfer the premises licence in respect of Prudhoe Stores, 4 Prudhoe Street, North Shields, NE29 6QZ.	

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Members of the Licensing Sub Committee

Councillor Matthew Thirlaway (Chair)

Councillor John O'Shea

Councillor Willie Samuel

LICENSING ACT 2003

NORTH TYNESIDE COUNCIL

PROCEDURE FOR HEARING OF AN APPLICATION BEFORE THE LICENSING SUB-COMMITTEE (“the Committee”)

Each application that comes before this Committee will be treated on its own merits, and this Licensing Authority will take its decision based upon:

- The merits of the application
- The promotion of the crime prevention licensing objective
- The Statement of Licensing Policy of North Tyneside Council
- The guidance issued under Section 182 of the Licensing Act 2003.

The Procedure of the Committee is as follows:

1. The Chair of the Committee will open the hearing and will ask all persons present at the hearing to identify themselves. The Chair will then explain the procedure to be followed at the hearing.
2. The Committee will then consider any request made by a party under regulation 8(2) of the Licensing Act 2003 (Hearings) Regulations 2005 for permission for a person to attend as a witness on his/her behalf.
3. The Licensing Officer will present a report to the Committee outlining the application, and the Notice from the Chief Officer of Police and the relevant sections of the Council’s Statement of Licensing Policy and the statutory guidance.
4. The Committee may ask any relevant questions they have of the Licensing Officer.
5. The Applicant or their representative will then be invited to address the Committee to clarify any information arising from the officer’s report, if necessary.

Applicant

6. The Applicant, or their representative, will be invited to address the Committee, as to why they consider granting the application would not undermine the licensing objective concerned with the prevention of crime.

If the Applicant has obtained prior permission to call a particular witness, then they may call that witness.

7. The Committee may ask any relevant questions they have of the representative of the Applicant, the Applicant or their witness(es).

8. The current Premises Licence Holder may ask relevant questions they have of the applicant, their representative or witness(es).
9. The representative of the Chief Officer of Police or their representative, may ask any relevant questions they have of the representative of the Applicant, their representative or their witness(es).

Current Premises Licence Holder

10. The current Premises Licence Holder, or their representative, will be invited to address the Committee.
11. The Committee may ask relevant questions they have of the current Premises Licence Holder, or their representative.
12. The Applicant or their representative may ask relevant questions they have of the current Premises Licence Holder.
13. The representative of the Chief Officer of Police may ask relevant questions of the current Premises Licence Holder.

Police

14. The representative of the Chief Officer of Police will be invited to address the Committee as to why the Police are satisfied that there are exceptional circumstances which mean that granting the application would undermine the licensing objective concerned with the prevention of crime.

If the representative of the Chief Officer of Police has obtained prior permission to call a particular witness, then they may call that witness.

15. The Committee may ask any relevant questions they have of the representative of the Chief Officer of Police, their representative or their witness(es).
16. The representative of the Applicant or Applicant may ask any relevant questions they have of the representative of the Chief Officer of Police, their representative or their witness(es).
17. The current Premises Licence Holder may ask relevant questions they have of the representative of the Chief Officer of Police, their representative or their witness(es).

Summing Up

18. The Chair of the Committee will invite the representative of the Applicant or Applicant to make a brief closing statement.
19. The Chair will invite the Current Premises Licence Holder, or their representative, to make a brief closing statement.

20. The Chair will invite the representative of the Chief Officer of Police to make a brief closing statement.
21. The Chair will ask all parties if they are satisfied that they have said all they wish to.
22. The Committee will retire in private to consider the application and make its determination. The Legal Adviser will be present to ensure that all matters of law, evidence and procedure are adhered to appropriately but will not take part in the decision.
23. In considering any representations or a notice made by any party, the Committee may take into account documentary or other information produced by a party in support of their application, representations or notice (as the case may be) either before the hearing or, with the consent of all the other parties, at the hearing.
24. The Committee shall disregard any information given by a party or by any person to whom permission to appear at the hearing is given by the Committee, which is not relevant to:
 - (i) their application or notice; and
 - (ii) the promotion of the crime prevention objective.

NB Parties are reminded that any documentary or other information or evidence they wish to produce in support of their application or representation must have been disclosed to all parties prior to the hearing taking place. **Late representations, documents or evidence will only be considered with the agreement of all parties present.**

25. The Committee will return to announce its decision. A written notice of the decision will be provided to all parties in accordance with statutory requirements. The decision letter will include the reasons for the decision, and any conditions placed upon the licence (if granted) and the licensing objective(s) they relate to. The notification of decision will include information on a party's right to appeal against the Committee's decision.

General Matters

1. Expectations on parties

The Licensing Authority expects all parties to a hearing to endeavour to address any issues openly and to work towards an amicable resolution, if at all possible, prior to the hearing taking place.

All parties will be expected to draw to the Committee's attention any relevant aspects of the National Guidance or local Statement of Licensing Policy which they consider are particularly relevant to the Committee's consideration of the issues the party(ies) has/have raised.

2. **Agreement that a hearing is unnecessary**

A Licensing Authority can dispense with holding a hearing if the Applicant and Chief Officer of Police give notice to the Licensing Authority prior to the hearing date that they consider a hearing is unnecessary.

Where all such persons have given such notice, and the Licensing Authority agrees that a hearing is unnecessary, the Licensing Authority will give notice to the parties that the hearing has been dispensed with.

3. **Failure of parties to attend**

The hearing may proceed in the absence of any party who has informed the Licensing Authority that they do not intend to attend or be represented at the hearing.

If a party fails to attend or be represented at a hearing without notifying the Licensing Authority, the Committee may adjourn the hearing to a specific date if it considers it to be in the public interest to do so, or alternatively may proceed with the hearing in the party's absence. In the interests of the other parties, costs and efficiency, hearings will generally proceed notwithstanding the absence of any party (including the Applicant).

Where it is decided to proceed in a party's absence, all notices and representations received from the absent party will be considered by the Committee.

If, in exceptional circumstances, a decision is made to adjourn a hearing all parties will be advised of the date, time and venue to which the hearing has been adjourned.

4. **Questioning of parties**

The Licensing Authority will generally allow all parties to ask questions of another party present, but this decision will be taken on a case by case basis and in some exceptional circumstances (a reason will be given) cross examination may be prohibited.

5. **Further clarification**

When addressing the Committee each party shall respond specifically to any points of which it received notice (with the Notice of Hearing) upon which the Committee was seeking clarification.

6. **Questioning by Legal Adviser**

The legal adviser to the Committee may ask questions on behalf of, or in addition to, the Committee members themselves.

7. **Hearsay evidence**

Hearsay evidence will be admissible provided that it is relevant. The weight to be attributed to hearsay evidence will be a matter for the Committee.

8. **Persons behaving in a disruptive manner**

The Committee has the right to exclude any person disrupting the hearing, at their discretion. The Committee can refuse to allow that person to return or, alternatively, may permit him/her to return on such conditions as the Committee may decide. Any person required to leave the hearing may, before the end of the hearing, submit to the Committee in writing any information which they would have been entitled to give orally had they not been required to leave.

9. **No decision-making by Ward Members**

A member of the Licensing Committee shall not be entitled to participate in any decision-making in relation to any licensing application concerning premises in the Ward for which he/she serves as Councillor.

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REPORT

**Meeting/
Decision
Maker(s)** Licensing Sub-Committee

Date: 15 January 2024

Report by: Jeff Young
Licensing Officer
Licensing Section
☎ 643 6903

**Contact
Officer(s):** Jeff Young
Licensing Officer
Licensing Section
☎ 643 6903

**Title of
Report:** Licensing Act 2003

Prudhoe Off Licence
4 Prudhoe Street
North Shields
Tyne And Wear
NE29 6QZ

Ward(s): Riverside

1.0 Summary / Purpose of Report

1.1 Licensing Sub-Committee

The Licensing Act 2003 provides that, where a representation has been received from a The Chief Officer of Police in respect of an application to Transfer a Premises Licence, a hearing must be held to consider that representation. Sub-Committees have been established in accordance with provisions of the Act for the purpose of hearing such matters.

1.2 The Sub-Committee is asked to consider and determine the application from Mr Khalid Nabi, to Transfer the Premise Licence in respect of Prudhoe Off-Licence, 4 Prudhoe Street, North Shields Tyne and Wear NE29 6QZ.

1.3 The applicant has been invited to attend the meeting to put forward his case in support of his application.

1.4 Representations from Responsible Authorities and Other Persons

1.5 The application has been forwarded to the Chief Officer of Police who is the only Responsible Authorities permitted to consider an application to Transfer a Premises Licence.

1.6 A representation has been received from the Chief Officer of Police, and this is attached at **Appendix 3**. Representatives of the Chief Officer of Police have been invited to attend this meeting in support of their representation.

2.0 Authority to make decisions.

2.1 In relation to an Application for the Transfer of a Premises Licence the Licensing Sub-Committee can, under the Licensing Act 2003:

- grant the Application; or
- reject the Application.

2.2 Once the Sub-Committee has reached a decision, the decision and reasons for the decision must be given in accordance with the Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations 2005.

3.0 The Application for the Transfer of a Premises Licence under Section 42 of The Licensing Act 2003

3.1 This report relates to an application to Transfer the premises licence in respect of Prudhoe Stores, 4 Prudhoe Street, North Shields, Tyne and Wear, NE29 6QZ.

3.2 Mr Khalid Nabi has submitted the application to transfer the premises licence to himself from his father Mr Ghulam Nabi who recently passed away. Mr Ghulam Nabi was the previous Premises Licence Holder and Designated Premises Supervisor.

3.3 Upon the death of a Premises Licence holder, an applicant has 28 days to submit an application to transfer a Premises Licence to the Local Authority. Failure to do so, results in the automatic lapse of the licence.

3.4 The Application for the Transfer of the premises licence is attached at **Appendix 1**, a copy of the current Premises Licence is attached at **Appendix 2**.

3.5 The Application for the Transfer of a Premises Licence is made pursuant to Section 42 of the Licensing Act 2003 and the relevant Section of the Act dealing with the determination of such an Application is contained in Section 44 of the Act.

4.0 History

4.1 On 28th May 2019, the Licensing sub-Committee considered the Review of the Premises Licence of Prudhoe Stores, submitted by The Local Weights and Measures Authority. The Review related to offences associated with The Prevention of Crime and Disorder and The Protection of Children from Harm and related to the sale of illicit tobacco.

- 4.2** The Chief Officer for Police submitted a representation in support of the review brought by The Local Weights and Measures Authority.
- 4.3** Details of the above can be found within the representation submitted by The Chief Officer for Police at **Appendix 3**

5.0 For Decision

- 5.1** The Sub-Committee is asked to determine this application in whichever way it sees fit.

6.0 Associated Papers

Appendix 1 – The application for the Transfer of a Premises Licence

Appendix 2 – Current Premises Licence

Appendix 3 – Representation from The Chief Officer for Police

7.0 Background Information

- 7.1** The following background papers have been used in the compilation of this Report and are available for inspection at the offices of the authors of the Report:

North Tyneside Council Statement of Licensing Policy

The Licensing Act 2003 and Regulations

Revised Guidance issued under Section 182 of the Licensing Act 2003 from the Home Office

Delegation Scheme – Licensing Committee 7 February 2005

APPENDIX 1

pd £23 v/c 29.9.23



North Tyneside Council

Application to transfer premises licence to be granted 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/We _____
(Insert name of applicant)

apply to transfer the premises licence described below under section 42 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 00CK170255

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
4-5 PRUDHOE STREET	
Post town	NORTH SHIELDS
Post code	NE29 6QZ
Telephone number at premises (if any)	0191 490 6986

Please give a brief description of the premises (see note 1)
GROCERY, ODDS & ENDS AND OFF LICENCE.

Name of current premises licence holder
.....

Part 2 - Applicant details

In what capacity are you applying for the premises licence to be transferred to you?

Please tick yes

- a) an individual or individuals* please complete section (A)
- b) a person other than an individual *
- i. as a limited company/limited liability partnership please complete section (B)
- ii. as a partnership (other than limited liability) please complete section (B)
- iii. as an unincorporated association or please complete section (B)
- iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) an individual who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in respect of an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

*If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname **First names**

Date of birth **I am 18 years old or over** Please tick yes
Nationality

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 2 for information)

Current residential address if different from premises address

Post town **code**

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname **First names**

Date of birth **I am 18 years old or over** Please tick yes

Nationality

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 2 for information)

Current residential address if different from premises address

Post town

Post code

Daytime contact telephone number

E-mail address (optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3

Please tick yes

Are you the holder of the premises licence under an interim authority notice?

Do you wish the transfer to have immediate effect?

If not when would you like the transfer to take effect?

Day	Month	Year

Please tick yes

I have enclosed the consent form signed by the existing premises licence holder

If you have not enclosed the consent form referred to above please give the reasons why not. What steps have you taken to try and obtain the consent?

MY DAD WHO WAS THE PREMISES LICENCE HOLDER DIED ON THE 10-09-2023. THATS WHY I COULD ~~NOT~~ NOT GET THE CONSENT.

Please tick yes

If this application is granted I would be in a position to use the premises during the application period for the licensable activity or activities authorised by the licence (see section 43 of the Licensing Act 2003)

Please tick yes

I have enclosed the premises licence

If you have not enclosed premises licence referred to above please give the reasons why not.

- I have made or enclosed payment of the fee
- I have enclosed the consent form signed by the existing premises licence holder or my statement as to why it is not enclosed
- I have enclosed the premises licence or relevant part of it or explanation
- I have sent a copy of this application to the chief officer of police today
- I have sent a copy of this form to Home Office Immigration Enforcement today
- Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents, or my Home Office online right to work checking service share code, to demonstrate my entitlement to work in the United Kingdom (please read note 2)

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND, PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 2)

Part 4 – 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

28 SEPTEMBER 2023

.....

Capacity

APPLICANT

.....

For joint applicants signature of second applicant, second applicant’s solicitor or other authorised agent (please read guidance note 5). **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 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Notes for Guidance

1. Describe the premises. For example the type of premises it is, its general situation and layout and any other information which would be relevant to the licensing objectives.

2. Right to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership which is not a limited liability partnership who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued on or after 6 April 2017 will lapse if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensing activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport apply].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.

- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to do the work in question.
- A **current** Residence Card issued by the Home Office to a person who is not a national of an EEA state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of an EEA state or Switzerland but who is a family member

applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
6. This is the address which we shall use to correspond with you about this application.

of such a national or who has derivative rights of residence.

- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of an EEA state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the EEA family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the EEA national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of EEA nationals who are studying or financially independent must also provide evidence that the EEA national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the

APPENDIX 2



North Tyneside Council

PREMISES LICENCE

Schedule 12 – Part A

Premises Licence number: 00CK/17/0255

Part 1 - Premises details

Postal address of premises:

Prudhoe Off-Licence Store
4 - 5 Prudhoe Street
North Shields
Tyne And Wear
NE29 6QZ

Where the licence is time limited the dates:

Licensable activities authorised by the licence:

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:

Supply of Alcohol: Monday to Saturday **From:** 08:00 **Until:**23:00
Sunday **From:**10:00 **Until:**22:30

The opening hours of the premises:

Not Limited

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies:

Off Premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Mr Ghulam Nabi
7 Prudhoe Street, North Shields, Tyne And Wear, NE29 6QZ

Registered number of holder, for example company number, charity number (where applicable):

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Mr Ghulam Nabi,
7 Prudhoe Street, North Shields Tyne and Wear, NE29 6QZ

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol:

00CK/05/0294 North Tyneside Council

Annex 1 - Mandatory conditions

1. No supply of alcohol may be made under this premises licence :-

- (a) at a time when there is no designated premises supervisor in respect of the premises licence or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under this premises licence must be made or authorised by a person who holds a personal licence.

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 - with effect from 1st October 2010 as amended on 1st October 2014

1.(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premise licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -

- (a) a holographic mark, or
- (b) an ultraviolet feature.

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014 with effect from 28th May 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence—

- (i) the holder of the premises licence,

- (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating schedule

1. This licence is granted subject to conditions which reproduce the effect of any restrictions imposed on the use of the premises for the existing licensable activity by virtue of schedule 8, Paragraph 6(8) and 18(5) of the Licensing Act 2003. The restrictions are contained in the following Acts: the Licensing Act 1964, the Children and Young Persons Act 1963, the Cinematograph (Safety) Regulations 1955 and the Sporting Events (Control of Alcohol Etc) Act 1985.
2. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 25 years of age and who is seeking to purchase or obtain alcohol from the premises. Such credible evidence shall either be a passport, photographic driving licence or proof of age card carrying a "pass" logo.
3. A book detailing all challenges of customers as to their age and the outcome of those challenges will be maintained and kept at the premises at all times and will be made available for inspection on request and removal if necessary by the Council's Licensing Officers or Police representatives.
4. The book detailing challenges as to the age of customers will be inspected by any Designated Premise Supervisor or manager employed at the premises on a weekly basis and a signed declaration made in the book each week by such person declaring that the book has been duly inspected by them.
5. There will be notices prominently displayed at the premises, particularly at points of sale and where alcohol is displayed for sale, stating that a challenge 25 policy operates at the premises and that appropriate photographic identification will be required to be produced on request.

Annex 3 - Conditions attached after a hearing by the licensing authority

1. A CCTV system will be installed at the Premises and maintained in proper working order at all times and the Premises Licence Holder will ensure that:
 - The CCTV cameras are located at the Premises so as to provide coverage of entrances and exits, both internally and externally, and all points of sale.
 - The CCTV system is able to capture clear images permitting identification of individuals.
 - The CCTV system will be in operation whenever licensable activities are taking place at the Premises.
 - The CCTV system is able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 30 days.
 - The CCTV system is capable of constantly generating an accurate date and time.
 - The CCTV system is fitted with security functions to prevent recordings being tampered with e.g. password protection.
2. There will be members of staff present at the Premises during the operating hours trained to provide viewable copies of CCTV images as soon as possible following a request from representatives of Northumbria Police or the Licensing Authority made in accordance with the Data Protection Act 2018 (or any replacement legislation).
3. All members of staff responsible for the sale of alcohol and any other age restricted products from the Premises will receive training relation to their duties and responsibilities under the relevant legislation concerned with the sale of all age restricted products from the Premises before being permitted to sell age restricted products at the Premises. Such training will be provided by an external BIIAB accredited trainer, or a trainer with accreditation from a similar awarding body to the BIIAB or the training provided by a legally qualified licensing practitioner.
4. All members of staff responsible for the sale of age restricted products will receive refresher training at least one a year as to their duties and responsibilities under the relevant legislation concerned with the sale of the age restricted products from the Premises. Such training will be provided by an external BIIAB accredited trainer, or a trainer with accreditation from a similar awarding body to the BIIAB or the training provided by a legally qualified licensing practitioner.
5. All training received by staff in relation to the sale of age restricted products will be recorded, and such records kept at the Premises at all times and be made available for inspection immediately on request from representatives of Northumbria Police or the Licensing Authority (including Trading Standards officers).

Annex 4 - Plans

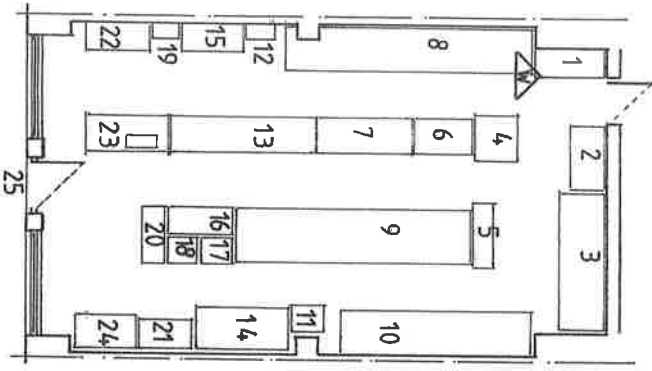
See attached

SHOP LAYOUT

4 Prudhoe Street

North Shields

Scale - 1:100.



- 1 Wine shelving
 - 2 Double fridge - beer and aldnopops
 - 3 general goods
 - 4 Beer, loga stock
 - 5 Serris
 - 6 Double freezer - ice cream
 - 7 Double freezer - frozen goods
 - 8 wine, spirits con's & aldnopops
 - 9 general goods
 - 10 general goods and pop
 - 11 single fridge - milk
 - 12 sundries
 - 13 sweets
 - 14 general goods
 - 15 Cigarettes
 - 16 Bread rack
 - 17 veg rack
 - 18 pop rack
 - 19 Sundries
 - 20 C v s ps
 - 21 Double fridge - pop
 - 22 spirits
 - 23 Sake's counter with till
 - 24 Double fridge - cheese & butter
 - 25 Access door from highway
- △ water portable fire extinguisher



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APPENDIX 3



**NORTHUMBRIA
POLICE**

Northern Area Command
Area Command Headquarters
Middle Engine Lane
Wallsend
Tyne & Wear
NE28 9NT

Tel : 101

10th October 2023

Licensing Officer,
Licensing Department,
Killingworth Site,
Harvey Combe,
Killingworth,
Newcastle-Upon-Tyne,
NE12 6UB.

Dear Mrs S Graham,

Re: Application to Transfer the premises licence for Prudhoe Store, 4-5 Prudhoe Street, North Shields, NE29 6QZ.

Applicant: -

In respect of the grant of the above application, I have the following comments to make and wish to lodge the following representation: -

Northumbria Police wish to make an objection to the transfer of the premises licence at Prudhoe Store, Prudhoe Street, North Shields, NE29 6QZ.

The licensing Act 2003 gives the Chief Officer of Police provision to object to an application to transfer a premises licence if they are satisfied that the exceptional circumstances of the case are such that the granting of the application would undermine the crime prevention objective.

Northumbria Police object to the application by _____ to transfer the premises licence on the grounds that the granting of this application would undermine the crime prevention objective.

The premise is situated on Prudhoe Street, near to the roundabout of the junction of Howdon Road and Waterville Road. It is within easy reach of North Shields Town centre and Public houses and shops.

In October 2014 the Police had received, through community intelligence, complaints about this shop selling cigarettes/tobacco to anybody from under the counter; it was further stated that the cigarettes and tobacco were counterfeit.

On 02 April 2015 an anonymous female called the Police; the person informed the Police; "my 13-year-old friend can buy cigarettes at Prudhoe off licence and my 17-year-old other friend can get alcohol" This was a third-party report, it was passed to Mr Kirkpatrick Licensing Officer for the Police to action. Please see the attached statement by Mr Mark Duffy Senior Trading Standards Officer.

On 09 December 2016 a test purchase was conducted at Prudhoe off licence as well as other premises in North Shields; sold alcohol to a child and a fixed penalty was issued and was paid.

May I request the committee to have regard to revised guidance issued under section 182 of the Licensing Act 2003 (July 2023), Section 11.27.

There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- For the sale or storage of smuggled tobacco and alcohol.

In August 2017 the police received through community intelligence that Prudhoe off licence was selling counterfeit tobacco/cigarettes. This was passed on to Trading Standards in North Tyneside council.

From December 2014 to date, The Weights and Measures department of North Tyneside council, assisted by Northumbria Police, have visited Prudhoe off licence in North Shields numerous times; The operations have been an intelligence lead, partnership approach, reacting to the concerns of the community of North Shields.

Many of these have resulted in the seizure of illicit tobacco products. The owner and his sons have admitted to the criminal possession of these items. One of the visits resulted in a sale of alcohol to a child by the DPS, who was also the Premises Licence Holder. Please see attached statement and exhibits, from Mr Mark Duffy senior trading Standards officer for North Tyneside council.

North Tyneside council successfully prosecuted in 2016, and his sons , and respectfully in 2018 and 2019 for offences relating to the supply/possession of illicit tobacco products found on the premises. In 2019 a review of the premises licence was submitted by The weights and measures department of North Tyneside council with a supporting statement from Northumbria Police. As a result, The Licensing Committee imposed a 3-month suspension of the licence starting 28th June 2019, with further conditions attached to the premises licence.

This premise at Prudhoe Street is a family run business, it will be operated by relative/s of [redacted] who has recently passed away. [redacted] is the son of [redacted], thus keeping him within the nexus of the business.

Northumbria police have lost confidence in the management of the premises in Prudhoe Street North Shields. The consistent poor management of this premises is still of serious concern. If this transfer is granted there will be no change to the training or the way the premises is managed, it will still be a family run business, the dynamic of the business will continue as usual.

There is a clear family line from the previous premises licence holder to the proposed premises licence holder. Due to the serious nature of the storing and supply of illegal tobacco products, Northumbria Police would request the licensing committee to reject the application to transfer the premises licence at Prudhoe Stores, Prudhoe Street, North Shields.

Yours Sincerely

C/Insp Rebeca Fenney-Menzies 7022
Harm Reduction

WITNESS STATEMENT
NORTH TYNESIDE METROPOLITAN BOROUGH COUNCIL
PUBLIC PROTECTION, TRADING STANDARDS
(Criminal Procedure Rules, r16.2 Criminal Justice Act 1967, s. 9;
Magistrates' Court Act 1980, s. 5B)

Statement of Mark Duffy

Age of Witness: Over 18

Occupation of Witness: Senior Trading Standards Officer

This statement (consisting of 13 page(s) each 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 anything which I know to be false or do not believe to be true.

Date the 6th day of SEPTEMBER 2023 Signed

I am the above-named person employed as a Senior Trading Standards Officer by North Tyneside Council (the "Council") in its Trading Standards Team. I make this statement in support of the Council's application for a Closure Order under the Anti-social Behaviour Crime and Policing Act 2014, in respect of the premises known as Prudhoe Off Licence 4-5 Prudhoe Street North Shields NE29 6QZ which operates as a convenience/off licence type shop. I produce in evidence a photograph, which I took on the 20/07/2023, of the exterior of these premises as **exhibit MD/1**.

The freehold of 4-5 Prudhoe Street North Shields NE29 6QZ, is owned by of Prudhoe Street, North Shields, NE29 6QZ. I produce in evidence as **exhibit MD/2** the HM Land Registry title registry (title number TY193388) for 4-5 Prudhoe Street North Shields NE29 6QZ dated 31/08/2023. The premises has a licence to sell alcohol the holder of which is, who is also a designated premises supervisor along with this son I produce in evidence the premises licence to sell alcohol as **exhibit MD/3**. The business is currently run by as a sole trader type business.

This application is made following the current criminal investigation into the premises by our service, which commenced in July 2022 relating to the supply of illicit cigarettes and hand rolling tobacco from the premises. However these premises have been supplying illicit tobacco products

Signed 

Dated 6/09/2023

Statement of Witness

Continuation statement of Mark Duffy Page 2

for a number of years. The Council has successfully prosecuted _____ in 2016 and his sons _____ and _____ respectively in 2018 and 2019 for offences relating to the supply/possession of illicit tobacco products found on the premises. In 2019 a licence review of the premises licence to sell alcohol was also brought. Resulting in the premises licence to sell alcohol being suspended for three months and a number of conditions being attached to the premises licence.

Background – Illicit Tobacco

The term 'illicit tobacco' is used to describe illegal tobacco products (cigarettes and hand rolling tobacco) including:

- Illicit whites – brands that have no legal market in the UK and are from elsewhere in the world (often Eastern Europe).
- Non-UK duty paid – genuine UK brands brought into the country and sold without duty being paid.
- Counterfeit – products that are manufactured and made to look like recognised brands by using registered trademarks without authorisation.

The trade in illicit tobacco products causes nuisance within local communities by:

- Making it easier for children to smoke. The latest 2021 figures from a survey of 1,878 people in Northumberland, Tyne and Wear and County Durham (including 100 children aged 14-17) found more than 7 in 10 children aged 14-17 who smoke have been offered illegal tobacco and half (49%) buy it. Shops are the sources of 14% of children's illegal tobacco purchases. Children are often aware of who is selling illegal tobacco, and at pocket money prices, circumventing the age restriction on tobacco products that are normally upheld by legitimate retailers.
- Having adverse effects on health – cheap tobacco undermines price as one of the key drivers to bring down smoking rates. The 2021 survey found 15% of smokers in the

Signed ...

Dated 6.9/2023

Statement of Witness

Continuation statement of Mark Duffy Page 3

sample area (around 36,000 people) buy illegal tobacco and more than 8 in 10 buyers of illegal tobacco say it helps them smoke i.e when otherwise high prices would motivate them to quit.

