

## **APPENDIX 5**

# RESPONSIBLE AUTHORITY REPRESENTATION



North Tyneside Council

## Section 1 – Application Details