- Illegal cigarettes have a high propensity to start fires as products often fail to conform to the reduced ignition propensity ("RIP") requirements. This means that they continue to burn when left unattended, unlike legal cigarettes. RIP compliant cigarettes must have special bands at intervals down its length so that, once lit, a cigarette will go out if it is not actively smoked. A devastating consequence of non-complaint cigarettes is that if they are dropped on mattresses, upholstered furniture, or other combustible material while still burning, it is highly likely a fire will start.
- Honest businesses cannot compete with illegal tobacco sellers, which causes local businesses to suffer Around 11% of all tobacco smoked is illegal. That means around 128 million illegal cigarettes bought in the North East per year with an annual duty loss of around £55 million.
- Attracting criminality to neighbourhoods – it is well known that the illegal tobacco trade is linked to organised crime. Many of the people smuggling, distributing and selling it are involved in drug dealing, money laundering, people trafficking and even terrorism.

Chronology – Prudhoe Off Licence 4-5 Prudhoe Street North Shields NE29 6QZ

Prudhoe Off Licence has a long history of being used in the supply illicit tobacco products resulting the following visits and enforcement action being taken against various members of the NABi family and the premises.

On the 1/12/2015 officers from our service, with a tobacco detection dog, visited Prudhoe Off Licence and seized 89 packets of illicit cigarettes and 60 pouches of hand rolling tobacco, found in a hidden compartment behind the counter under a shelf in the shop. I produce in evidence three photographs of the location of this compartment as **exhibits MD/4 to MD/6**.

Signed

Dated 6/09/2022

Statement of Witness

Continuation statement of Mark Duffy Page 4

On the 3/06/20216 pleaded guilty to eight charges relating to the above mentioned illicit tobacco products and was fined. On the 25/07/2016 officers from our service, with a tobacco detection dog, visited Prudhoe Off Licence. No illicit tobacco products were found.

On the 3/05/2018 officers from our service, with a tobacco detection dog, visited Prudhoe Off Licence and seized 17 packets of illicit cigarettes and 17 pouches of hand rolling tobacco, which were hidden under the counter in an old till and under a shelf that had a been screwed down that revealed a secret compartment. I produce in evidence three photographs of the till and secret compartment as exhibits MD/7 to MD/9. On the 30/11/2018, who claimed business belonged to him pleaded guilty to three charges relating to the above mentioned illicit tobacco products and was fined.

On the 14/02/2019 Prudhoe Off Licence was visited by officers from our service 4 packets of illicit cigarettes and 2 pouches were seized. These item were found in a jacket being worn by !. On the 12/07/2019 he pleaded guilty to charges relating to the above mentioned illicit tobacco products and was fined.

On the 28/05/2019 our service brought a review of Prudhoe Off Licence`s Premises alcohol Licence following the sale of alcohol to a minor (on the 9/12/2016) and illicit tobacco products being found on the premises on several occasions. The Council`s Licensing Committee suspended the premises licence to sell alcohol for three month and imposed a number of additional conditions on the premise licence including several concerning having a CCTV system installed at the premises maintained in proper working order.

I produce in evidence a list showing the dates officers from our service visited Prudhoe Off Licence between 1/12/2015 and 20/07/2023 and any illicit tobacco product or underage alcohol test purchase visits made to these visits as exhibit MD/10.

Signed ...

Dated 6/09/2023

Statement of Witness

Continuation statement of Mark Duffy Page 5

Following the licence review of Prudhoe Off Licence, our service received intelligence dated 31/05/2019 that the premises will continue to sell illegal tobacco. The brothers had been witnesses with carrier bags that have illegal tobacco in them and tobacco and alcohol was being sold from the back of the premises. On the 5/12/2019 our service received further intelligence that a person standing opposite the shop in an adjacent car park was selling cigarettes and potentially drugs on behalf of the shop. Three individuals operate on a shift work basis. Another individual is the "mule" who would approach the premises, take cigarettes in bulk and deliver them to customers but also store them in their back pack and pass them to other individuals.

I produce in evidence these two intelligence reports together with nine other reports received by our service dating from the 13/01/2020 to 17/05/2023 concerning Prudhoe Off Licence supplying illicit tobacco products as **exhibit MD/11**.

One of these reports dated 21/07/2021 stated _____ of Prudhoe Street Off Licence is selling counterfeit cigarettes and tobacco from the business. He takes orders from customers before contacting an associate to bring the cigarettes and tobacco to the shop premises. This occurs 20 to 30 times a day. While another report dated 21/12/2021 mentioned illegal tobacco and cigarettes being sold from van in back Prudhoe Street.

In July 2022 following receipt of intelligence dated 27/06/2022 that Prudhoe Off Licence was selling illegal tobacco our service commenced its current investigation into the premises. On the 13/07/2022 and 5/06/2023 officers from our service visited Prudhoe Off Licence to attempt to purchase illicit cigarettes no sales were made. On the 19/10/2022 the shop was inspected by officers from our service with a tobacco detection dog no illicit tobacco was found.

On the 5/06/2023 Richard THOMPSON a licencing officer with the Council, who also works for the Trading Standards Team, while carrying out his duties in North Shields, saw a man approach a shop on Prudhoe Street, North Shields. He stopped outside the shop and finished a cigarette before entering. He then left the shop a few seconds later having not had time to make a purchase. The man then walked directly towards Prudhoe Street Off Licence. He then

Signed _____

Dated 6/09/2023

TS Witness Statement 2022

Statement of Witness

Continuation statement of Mark Duffy Page 6

entered the premises and emerged two minutes later. Mr THOMPSON saw him take a cigarette out of a blue coloured cigarette packet. This colouring of packaging cannot be lawfully sold and Mr THOMPSON formed an opinion that Prudhoe Street Off Licence was selling illicit cigarettes.

On the 13/06/2023 Mr THOMPSON saw there were two empty discarded packets of Lambert & Butler cigarettes on the ground at Prudhoe Street. The packaging was blue and they contained Eastern European writing. At 11:23 am on the same day Mr THOMPSON saw a man, who he now knows to be [REDACTED], exit Prudhoe Off Licence carrying an empty blue bag in his trouser pocket. He appeared to be in company with a customer and both turned right onto Belle Vue Terrace, [REDACTED] returned to the shop a few minutes later without the customer or blue bag. At this point it appeared to Mr THOMPSON that the customer may have been supplied with illicit tobacco from a dwelling or vehicle on Belle Vue Terrace. At 2.30pm that day whilst driving on Prudhoe Street Mr THOMPSON saw [REDACTED] getting into the driver's seat of a black Mercedes panel van registration number [REDACTED] This vehicle is registered to [REDACTED] at [REDACTED] Belle Vue Terrace, North Shields.

On the 15/06/2023 at 12.35pm Mr THOMPSON saw a male wearing a blue Glasgow Rangers football top attend Prudhoe Off Licence. He then saw [REDACTED] leave the shop and walk to [REDACTED] Belle Vue Terrace, North Shields. He emerged after a short period of time carrying a large plastic shopping bag which he handed to the male in the Rangers top. At 12.50 pm Mr THOMPSON approached the male in North Shields town centre. He was approximately 60 years of age and had a broad Scottish accent. Mr THOMPSON asked the man if he knew where he could buy some cheap cigarettes. The man opened the bag and offered to sell some to Mr THOMPSON who could see the bag was full of cigarette packets and Amber Leaf tobacco. The Amber Leaf retails at £30 but the male offered it to Mr THOMPSON for £8.

At 5.45 pm on 10/07/2023 Mr THOMPSON saw [REDACTED] drive the Mercedes van [REDACTED] to [REDACTED] Belle Vue Terrace, he entered the rear of the van via the sliding door and removed a dark coloured back pack before walking in the direction of the shop.

Signed

Dated

6/09/2023

Statement of Witness

Continuation statement of Mark Duffy Page 7

On the 12/07/2023 Mr THOMPSON saw that the Mercedes van was parked in a courtyard in Trinity Street. This is within a housing estate opposite Prudhoe Off Licence and can be accessed via a walkway. Mr THOMPSON was suspicious of where the vehicle was parked as there were available options next to the shop or Belle Vue Terrace (which was [redacted]'s home address) and this appeared to be an attempt to conceal the vans location. At 12.42 pm that day Mr THOMPSON saw a male which we now know to be [redacted] enter the rear of the van before immediately attending the shop where a customer then walked out. Mr THOMPSON saw him repeat this process at 1.10 pm. At this time he was carrying a plastic bag with a draw string on it.

On the 20/07/2023 Mr THOMPSON again saw that the Mercedes van was parked in the courtyard area of Trinity Street. At 11:10 am on the same day officers from our Trading Standards team, including myself, our Licensing team, and Northumbria Police attend Prudhoe Off Licence. I spoke to [redacted], who was in the shop on his own. I informed him that the purpose of our visit was to carry out a search of the shop, the flat above the shop and the Mercedes van parked in the estate opposite the shop for illicit tobacco. While members the Licencing Team intended to check if the conditions on the premises licence were being complied with. When I mentioned the van [redacted] initially said he didn't own a Mercedes van but when I informed him he was the registered the owner of it he said he did own it but his brother [redacted] had the keys. I asked [redacted] who owned the business as his farther [redacted] I was the licensee for the premises. [redacted] said his brother [redacted] owned the business and that he was covering as [redacted] I was at the cash and carry. No illicit tobacco products were found in the shop, flat above the shop (where [redacted], his wife and [redacted] were currently living) or at Belle Vue Terrace, the latter address which [redacted] voluntarily agreed that officers could search. While I was in the shop I believe [redacted] made several telephone calls to his brother [redacted].

Outside the front door of Prudhoe Off Licence was a sign stating "Prudhoe Off Licence Proprietor [redacted] which I took a photograph of (see exhibit MD/1). While on the wall behind the counter was a certificate of employer's liability from American International Group UK Limited insuring [redacted] and [redacted] trading as Prudhoe Off Licence from the 15/02/2023

Signed ..

Dated ..

10/9/2023

Statement of Witness

Continuation statement of Mark Duffy Page 8

to 14/02/2024. I produce in evidence a photograph of this certificate which I took as **exhibit MD/12.**

Peter THOMPSON a Licensing Officer carried out an inspection to check that Prudhoe Off Licence was complying with the provisions of the Licensing Act 2003 and conditions attached to the premises licence to sell alcohol. Mr THOMPSON identified a number of the conditions were not being complied with including the CCTV system did not show an accurate time, and no staff training records were available for inspection. A follow up visit was made to Prudhoe Off Licence by Thomas RICHARDSON from Trading Standards on or about 26/07/2023 when he attempted to obtain images from the CCTV system. It was not possible to download any images due to a fault with the system. This was a further breach of the premises licence to sell alcohol. On the 25/07/2023 and 4/08/2023 Peter THOMPSON sent two letters to setting out the breaches of the licencing conditions which had been identified. I produce in evidence these two letter as **exhibits MD/13 and MD/14**, respectively.

On the 20/07/2023 while Prudhoe Off Licence was being searched entered the shop who Mr THOMPSON had previous seen enter the shop and van parked in the estate opposite. Mr THOMPSON carried out an interview with ' ' at the back of the shop after 1st cautioning him. A record of the interview was recorded contemporaneously by Mr THOMPSON in his pocket book and at the conclusion I signed it was a true and correct record. I produce in evidence a photocopy of this pocket book interview and a transcript of this interview as **exhibits MD/15 and MD/16**, respectively. During the course of the interview he admitted working for the store for a payment of £25 per day in cash. He acknowledged that when a customer enters the store for cigarettes he would attend the Mercedes van, getting the keys from " or whoever is on" and remove the required cigarettes or tobacco and then return to the shop where he would hand over the goods as the customer paid the owner. He acknowledged he knew this was unlawful.

Signed

Dated ..6/09/2023

Statement of Witness

Continuation statement of Mark Duffy Page 9

At about 12:45pm I arrived at the shop in a white van with two other men. As the men exited the van Richard THOMPSON heard I say to one of the other men, who later identified as [redacted] T, "You better not have left anything in the van that's dodgy after I let you sleep in it after you fell out with your lass". Thomas replied "Aye, I might have". It appeared that the conversation was contrived. I and [redacted] then entered the shop. I informed [redacted] that we had carried out a search of the shop and flat for illicit tobacco but had not found anything. However we wished to search the Mercedes van parked in the estate opposite the shop. I said he had given the keys to the van to [redacted] the day before so didn't know what was in the van.

[redacted], myself and other officers then left the shop, crossed the road and walked down a walkway into the estate opposite where a black Mercedes van registration [redacted] was parked. I produce in evidence a map showing the location of Prudhoe Off Licence, the van and [redacted] Belle Vue Terrace as exhibit MD/17. I also produce in evidence four photographs showing the van, its location, the walkway down to it from Prudhoe Street, and the walkways location on Prudhoe Street as exhibits MD/18 to MD/21.

When the van was opened a backpack was found in the rear of the vehicle wedge behind the front seat which contained 36 packets of illicit cigarettes and 12 pouches of hand rolling tobacco. I produce in evidence three photographs showing the location of the backpack in the van, the backpack and the cigarettes and hand rolling tobacco found in the backpack as exhibits MD/22 to MD/24, respectively. I also produce in evidence a schedule listing the items found in the backpack as exhibit MD/25.

After the illicit tobacco products were found in the van I walked back to the shop with [redacted] and my colleague Adam HUDSON. In the shop I cautioned both [redacted] and [redacted]. [redacted] stated [redacted] had asked to borrow the keys to the van as he had had an argument with his lass so he could put a couple of boxes in the van. As he was a friend he gave him the keys yesterday but did not know what he was going to put in the van. The cigarettes must have been [redacted] for him to smoke. I then returned to the van but later

Signer

Dated

4/09/2022

Statement of Witness

Continuation statement of Mark Duffy Page 10

went back to the shop with my colleague Thomas RICHARDSON. was by himself. I asked him about the ownership of the business and he said it was a partnership with his brother. I said that his brother had told me he was not the owner and reminded him he was still under caution. He said he had been in partnership with his brother but was now the sole owner. I informed that I would be back in touch about this matter.

After the van has been searched Mr THOMPSON carried out an interview with next to the van. A record of the interview was recorded contemporaneously by Mr THOMPSON in his pocket book and at the conclusion of the interview the questions and answers were read to who then signed the interview as a true and correct record. I produce in evidence a photocopy of this pocket book interview and a transcript of this interview as exhibits MD/26 and MD/27, respectively. During the course of the interview he acknowledged that he had not slept in the van. He had been recruited by and was paid £25 in cash per day to obtain cigarettes and tobacco from the Mercedes van when a customer entered the shop would be in the general area and would attend the van once he received a phone call. The cigarettes were then handed to the customer in the shop who pays Karl or Ali. He acknowledged this was not legal.

Follow the seizure made on the 20/07/2023 I sent two samples of the seized cigarettes, a packet of L&B Original Silver cigarettes and a packet of Regal Blue cigarettes, to the agents for Imperial Tobacco Limited who are the registered trade mark owners for various brands of cigarettes. These packets of cigarettes were confirmed to be counterfeit and as such offences may have been committed under the Trade Marks Act 1994. The packaging of these cigarettes also did not comply with the Standardised Packaging of Tobacco Products Regulations 2015 which sets out standardised requirements for the packaging of cigarettes and hand rolling tobacco. In addition these cigarettes were not marked with the general warning and information messages required by the Tobacco and Related Products Regulations 2016.

HM Revenue & Customs were also contacted who have stated the total duty liable to be paid on the quantity of cigarettes and tobacco seized on the 20/07/2023 was £454.08 (£272.68 for the cigarettes and £181.40 for the hand rolling tobacco). I produce in evidence a summary

Signed

Dated 6/09/2023

Statement of Witness

Continuation statement of Mark Duffy Page 11

provided by HM Revenue & Customs of the duty liability on the cigarettes and tobacco seized as exhibit MD/28.

Our service intends to write to [redacted] to invite him to attend a formal interview under caution to discuss possible criminal offences that may have been committed by him relating to the illicit tobacco products seized on the 20/07/2023.

Local Area Assessment

Smoking remains the single largest cause of preventable deaths in England. Around 15 people in the North East die every from smoking every day (Statistics on Smoking, England 2020 the NHS Information Centre).

People living in the most deprived areas of England were more than four times likely to smoke in 2016 than those living in the least deprived areas. Healthy life expectancy in North Tyneside is worse than the England average. Men and women in our most deprived areas on average spend 14.5 less years in good health compared to their counterparts in our least deprived communities.

Both men and women in England's most deprived areas are roughly twice as likely to die from lung cancer (85% of cases, smoking is the biggest risk factor) compared with those in the least deprived areas As well as dying prematurely, smokers also suffer from poor quality of life.

Breathing in second hand smokers also has detrimental impacts on babies, children and other family members.

In North Tyneside, the smoking prevalence in adults is currently 14.3% whilst in England the average is 12.1%. The burden of smoking is estimated to cost the North Tyneside economy is £47.6million (Smokefree North Tyneside Alliance: update and action plan 13th January 2022).

Signed ...

Dated ...

6/09/2023

Statement of Witness

Continuation statement of Mark Duffy Page 12

North Tyneside is ranked 128 out of 317 Local Authorities in England on the index of multiple deprivation. 9.3% of North Tyneside residents live in neighbourhoods judged to be in the 10% most deprived in England. Some of the most deprived areas in North Tyneside include parts of Wallsend, Howdon, and North Shields (Indices of Multiple Deprivation 2019: North Tyneside. Policy, Performance and Research 1 October 2019 North Tyneside Council).

Prior to making this application, the Council has consulted with various other stakeholders (including ward Councillors and Northumbria Police) and has not received information that would prejudice any of the grounds within in. All three respondents support our proposed actions including two ward Councillor and North Tyneside Councils Director of Public Health.

North Tyneside Council's Director of Public Health in her response states it is clear that the distribution of illegal tobacco products is a nuisance to members of the public. All tobacco is harmful but illegal tobacco makes it easier for children to start smoking and get hooked. Smoking will kill one in tow long term smokers even if they smoke legal tobacco and the availability of illegal cigarettes makes it harder for people to quit and remain smoke free.

The illegal tobacco trade has strong links with organised crime and criminal gangs. Even small-time local sellers are at the end of a long criminal chain – selling illegal tobacco products is a crime. While all smoking kills, illegal tobacco is a damager to health, particularly to children and young people, as it is sold at "pocket money prices", making it easier for children to start. To prevent further criminal activity, protect children from harm and stop the nuisance that this activity causes within the local community of North Shields there needs to be effective action against the premises. I produce in evidence this and the other responses as **exhibits MD/29 a to c**. Intelligence has been received regarding Prudhoe Off Licence selling alcohol and cigarettes to minors.(see exhibit MD/11)

There are several other convenience type shops in the area offering similar products to those operated at 4-5 Prudhoe Street. Should a Closure Order be granted, it is not thought that the local community would suffer through lack of access to alternative shopping facilities.

Signed

Dated 6/09/2023.....

Statement of Witness

Continuation statement of Mark Duffy Page 13

Concluding Remarks

1 in 2 long term smokers will die from smoking, whether they smoke legal or illegal tobacco (FRESH). But illicit tobacco causes problems to local communities on many levels. It's availability makes it easier for children to smoke, attracts criminally to neighbourhoods, has adverse impacts on public health, and it has a negative impact on legitimate businesses. It also robs the public purse of tax revenue that is used to support public services.

The history of the shop at 4-5 Prudhoe Street, North Shields is relevant to the application for a Closure Order. The premises have been used over a prolonged period of time in the illegal supply of tobacco products. Despite repeated seizures of illicit tobacco products from Prudhoe Off Licence and an associated vehicle, a suspension to the premises licence to sell alcohol being made and three prosecutions against individuals who have been involved in the running of the business. This has not stopped the premises from continuing to be used in the supply of illicit tobacco and other products.

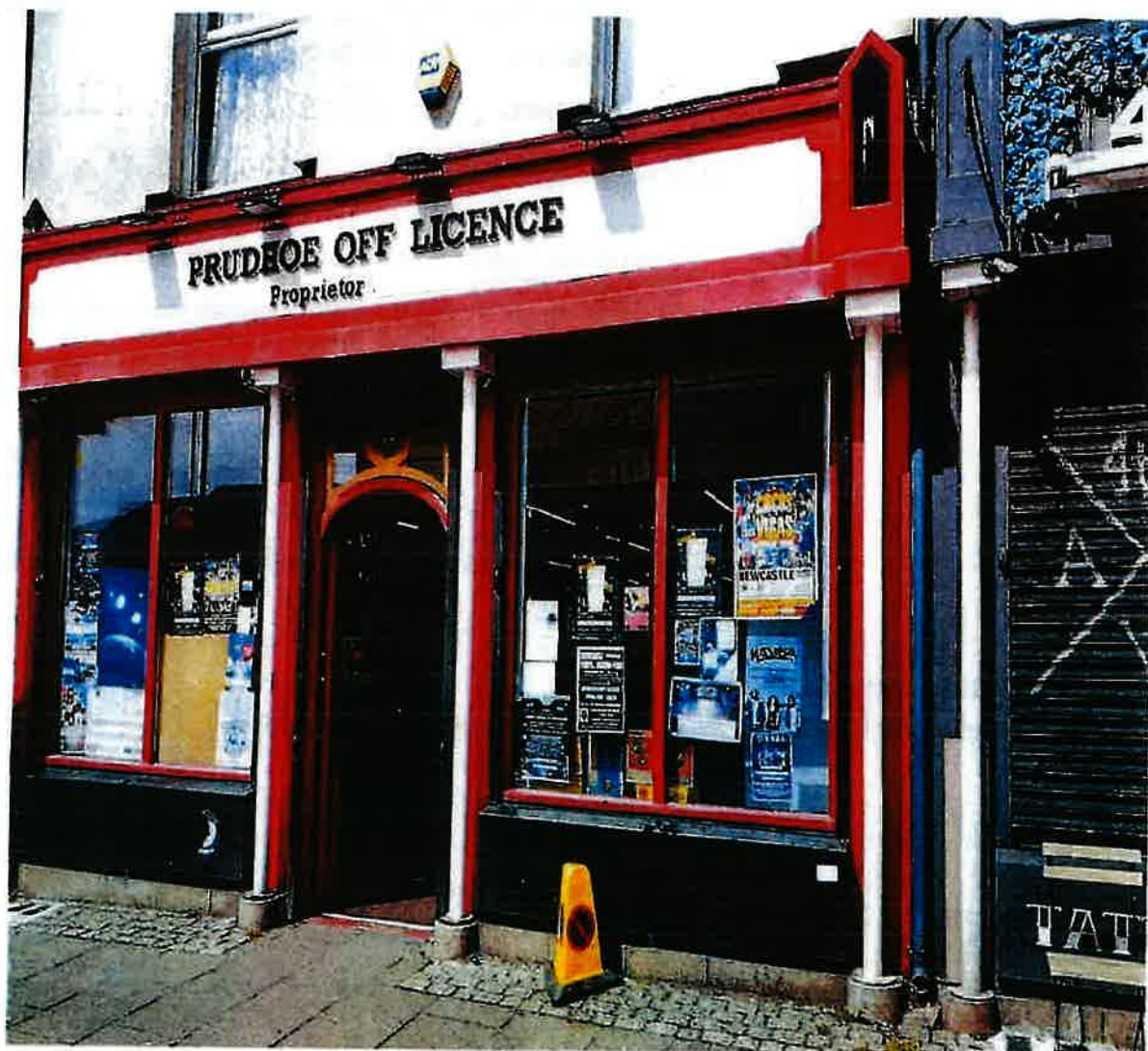
Various tactics have been used to disguise offending and avoid detection such as the concealment and storing of tobacco in concealments in the shop and in vehicle(s) close to the premises.

It is inferred that tobacco crime is endemic to the premises, as such it is submitted that a recurrence of criminal behaviour and/or serious nuisance to members of the public is probable. As criminal prosecutions and a licence suspension appear to have had no effect I believe it is appropriate to apply for a Closure Order for the maximum period allowed to ensure that all persons associated with this criminal activity are no longer associated with any business that is run from the premises and to prevent the criminal behaviour or nuisance from continuing, recurring or occurring.

Signed

Dated 6/29/2023

Photograph of the front of Prudhoe Off Licence taken on the 20/07/2023



DOCUMENT REFERRED TO IN
MY STATEMENT
AS EXHIBIT FD/1
DATED 6/9/2023
SIGNED



AS EXHIBIT 10/2

DATED 6/09/2023

SIGNED

Official copy of register of title

Title number **TY193388**

Edition date **01.11.2017**

- This official copy shows the entries in the register of title on 31 August 2023 at 11:27:17.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 31 August 2023.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- For information about the register of title, see www.gov.uk/land-registry.
- This title is dealt with by HM Land Registry Durham Office.

A: Property register

This register describes the land and estate comprised in the title.

TYNE AND WEAR : NORTH TYNESIDE

- 1 (12.08.1987) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 4 and 5 Prudhoe Street, North Shields (NE29 6QZ).
- 2 The mines and minerals together with ancillary powers of working are excepted.

B: Proprietorship register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (12.08.1987) PROPRIETOR: ABI of North Shields, Tyne & Wear.

C: Charges register

This register contains any charges and other matters that affect the land.

- 1 (27.09.1993) REGISTERED CHARGE dated 25 January 1993 to secure the moneys including the further advances therein mentioned.
- 2 (27.09.1993) Proprietor: BARCLAYS BANK PLC (Co. Regn. No. 1026167) of Collateral Team, One Snowhill, Snowhill Queensway, Birmingham B4 6GN.

C: Charges register continued

- 3 (14.04.1998) An Agreement dated 21 January 1998 made between (1) North Tyneside City Challenge Partnership Ltd (2) The Council of the Borough of North Tyneside and (3) relates to rights of access for the purposes of carrying out improvement works.

NOTE: Copy filed

The said Deed also contains restrictive covenants.

End of register

2 of 2
DOCUMENT REFERRED TO IN
MY STATEMENT
AS EXHIBIT 10/2
DATED 6/29/2023
SIGNED



North Tyneside Council

PREMISES LICENCE

Schedule 12 – Part A

DOCUMENT REFERRED TO IN
MY STATEMENT

Premises Licence number:

00CK/19/1637

AS EXHIBIT M/2.....

DATED 6/9/2023.....

SIGNED

Part 1 - Premises details

Postal address of premises:

4 - 5 Prudhoe Street
North Shields
Tyne And Wear
NE29 6QZ

Telephone: [REDACTED]

Where the licence is time limited the dates:

Licence is valid from until

Licensable activities authorised by the licence:

Supply of Alcohol
Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:

Supply of Alcohol Sunday From:10:00 Until:22:30
Supply of Alcohol Monday to Saturday From:08:00 Until:23:00

The opening hours of the premises:

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies:

Off Premises
Off Premises

DOCUMENT REFERRED TO IN
MY STATEMENT

AS EXHIBIT M2/3

DATED 6/09/2023

SIGNED

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Prudhoe Street, North Shields, Tyne And Wear, NE29 6QZ
Telephone: [REDACTED]

Registered number of holder, for example company number, charity number (where applicable):

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

[REDACTED]
Preston Grange
North Shields
Tyne And Wear

4-5 Prudhoe Street
North Shields
Tyne And Wear
NE29 6QZ

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol:

00CK/05/294 North Tyneside Council

00CK/05/0294 North Tyneside Council

DOCUMENT REFERRED TO IN
MY STATEMENT
AS EXHIBIT 1013
DATED 6/09/2022
SIGNED _____

Annex 1 - Mandatory conditions

1. The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014 with effect from 28th May 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula—

$$P \geq D + (D \times V)$$

where—

(i)

P is the permitted price,

(ii)

D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii)

V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c)

"relevant person" means, in relation to premises in respect of which there is in force a premises licence—

(i)

the holder of the premises licence,

(ii)

the designated premises supervisor (if any) in respect of such a licence, or

(iii)

the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d)

"relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e)

"valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

4

DOCUMENT REFERRED TO IN
MY STATEMENT

AS EXHIBIT 14/12

DATED 6/09/2023

SIGNED

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

2. The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 - with effect from 1st October 2010 as amended on 1st October 2014

1.(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premise licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either

- (a) a holographic mark, or
- (b) an ultraviolet feature.

3. 1. No supply of alcohol may be made under this premises licence:-

- (a) at a time when there is no designated premises supervisor in respect of the premises licence or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under this premises licence must be made or authorised by a person who holds a personal licence.

DOCUMENT REFERRED TO IN
MY STATEMENT
AS EXHIBIT M013
DATED 6/09/2023
SIGNED

Annex 2 - Conditions consistent with the operating schedule

1. This licence is granted subject to conditions which reproduce the effect of any restrictions imposed on the use of the premises for the existing licensable activity by virtue of schedule 8, Paragraph 6(8) and 18(5) of the Licensing Act 2003. The restrictions are contained in the following Acts: the Licensing Act 1964, the Children and Young Persons Act 1963, the Cinematograph (Safety) Regulations 1955 and the Sporting Events (Control of Alcohol Etc) Act 1985.

2. 1. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 25 years of age and who is seeking to purchase or obtain alcohol from the premises. Such credible evidence shall either be a passport, photographic driving licence or proof of age card carrying a "pass" logo.

2. A book detailing all challenges of customers as to their age and the outcome of those challenges will be maintained and kept at the premises at all times and will be made available for inspection on request and removal if necessary by the Council's Licensing Officers or Police representatives.

3. The book detailing challenges as to the age of customers will be inspected by any Designated Premise Supervisor or manager employed at the premises on a weekly basis and a signed declaration made in the book each week by such person declaring that the book has been duly inspected by them.

4. There will be notices prominently displayed at the premises, particularly at points of sale and where alcohol is displayed for sale, stating that a challenge 25 policy operates at the premises and that appropriate photographic identification will be required to be produced on request.

DOCUMENT REFERRED TO IN
MY STATEMENT

AS EXHIBIT 17013
DATED 6/09/2023
SIGNED

Annex 3 - Conditions attached after a hearing by the licensing authority

1. HEARING 28.5.2019.

1. A CCTV system will be installed at the Premises and maintained in proper working order at all times and the Premise Licence Holder will ensure that: The CCTV cameras re located at the Premises so as to provide coverage of entrances and exits, both internally and externally, and all points of sale. The CCTV system is able to capture clear images permitting identification of individuals. The CCTV system will be in operation whenever licensable activities are taking place at the premises. The CCTV system is able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 30 days. The CCTV system is capable on constantly generating an accurate date and time. The CCTV system is fitted with security functions to prevent recordings being pampered with e.g. password protection.


2. There will be members of staff present at the Premises during the operating hours trained to provide viewable copies of CCTV images as soon as possible following a request from representatives of Northumbria Police or the Licensing Authority made in accordance with the Data Protection Act 2018 (or any replacement legislation).

3. All members of staff responsible for the sale of alcohol and any other age restricted products from the Premises will receive training relation to their duties and responsibilities under the relevant legislation concerned with the sale of all age restricted products from the Premises. Such training will be provided by an external BIIAB accredited trainer, or a trainer with accreditation from a similarly awarding body to the BIIAB or the training provided by a legally qualified licensing practitioner.

4. All members of staff responsible for the sale of age restricted products will receive refresher training at least once a year as to their duties and responsibilities under the relevant legislation concerned with the sale of age restricted products from the Premises. Such training will be provided by an external BIIAB accredited trainer, or a trainer with accreditation from a similar awarding body to the BIIAB or the training provided by a legally qualified licensing practitioner.

5. All training received by staff in relation to the sale of age restricted products will be recorded, and such records kept at the Premises at all times and be made available for inspection immediately on request from representatives of Northumbria Police or the Licensing Authority (including Trading Standards officers).

DOCUMENT REFERRED TO IN
MY STATEMENT

AS EXHIBIT M013
DATED 6/09/2023
SIGNED 

Annex 4 - Plans

See attached

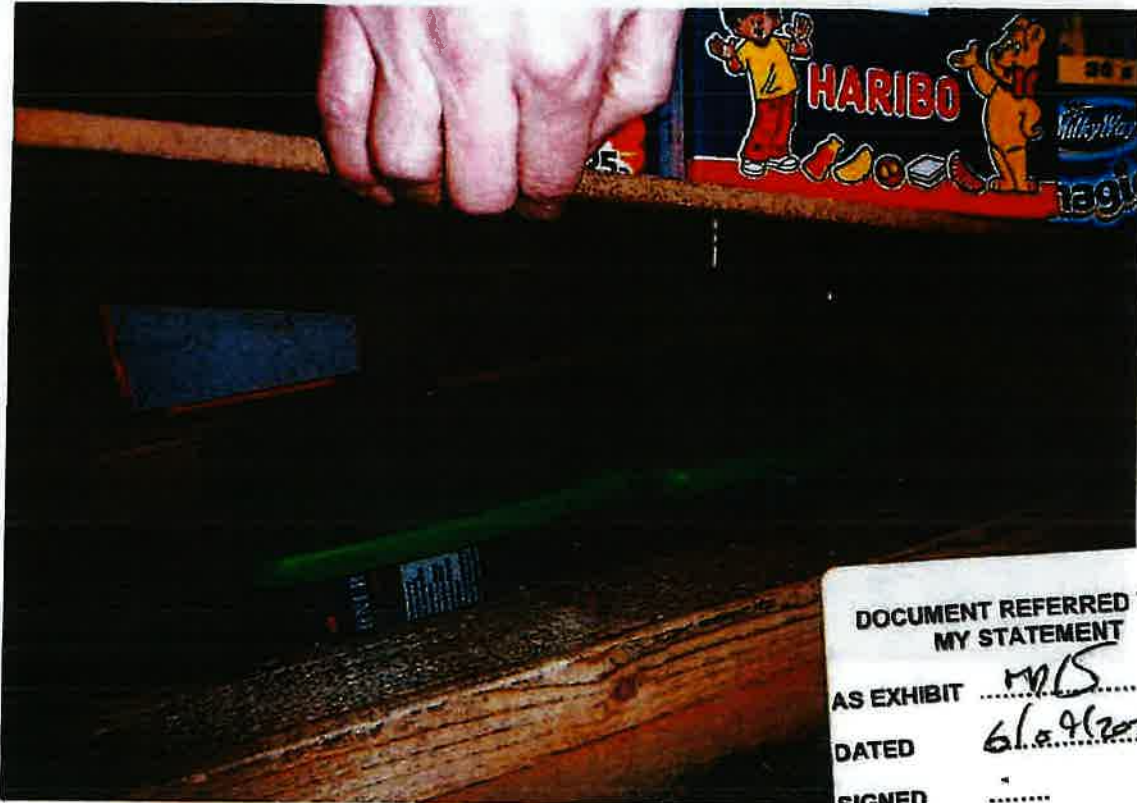
DOCUMENT REFERRED TO IN
MY STATEMENT
AS EXHIBIT 17/13
DATED 6/09/2023
SIGNED [Signature]

Photograph taken on the 1/12/2015 at Prudhoe Off Licence of boxes of sweet boxes/self under which was a hidden compartment containing illicit cigarettes.



DOCUMENT REFERRED TO IN
MY STATEMENT
AS EXHIBIT MP/4
DATED 16/1/2023
SIGNED [Signature]

Photograph taken on the 1/12/2015 at Prudhoe Off Licence of a shelf/hidden compartment containing illicit cigarettes and hand rolling tobacco.



DOCUMENT REFERRED TO IN
MY STATEMENT
AS EXHIBIT MD15
DATED 6/09/2023
SIGNED

Photograph taken on the 1/12/2015 at Prudhoe Off Licence of a shelf/hidden compartment containing illicit cigarettes.



DOCUMENT REFERRED TO IN
MY STATEMENT
AS EXHIBIT MD15
DATED 6/09/2023
SIGNED

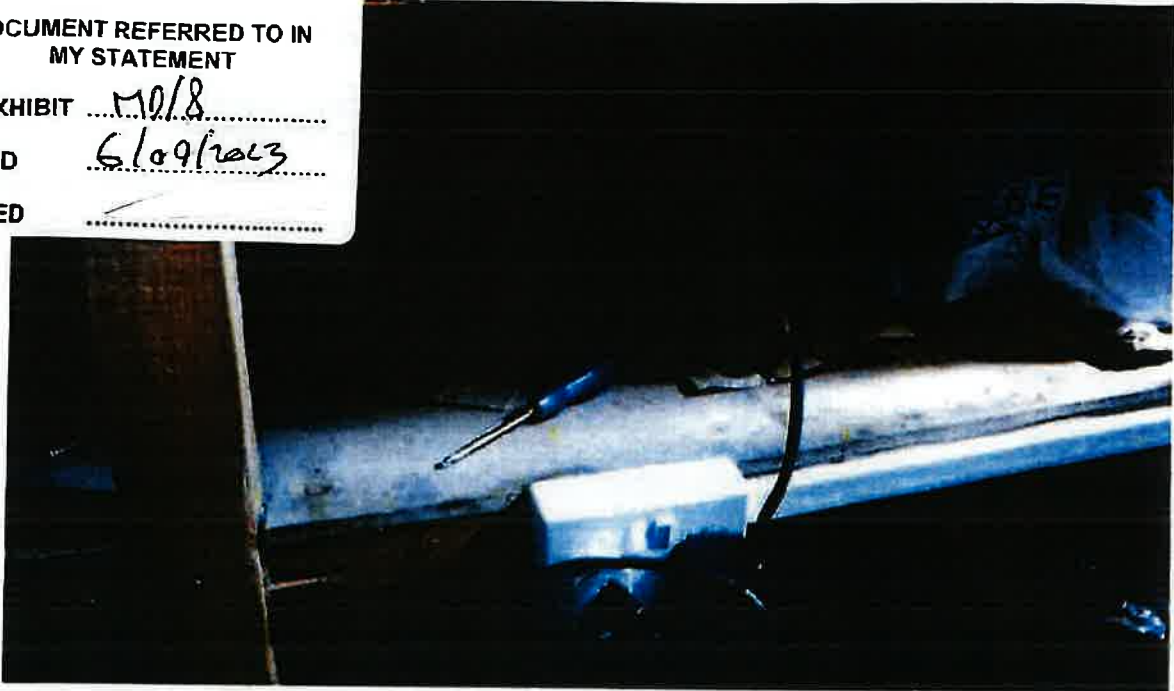
Photograph taken on the 3/05/2018 at Prudhoe Off Licence of cigarettes and hand rolling tobacco hidden in an old till.



DOCUMENT REFERRED TO IN
MY STATEMENT
AS EXHIBITM.D.17.....
DATED6/09/2023.....
SIGNED[Signature].....

Photograph taken on the 3/05/2018 at Prudhoe Off Licence of shelf under counter screwed down under which was a hidden compartment containing illicit cigarettes.

DOCUMENT REFERRED TO IN
MY STATEMENT
AS EXHIBIT M0/8
DATED 6/09/2023
SIGNED



Photograph taken on the 3/05/2018 at Prudhoe Off Licence of a hidden compartment under a shelf containing illicit cigarettes.



DOCUMENT REFERRED TO IN
MY STATEMENT
AS EXHIBIT M0/9
DATED 6/09/2023
SIGNED

Enforcement activity at Prudhoe Off- Licence , 4-5 Prudhoe Street, North Shields,
NE29 6QZ between the 01/12/2015 and 20/07/2023.

01/12/2015	Inspection with detection dogs- Illicit tobacco found in hidden compartment under boxes of sweets
25/07/2016	Inspection with detection dogs- no Illicit tobacco found
9/12/2016	Test purchase of alcohol – sale of alcohol to 16 year old
26/01/2017	Test purchase of alcohol –no sale
9/02/2018	Test purchase of alcohol - no sale
16/03/2018	Test purchase of alcohol - no sale
3/05/2018	Inspection with detection dogs- Illicit tobacco found in hidden under the counter in an old till and under a shelf that had been screwed that revealed a secret compartment
14/02/2019	Inspection with detection dogs- Illicit tobacco found in coat belonging to
13/07/2022	Test purchase of illicit cigarettes – no sale
19/10/2022	Inspection with detection dogs- no Illicit tobacco found
26/05/2023	Test purchase of illicit cigarettes – no sale
20/07/2023	Inspection of shop, flat about the shop and Belle Vue North Shield. No illicit tobacco product found on these premises. Illicit tobacco Products found in a black Mercedes van

DOCUMENT REFERRED TO IN
MY STATEMENT

AS EXHIBIT MD 110

DATED 6/09/2022

SIGNED

Intelligence Reports Prudhoe off Licence, 4-5 Prudhoe Street, North Shields, NE29 6QZ between the 01/01/2019 and 17/05/2023 .

31/05/2019

Prudhoe Off licence. [REDACTED] believes that the premises will continue to sell illegal tobacco. [REDACTED] has witnessed the brothers with carrier bags that have illegal tobacco in them. [REDACTED] has witnessed tobacco and alcohol being sold from the back of the premises.

05/12/2019

Believes there's been a person standing opposite Prudhoe Off licence in an adjacent car park selling cigarettes and potentially drugs on behalf of the Prudhoe Off licence. [REDACTED] feels three individuals operate on a shift work basis, hours of operation roughly the same as shop trading hours. [REDACTED] believes Individuals (two guys and a young woman) are hiding illegal drugs in the bushes. Individual was in 50s, Grey Bird, Yellow Hi Vis Jacket, Black Trousers/Boots and a Backpack.

Another individual is the "mule" who would approach the premises, take cigarettes in bulk and deliver them to customers but also store them in their back pack and pass them to other individuals.

13/01/2020

Prudhoe Stores on Prudhoe Street North Shields which is selling cigarettes and alcohol to children.

25/08/2021

INTELLIGENCE LOG - [REDACTED] : INCIDENT DATE - 21/07/2021

[REDACTED] of the PRUDHOE STREET OFF LICENSE is selling counterfeit cigarettes and tobacco from the business.

[REDACTED] takes orders from customers before contacting an associate to bring the cigarettes and tobacco to the shop premises. This occurs 20 to 30 times a day.

PRUDHOE STREET OFF LICENSE trades from 5 Prudhoe Street, Tyne And Wear, NE296QZ.

27/09/2021

INTELLIGENCE LOG - [REDACTED] : INCIDENT DATE - 13/09/2021

ALLEGED SALE OF CIGARETTES AND TOBACCO at LICENCED PREMISE
- Prudhoe Off- License North Shields NE29 6QZ

They are selling Turner Tobacco and packets of cigarettes to children and adults for a long time

10/11
DOCUMENT REFERRED TO IN
MY STATEMENT

AS EXHIBIT 10.11.11

DATED 6/09/2023

SIGNED [Signature]

30/09/2021

22/02/2021 - COMPLAINT RE STORE - PRUDHOE OFF LICENCE, PRUDHOE STREET, NORTH SHIELDS. THIRD PARTY REPORT THAT MEMBERS OF PUBLIC GO IN PURCHASE AND PAY FOR FAKE/COUNTERFEIT CIGARETTES AND ARE ISSUED WITH A TICKET THIS TICKET IS THEN TAKEN INTO THE REAR LANE WHERE THE CIGARETTES ARE PASSED OVER.

17/11/2021

Prudhoe Off Licence - Shop selling counterfeit cigarettes

2012
DOCUMENT REFERRED TO IN
MY STATEMENT

AS EXHIBIT 10/11

DATED 16/09/2023

21/12/2021

SIGNED

INTELLIGENCE LOG - [REDACTED] : INCIDENT DATE - DATE UNKNOWN

Illegal tobacco and cigarettes being sold from a van in Back Prudhoe Street Van registration is [REDACTED] Sold from the van and the off-licence around the corner

8/02/2022

INTELLIGENCE LOG - [REDACTED] : INCIDENT DATE - DATE UNKNOWN

[REDACTED] works at PRUDHOE OFF LICENSE, address 4-5 PRUDHOE STREET, NORTH SHIELD, NE29 6QZ.

PRUDHOE OFF LICENSE is selling counterfeit cigarettes and tobacco.

If a known customer wants to buy the counterfeit goods, they are told to wait until the shop is clear and then they receive a slip of paper and are given an instruction to go and wait in the alleyway where they are met by another man who supplies the counterfeit cigarettes.

The shop occasionally supplies the goods from within the shop and behind the counter, but only when the shop is empty and when it is to a known customer.

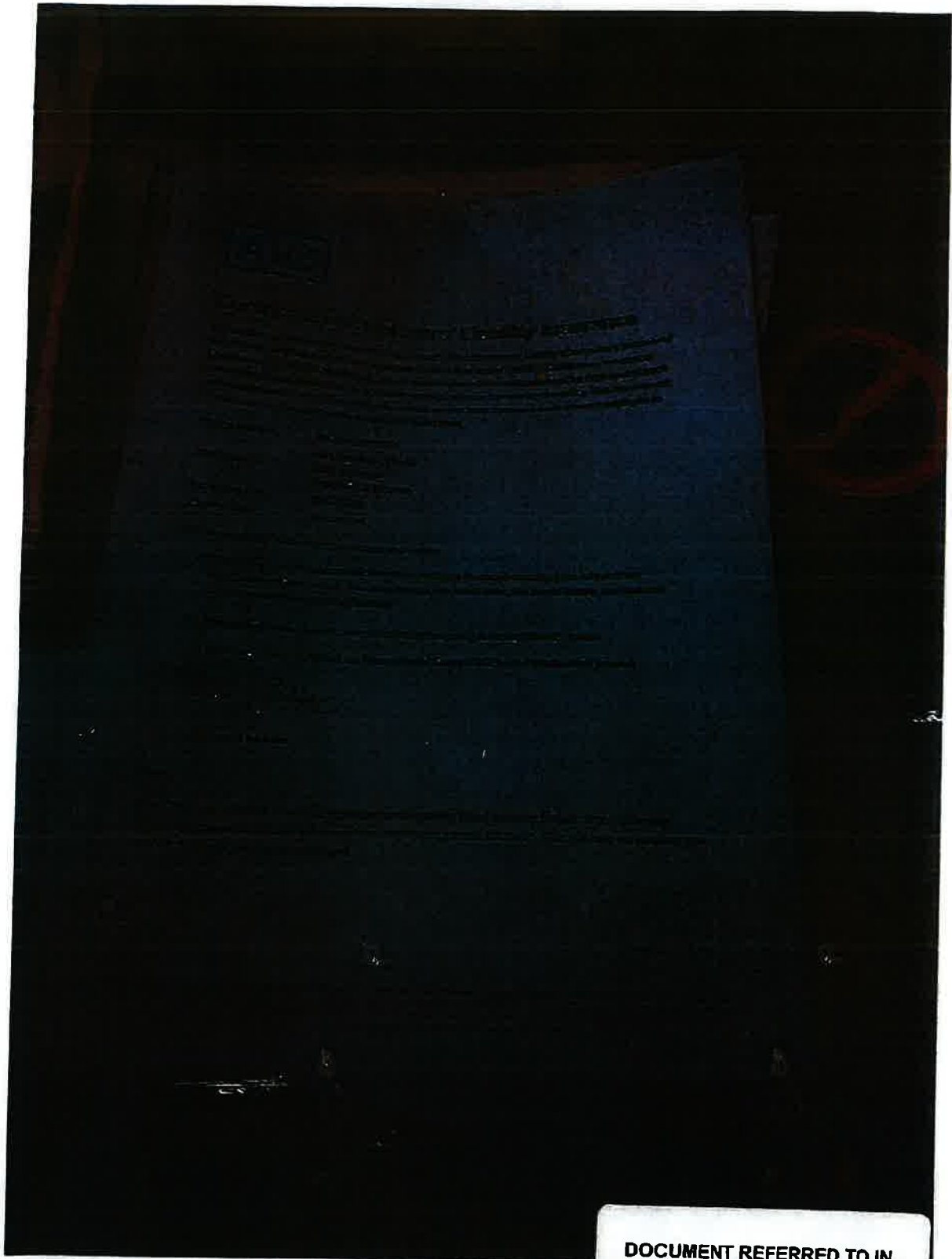
27/06/2022

Anon report. The shop on Prudhoe Street (General Stores) North Shields is selling illegal tobacco. Customer stated we (North Tyneside Council) had installed a camera, but the owner has partially blocked this and still selling illegal products. On the left-hand side near the till is where the blackout spot is (passing it under the counter).

17/05/2023

[REDACTED] who does not wish to be named has advised me [REDACTED] is selling dodgy cigarettes. [REDACTED] knows that they are not supposed to. There never used to be many people going into the shop but now there are. People usually hang around this shop at 4.30pm when a delivery is made. Also mentioned Dave's shop(off licence) on Prudhoe street allegedly doing the same.

Certificate of Insurance found in Prudhoe Off Licence on the 20/07/2023



DOCUMENT REFERRED TO IN
MY STATEMENT
AS EXHIBIT 70/12
DATED 6/09/2023
SIGNED



North Tyneside
Council

1 of 2
DOCUMENT REFERRED TO IN
MY STATEMENT

AS EXHIBIT 119/13
DATED 6/09/2023
SIGNED

Licensing
Public Protection
Harvey Combe
Killingworth
Newcastle upon Tyne
NE12 6QQ

Licensing Section:

Tel no: [REDACTED]

Email: liquor.licensing@northtyneside.gov.uk

Mr
Prudhoe Off-Licence Store
4-5 Prudhoe Street
North Shields
NE29 6QZ

Date: 25/07/2023

Dear Sir,

Re: Licensing Act 2003

I write further to my visit to your premises on Thursday 20 July 2023 along with Trading Standards officers.

During the visit, I checked compliance with the provisions of the Licensing Act 2003 and the conditions attached to your premises licence.

I understand that you are taking action to correct the matters where breaches were found and hope that the following list of conditions, that were not being complied with, will assist you in this.

Annex 2-Conditions consistent with the operating schedule

Condition 3 relating to the records detailing age challenges :-

This is not maintained and updated.

Condition 4 relating to inspection of the records detailing age challenges :-

This is not maintained, checked and signed on a weekly basis by the Designated Premises Supervisor. The last entry was March 2023.

Condition 5 relating to display of "Challenge 25" posters:-

Notices are not prominently displayed. There are 2 A4 size notices both hanging from the ceiling: 1 above the till area and 1 facing the rear wall where the alcohol is displayed. Neither are easily readable.

Annex 3-Conditions attached after a hearing by the licensing authority

Condition 1 (v) relating to accuracy of the CCTV system:-

The system did not show an accurate time

Condition 5 relating to staff training records:-

No staff training records were available for inspection

Please note that if in future you are found to be in breach of the conditions attached to the Premises Licence, the Authority is likely to take further action.

I enclose two copies of this letter and request that you sign one copy and return it to me in the envelope provided, to confirm that you have read and understand this letter and you agree to fully comply with the licence and its conditions in the future.

Should you wish to discuss this matter further please do not hesitate to contact me on the telephone number above.

Yours Sincerely

Licensing Officer

I, _____ confirm that I have received the breaches of condition identified above and that they have been fully rectified.

Signed..... Date.....

Print name.....

2012
DOCUMENT REFERRED TO IN
MY STATEMENT
AS EXHIBIT 10/13
DATED 6/09/2023
SIGNED ...

DOCUMENT REFERRED TO IN
MY STATEMENT

AS EXHIBIT

rn/114
6/09/2023

DATED

SIGNED



North Tyneside
Council

Licensing
Public Protection
Harvey Combe
Killingworth
Newcastle upon Tyne
NE12 6QQ

Licensing Section:

Tel no: [REDACTED]

Email: liquor.licensing@northtyneside.gov.uk

Mr
Prudhoe Off-Licence Store
4-5 Prudhoe Street
North Shields
NE29 6QZ

Date: 04/08/2023

Dear Sir,

Re: Licensing Act 2003

I write further to my visit to your premises on Thursday 20 July 2023 along with Trading Standards officers and the subsequent visit to obtain images from your CCTV system.

I understand from Trading Standards Officers that it has not been possible to download any images due to a fault with the system.

Condition 2 of Annex 3 of your licence-Conditions attached after a hearing by the licensing authority states that "There will be members of staff present at the Premises during operating hours trained to provide viewable copies of CCTV images as soon as possible following a request from representatives of Northumbria Police or the Licensing Authority made in accordance with the Data Protection Act 2018 (or any replacement legislation)."

This is a further breach of the conditions of your licence and requires to be rectified as soon as possible.

Please advise me when this has been done and the CCTV is working correctly when I will arrange a visit to check.

Yours Faithfully

Licensing Officer

1

DOCUMENT REFERRED TO IN MY STATEMENT

AS EXHIBIT ... 10/15

DATED ... 6/09/2023

SIGNED ...

Time & Date	General notes
TMM 10/7/23	LIAM
8/9/2023	52 B West Perry Street
LIAM SANDLER	1129. Pulton St.
Q	<p>Has he been stopped in Pulton Street at home. Is it correct for work for the store support system and for business?</p>
A	Yes but not all the time
Q	Is it correct that when a customer enters

DOCUMENT REFERRED TO IN
MY STATEMENT

AS EXHIBIT 10/15
DATED 6/29/2023
SIGNED 11

Time & Date	General notes
	The store has held them for a period of about a month then later to date we evidence are stored.
Q	Has anyone already been there in that long
Q	Do you think if you bagged it back to the black van
A	Yes
Q	Who will be the witness?

DOCUMENT REFERRED TO IN
MY STATEMENT

AS EXHIBIT 07915
DATED 6/09/2023
SIGNED _____

Time & Date	General notes
R	From A. H. or
Q	Is there a 13 or has house present
R	Do you have The big like Park
Q	Is this a dog
Q	Is your teacher is not legal
R	Yes
Q	How long have you been there
R	A health or
Q	How long have you been there
R	No well

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MY STATEMENT

AS EXHIBIT

17915

DATED

6/9/2023

SIGNED

Time & Date	General notes
	Go to summer house for employment in a cash book Look forward to the summer - get keys for a house visit which is park to enjoy and have good the projects from the and then pulled the slip of paper containing the contract?
Q	Yes I understand the contract and the

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AS EXHIBIT 70115
 DATED 6/09/2023
 SIGNED [Signature]

Time & Date	General notes
11.45	12.4. Every report of what has been said to them
12.52	Liam Thomas at [redacted]
12.53	2 V. College Street, No. 10. [redacted] Court and the [redacted] understood the [redacted]
12.54	Yes. We have just received a big backpack full of illegal cigarettes and [redacted] [redacted] which needs view

Interview of Liam Sadler carried out by Richard Thompson the on 20th July 2023 at Prudhoe Off Licence 4-5 Prudhoe Street North Shields NE29 6QZ.

Q= question and R= response.

Thu 20/7/23

Liam

██████████ Percy Street

11:29: Caution

1 of 2
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DATED 6/09/2023

SIGNED _____

Q: You have been stopped at Prudhoe Street Off Licence. Is it correct you work for the store supplying cigarettes and tobacco?

R: Yes but not all the time.

Q: Is it correct that when a customer enters the store you will then go to a parked black Mercedes van where tobacco and cigarettes are stored.

R: No because I already have them in the bag.

Q: Do you stock up your bag from a the black van?

R: Yes

Q: Who gives you the keys

R: From Ali or whoever is on

Q: How much payment do you get

R: Twenty five pounds a day

Q: Do you realise this is not legal

R: Yes

Q: How long have you done this for

R: A month or two

Q: Do you get free tobacco as well

R: No

So to summarise you are employed on a cash basis, work several times a week, get keys for a black van which they park nearby and you get the cigarettes from there and then attend the shop for customers. Is that correct?

R Yes

I understand the caution and this is a true record of what has been said

11:45: Liam's signature and Richards initials

I Richard Thompson confirm that this is an accurate record of the interview I carried and recorded in my PACE note book on the 20th July 2023.

Signed.....

Dated... 21/8/23.....

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AS EXHIBIT 10/16
DATED 6/09/2023
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Map showing location of Prudhoe Off-Licence, Mercedes van Registration DG58 ABV and 1 Belle Vue Terrace North Shields 20th July 2023



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AS EXHIBIT M117

DATED 6/09/2023

SIGNED ...

to Ogo St

Hatfield House 1-48

Addison Street
Childrens Respise Unit

Race Not Rest Limited

Axe & Anchor Tattoo
Tattoo shop

Peking Express
Chinese Takeaway

Prudhoe Off-Licence

R D Flooring

Mercedes

Tails
Fish and Chips • £5

Go Edy Transport

weCare Auto Repair

Black Mercedes Van [redacted] in which bag containing illicit cigarettes and tobacco was found on the 20/07/2023



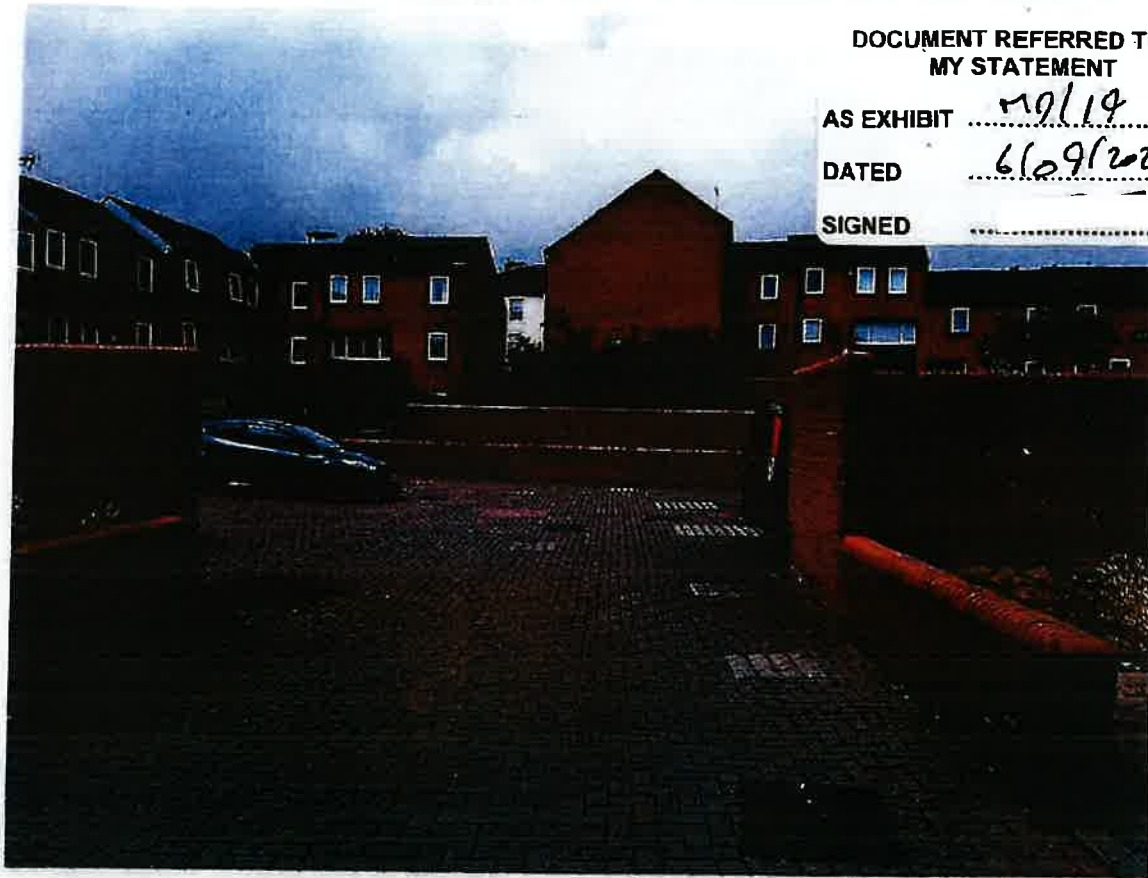
DOCUMENT REFERRED TO IN
MY STATEMENT

AS EXHIBIT 40118

DATED 20/07/2023

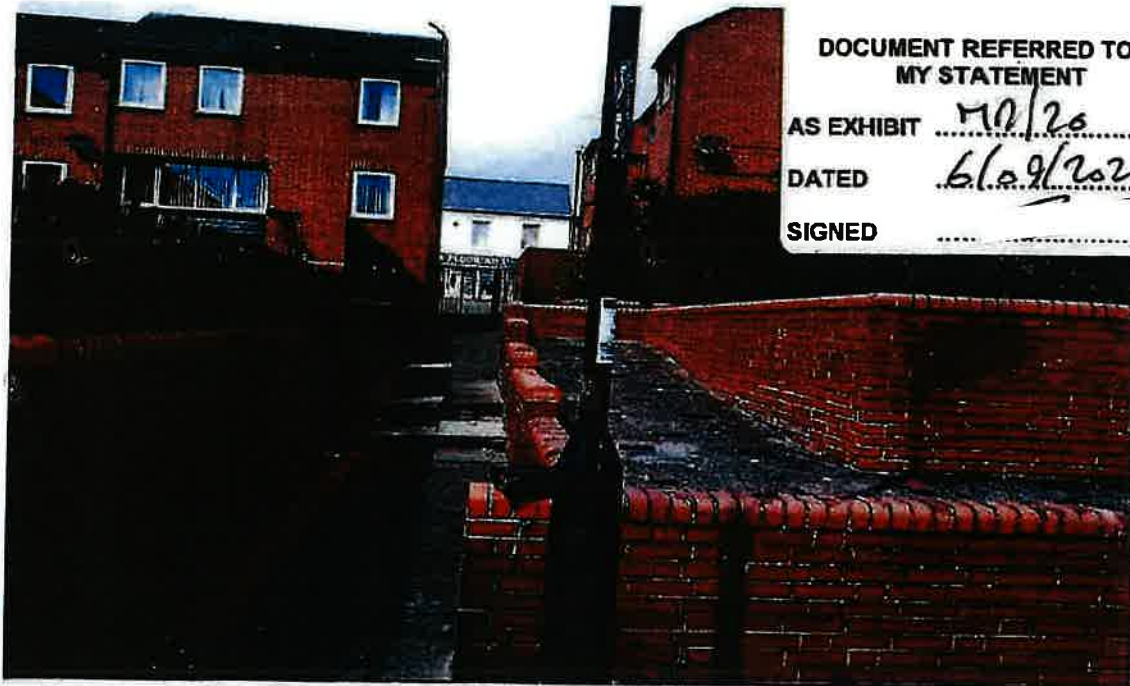
SIGNED .. [Signature]

Photograph showing location of Black Mercedes Van [REDACTED] on the 20/07/2023



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AS EXHIBIT 19/19
DATED 6/09/2023
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Photograph the walk way up to Prudhoe Street taken on the 20/07/2023



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Photograph Prudhoe Street showing location of Prudhoe Off Licence and the walk way on the opposite side of the street to the van taken on the 20/07/2023



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DATED 6/09/2023
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Bag inside Black Mercedes Van [REDACTED] found on the 20/07/2023



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AS EXHIBIT MP122

DATED 6/08/23

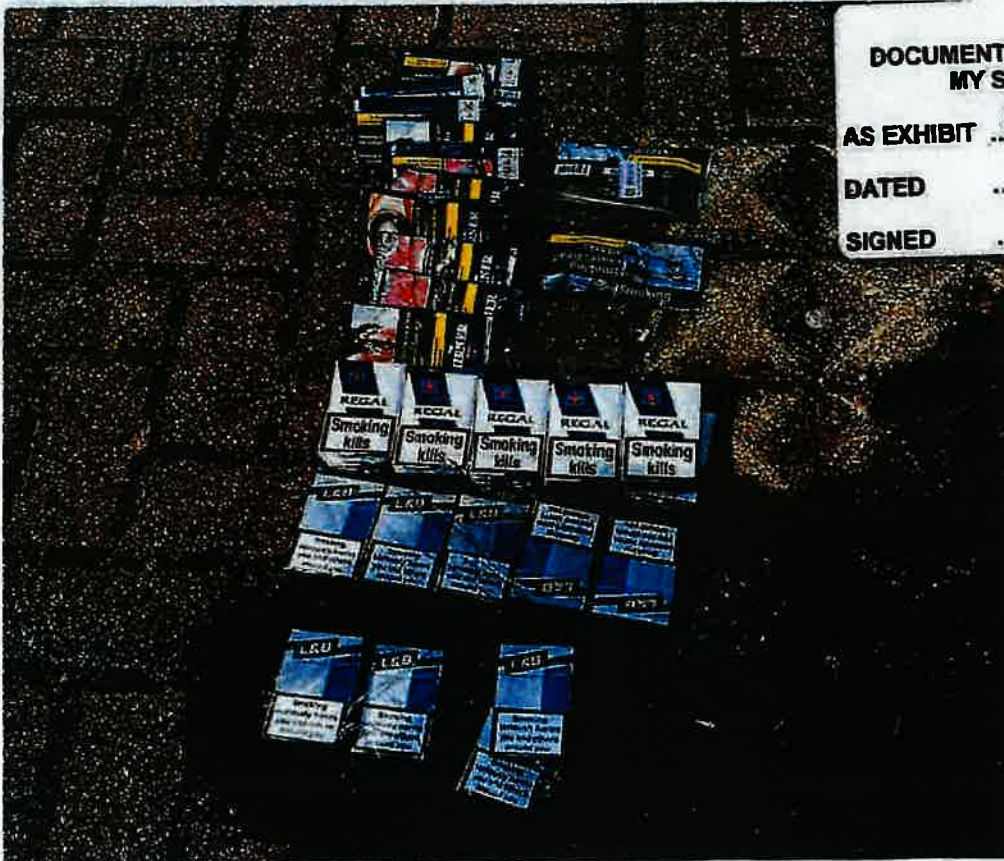
SIGNED

Bag contain containing illicit cigarettes and tobacco found in Black Mercedes Van [redacted] on the 20/07/2023



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DATED 6/09/2023
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illicit cigarettes and tobacco found in bag in the Black Mercedes Van [redacted] on the 20/07/2023



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AS EXHIBIT M/24
DATED 6/09/2023
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**Schedule of items seized on the 20/07/2023 from a black Mercedes van
Registration [REDACTED]**

Cigarettes

Lambert & Butler Original Silver cigarettes 16 packets

Regal Blue cigarettes 20 packets

Total = 36 packets of cigarettes

Hand Rolling Tobacco

Turner Original hand rolling tobacco 50g x 10 pouches.

Amber leaf hand rolling tobacco 50g x 2 pouches.

Total = 12 pouches of tobacco 50g each

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AS EXHIBIT M125
DATED 20/07/2023
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MY STATEMENT

AS EXHIBIT rn126
DATED 6/09/2013
SIGNED

Time & Date	General notes
11.4.5	I was busy to work at that time been 50% to Nam
12.5.13	I was at Thomas [redacted] I was at Village street No. 10 Courtney. As you understand the other
12.5.13	Yes We have just received a big breakfast full of illegal cigarettes and alcohol from a Duch Mercedes van

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AS EXHIBIT 50/26

DATED 6/9/2023

SIGNED

Time & Date	General notes
	Is your plea is that correct?
Q	Yes
Q	Who believes you work is the off home and help on the kind of illegal trucks? Is that correct?
A	Yes
Q	As we supply a truck stay on your main job, you like that to get business for the van and for the to customers?
A	Yes

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MY STATEMENT

AS EXHIBIT 510/26
DATED 6/09/2023
SIGNED _____

Time & Date	General notes
Q	May have as you said
A	Twenty five grand per day cash
Q	How often do you do it?
A	One or twice a week for the past year
Q	Do you know if it is illegal?
A	Yes.
Q	Who brought you?
A	Karl the son who lives here (Khatid Nishi)
Q	How is it organized?
A	Very casual the

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AS EXHIBIT 70/26

DATED 6/29/2023

SIGNED _____

Time & Date	General notes
	<p>also, when a estrova iphen in for cheap before they try to I have the key for the pollock van get the copies and take it to the shop. I give it to the customer who name Karl or Ari D. Michaela Debi just tried to see if you that you just he knew that I might and put cigarette in the van. Is that true?</p> <p>1. It's fine I kept this</p>

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AS EXHIBIT 179/26

DATED 6/29/2023

SIGNED

Time & Date	General notes
Q	Was that the cigarette get her?
A	If didn't sleep in the van to be honest, Kurt told me to say this
Q	Did you find out Kurt got the cigarette?
A	I think Kurt got to someone here as well. It is not clear if they got it from a person or if it was delivered to the shop and give

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AS EXHIBIT 170/26

DATED 6/29/23

SIGNED _____

Time & Date	General notes
	to the coroner.
	✓ Yes
	It is a fine kind of flat iron. Head set to Thomas Bennett
	J.S. Bennett
	Interviewed at a house of Holden
	Adrian Allen
1-17th	✓ Lie chair
1224	Charles Her. Two books in use at 1211th 90 Lewis
12-300	Murphy - West
	Charles Her. 65 Note 4

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MY STATEMENT

AS EXHIBIT r26

DATED

SIGNED

Time & Date	General notes
[REDACTED]	[REDACTED]
.....
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.....
.....
.....

Interview of Thomas [REDACTED] Bennett carried out by Richards Thompson the on 20th July 2023.

Q= question and R= response.

12:58: [REDACTED]

[REDACTED] Street N Shields [REDACTED]

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SIGNED

M/27

6/9/2023

Cautioned do you understand the caution.

R: Yes

Q: We have just recovered a blue backpack full of illegal cigarettes and tobacco from a black Mercedes van in your presence. Is that correct?

R: Yes.

Q: We believe you work for Prudhoe Off Licence and help in the supply of illegal tobacco. Is that correct?

R: Yes

Q: You are carrying a drawstring bag on you now. Do you use that to get tobacco from the van and deliver it to customers.

R: Yes.

Q: How much are you paid.

R: Twenty five quid per day cash.

Q: How often do you do it.

R: Once or twice a week for the past year.

Q: Do you know it is illegal.

R: Yes

Q: Who recruited you?

R: the lad who was here ([REDACTED])

Q: How is It organised?

R: I hang around the area, when a customer comes in for cheap tabs they ring is, I have the key for the black van, get the order and take it to the shop, I give it to the customer who pays [REDACTED]

Q: [REDACTED], st tried to say to you that you slept in the van last night and put cigarettes in the van, is that true?

R: Its true I slept there.

Q: How did the cigarettes get there.

R: I didn't sleep in the van to be honest, Karl told me to say this.

Q: How do Ali and Karl get the cigarettes.

R: I don't know.

Q: Just to summarise you are paid £25 in cash a day to get illegal cigarettes from a parked Mercedes van belonging to the shop and then you go to the shop and give to the customers.

R: Yep

This is a true record of what was said read at to

Signed by

Interview read at in presence of Adam Hudson – signed by Adam Hudson

Signed by Richard Thompson

I Richard Thompson confirm that this is an accurate record of the interview I carried and recorded in my PACE note book on the 20th July 2023.

Signed

Dated 21/8/23

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AS EXHIBIT 10/27
DATED 6/29/2023
SIGNED



HM Revenue & Customs

~~Exhibit D14~~ - schedule of tobacco products detected in relation to trading as Prudhoe Off Licence on 20JUL2023

PART A - CIGARETTES

Serial	Brand	Quantity of cigarettes	RRP per 20 cigarettes	Ad valorem (% of RRP)	Fixed (per 1000)	Duty liability
1	Lambert & Butler Original Silver	320	£12.65	16.50%	£262.90	£117.52
2	Regal Blue	400	£15.15	16.50%	£262.90	£155.16
						<u><u>£272.68</u></u>

PART B - HAND ROLLING TOBACCO ('HRT')

Serial	Brand	Pouch size (kg)	Quantity	Total weight of HRT (kg)	Duty rate per kg	Duty liability
1	Turner Original	0.05	10	0.5	£302.34	£151.17
2	Amber Leaf Original	0.05	2	0.1	£302.34	£30.23
					<u><u>0.6</u></u>	<u><u>£181.40</u></u>

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 AS EXHIBIT 70/28
 DATED 6/9/2023
 SIGNED

FF

OFFICIAL-SENSITIVE

HMRC 08/14

Mark Duffy

a)

From: Mark Duffy
Sent: 30 August 2023 10:15
To: Wendy Burke
Subject: Consultation: issue of a Closure Notice -Prudhoe Off Licence 4-5 Prudhoe Street North Shields NE29 6QZ

Dear Wendy

Consultation

Proposed issue of a Closure Notice at a premises located at 4-5 Prudhoe Street North Shields NE29 6QZ

I write in connection with the proposed issue of a closure notice for Prudhoe Off Licence 4-5 Prudhoe Street North Shields NE29 6QZ

These premises have been the subject of a trading standards investigation into the distribution of illegal tobacco products. On the basis of evidence obtained during this investigation, it is believed that the premises have been used to supply such products and that, by doing so, their use has caused a nuisance in the locality.

I am now consulting with local stakeholders about issuing a closure notice under the Anti-social Behaviour, Crime and Policing Act 2014. This legislation allows local authorities to issue a closure notice if it is considered that there has been a nuisance to members of the public and that such a notice is necessary to prevent this from continuing or recurring.

If issued, the notice would close the premises (and prevent any person other than the owner accessing it) for a period of 24 or 48 hours. Within that 24 or 48-hour period, an application would then be made at a Magistrates' Court for issue of a Closure Order. If granted, an Order would close the premises for a period of up to 3 months. Again, any person other than the owner would be prohibited from entry during the closure period.

As Director of Public Health, you are a key stakeholder. I therefore wanted to reach out to you as part of the consultation phase and provide you with an opportunity to supply any representations that you may wish to make.

If you would like to make any representations about the proposed Closure Notice or Order, can I please ask that they are provided by **5pm on Wednesday 6th September 2023** at the very latest. Representations should be made by return email to:

If you have any questions, please do not hesitate to contact me and I will be happy to help.

Mark Duffy
Senior Trading Standards Officer

Public Protection, Trading Standards, Quadrant East, Cobalt Business Park, The Silverlink North, North Tyneside, NE27 0BY

1

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MY STATEMENT
AS EXHIBIT MP/29(a)
DATED 6/09/2023
SIGNED [Signature]



North Tyneside Council

Wendy Burke
Director of Public Health
North Tyneside Council
Quadrant
The Silverlink North
Cobalt Business Park
North Tyneside
NE27 0BY

Mr Mark Duffy
Senior Trading Standards Officer
North Tyneside Council
Quadrant
The Silverlink North,
Cobalt Business Park,
North Tyneside
NE27 0BY

1 September 2023

Dear Mr Duffy,

Proposed issue of a Closure Notice: Prudhoe Off Licence, 4-5 Prudhoe Street, North Shields, NE29 6QZ

As the Director of Public Health for the borough I have responsibility for improving population health and providing leadership for health improvement and protection. I am therefore concerned at the evidence obtained through the recent Trading Standards investigation into illicit tobacco being sold and present at the premises of Prudhoe Off Licence, 4-5 Prudhoe Street, North Shields, NE29 6QZ.

All tobacco is harmful but illegal tobacco makes it easier for children to start smoking and get hooked. Sellers rarely care who they sell to. All tobacco – legal and illegal – contains over 5,000 chemicals, 60 of which can cause cancer. Smoking will kill one in two long term smokers even if they smoke legal tobacco and the availability of illegal cigarettes makes it harder for people to quit and remain smoke free.

The illegal tobacco trade has strong links with organised crime and criminal gangs. Even small-time local sellers are at the end of a long criminal chain – selling illegal tobacco is a crime.

Comprehensive regional activity in the North East and other parts of England has resulted in reductions in the size of the illicit tobacco market and a smaller proportion of smokers turning to the illicit tobacco trade. Although a lot has been achieved, illegal tobacco is still a problem. While all smoking kills, illegal tobacco is a danger to health, particularly to children and young people, as it is sold at 'pocket money prices', making it easy for children to start.

It is clear that the distribution of illegal tobacco products is a nuisance to members of the public.

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AS EXHIBIT 19/29/23

DATED 6/9/23

SIGNED

a)

To prevent further criminal activity, protect children from harm and stop the nuisance that this activity causes within the local community of North Shields there needs to be effective action against the premises. I urge you to issue a Closure Notice for up to 48 hours and to make an application to the Magistrates' Court for the issue of a Closure Order of up to 3 months.

Thank you for the opportunity to raise my concerns, and should you require any further information please do not hesitate to contact me.

Yours faithfully,

Wendy Burke
Director of Public Health and Responsible Authority

DOCUMENT REFERRED TO IN
MY STATEMENT
AS EXHIBIT 10/29/23
DATED 6/08/23
SIGNED

Mark Duffy

b

From: Wendy Lott (Cllr)
Sent: 31 August 2023 12:22
To: Mark Duffy
Subject: Re: Consultation: issue of a Closure Notice -Prudhoe Off Licence 4-5 Prudhoe Street North Shields NE29 6QZ

Hi Mark
 I am in total agreement of the closure notice.
 Regards
 Wendy

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 MY STATEMENT
 AS EXHIBIT 29/29(b)
 DATED 6.9/2023
 SIGNED

Sent from Outlook for Android

From: Mark Duffy [REDACTED]
Sent: Wednesday, August 30, 2023 10:17:43 AM
To: Wendy Lott (Cllr) [REDACTED]
Subject: Consultation: issue of a Closure Notice -Prudhoe Off Licence 4-5 Prudhoe Street North Shields NE29 6QZ

Dear Councillor Lott

Consultation

Proposed issue of a Closure Notice at a premises located at 4-5 Prudhoe Street North Shields NE29 6QZ

I write in connection with the proposed issue of a closure notice at a convenience store Prudhoe Off Licence 4-5 Prudhoe Street North Shields NE29 6QZ

These premises have been the subject of a trading standards investigation into the distribution of illegal tobacco products. On the basis of evidence obtained during this investigation, it is believed that the premises have been used to supply such products and that, by doing so, their use has caused a nuisance in the locality.

I am now consulting with local stakeholders about issuing a closure notice under the Anti-social Behaviour, Crime and Policing Act 2014. This legislation allows local authorities to issue a closure notice if it is considered that there has been a nuisance to members of the public and that such a notice is necessary to prevent this from continuing or recurring.

If issued, the notice would close the premises (and prevent any person other than the owner accessing it) for a period of 24 or 48 hours. Within that 24 or 48-hour period, an application would then be made at a Magistrates' Court for issue of a Closure Order. If granted, an Order would close the premises for a period of up to 3 months. Again, any person other than the owner would be prohibited from entry during the closure period.

I understand that you are a Councillor for this ward and, as such, a key stakeholder. I therefore wanted to reach out to you as part of the consultation phase and provide you with an opportunity to supply any representations that you may wish to make.

If you would like to make any representations about the proposed Closure Notice or Order, can I please ask that they are provided by 5pm on Wednesday 6th September 2023 at the very latest. Representations should be made by return email to: [REDACTED]



If you have any questions, please do not hesitate to contact me and I will be happy to help. With thanks and warmest regards,

Mark Duffy
Senior Trading Standards Officer

Public Protection, Trading Standards, Quadrant East, Cobalt Business Park, The Silverlink North, North Tyneside, NE27 0BY

North Tyneside Council

Tel: [REDACTED]

E-Mail: [REDACTED]



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MY STATEMENT

AS EXHIBIT 10/29/21
DATED 6/09/2023
SIGNED

Mark Duffy

c)

From: Frank Lott (Cllr)
Sent: 30 August 2023 12:31
To: Mark Duffy
Subject: RE: Consultation: issue of a Closure Notice -Prudhoe Off Licence 4-5 Prudhoe Street North Shields NE29 6QZ

Hi

Fine by me, thanks.

Cheers

Frank

From: Mark Duffy [REDACTED]
Sent: Wednesday, August 30, 2023 10:17 AM
To: Frank Lott (Cllr) [REDACTED]
Subject: Consultation: issue of a Closure Notice -Prudhoe Off Licence 4-5 Prudhoe Street North Shields NE29 6QZ

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MY STATEMENT
AS EXHIBIT MP(29,C)
DATED 6/09/2023
SIGNED

Dear Councillor Lott

Consultation

Proposed issue of a Closure Notice at a premises located at 4-5 Prudhoe Street North Shields NE29 6QZ

I write in connection with the proposed issue of a closure notice at a convenience store Prudhoe Off Licence 4-5 Prudhoe Street North Shields NE29 6QZ.

These premises have been the subject of a trading standards investigation into the distribution of illegal tobacco products. On the basis of evidence obtained during this investigation, it is believed that the premises have been used to supply such products and that, by doing so, their use has caused a nuisance in the locality.

I am now consulting with local stakeholders about issuing a closure notice under the Anti-social Behaviour, Crime and Policing Act 2014. This legislation allows local authorities to issue a closure notice if it is considered that there has been a nuisance to members of the public and that such a notice is necessary to prevent this from continuing or recurring.

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I understand that you are a Councillor for this ward and, as such, a key stakeholder. I therefore wanted to reach out to you as part of the consultation phase and provide you with an opportunity to supply any representations that you may wish to make.

If you would like to make any representations about the proposed Closure Notice or Order, can I please ask that they are provided by **5pm on Wednesday 6th September 2023** at the very latest. Representations should be made by return email to: [REDACTED]

If you have any questions, please do not hesitate to contact me and I will be happy to help. With thanks and warmest regards,

Mark Duffy
Senior Trading Standards Officer

Public Protection, Trading Standards, Quadrant East, Cobalt Business Park, The Silverlink North, North Tyneside, NE27 0BY

North Tyneside Council

Tel: [REDACTED]
E-Mail: [REDACTED]



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AS EXHIBIT M/29 C
DATED 6.9.2023
SIGNED



**NORTHUMBRIA
POLICE**

Northern Area Command
Area Command Headquarters
Middle Engine Lane
Wallsend
Tyne & Wear
NE28 9NT

Tel : 101

3rd November 2023

Licensing Officer,
Licensing Department,
Killingworth Site,
Harvey Combe,
Killingworth,
Newcastle-Upon-Tyne,
NE12 6UB.

Dear Mrs S Graham,

Re: Application to Transfer the premises licence for Prudhoe Store, 4-5 Prudhoe Street, North Shields, NE29 6QZ. Additional submission.

Applicant: -

In respect of the grant of the above application, I have the following comments to make and wish to lodge the following representation: -

Northumbria Police wish to make an objection to the transfer of the premises licence at Prudhoe Store, Prudhoe Street, North Shields, NE29 6QZ.

The licensing Act 2003 gives the Chief Officer of Police provision to object to an application to transfer a premises licence if they are satisfied that the exceptional circumstances of the case are such that the granting of the application would undermine the crime prevention objective.

Northumbria Police object to the application by * * * to transfer the premises licence on the grounds that the granting of this application would undermine the crime prevention objective.

This additional submission is to cover a recent event and a historical event.

On Tuesday 10th October 2023 North Tyneside Council issued a Closure Notice requiring the above premises to close for a period of up to 48 hours. On Thursday 12th October 2023 at North Tyneside Magistrates Court a closure order was issued requiring the premises to closure immediately for three months until midnight on 11th January 2024. The closure order was granted for the premises involvement in the supply of illicit tobacco. Closure order attached.

In May 2020 a [redacted] was arrested for theft after a stop/check where he had a large quantity of cigarettes/tobacco products in his rucksack just after leaving Prudhoe stores, the Officers initial suspicions were that [redacted] had stolen the items from the shop. During the interview, it transpires the tobacco was from the shop. [redacted] stated he sold it on the streets on behalf of [redacted] the owner. Customers would go into the shop, order the tobacco, they would be given a ticket, the customer would find [redacted] nearby, give [redacted] the ticket and he would hand over the tobacco.

Due to the serious nature of the storing and supply of illegal tobacco products, Northumbria Police would request the licensing committee to reject the application to transfer the premises licence at Prudhoe Stores, Prudhoe Street, North Shields.

Yours Sincerely

C/Insp Rebeca Fenney-Menzies 7022
Harm Reduction



North Tyneside Magistrates Court (2360)
Quayside, Newcastle upon Tyne, NE1 3LA. Tel 0191 2012950
Tynemouth Rd, North Shields, NE301AG. Tel 0191 2960099
Law Courts, Bedlington, NE22 7LX. 01670 531100 NorthumbriaMagistrates@justice.gov.uk

Premises:
Prudhoe Off-Licence
4-5 Prudhoe Street North Shields NE29 6QZ

Case number: **102300281482**

Respondents: PRUDHOE OFF LICENCE

Closure order

The court has considered a closure notice issued by a constable on the 12 October 2023 on the grounds that a person has engaged in anti-social behaviour on the premises and the use of the premises is associated with significant and persistent disorder or persistent serious nuisance to members of the public.

Order

The premises are to be **closed immediately** to all persons and **remain closed** for **3 months** from the date of this order.

Full closure for all people save the store owners - Khalid Nabi and Soraya Begum Nabi.

Warning

A person who, remains on or enters the premises in contravention of this order is liable to a fine or imprisonment or both.

**Mr Benjamin Wood Head of Legal
Operations (North East)**

Date: 12 October 2023

Justices' Clerk

Offences

102300281482/1

Application for a closure order following service of a notice on 10/10/2023 in respect of Prudhoe Off-Licence, 4-5 Prudhoe Street North Shields NE29 6QZ .

Pursuant to section 80 of the Anti-social Behaviour, Crime and Policing Act 2014.

PRUDHOE OFF LICENCE

12 October 2023/CLO_24_0/30128/1

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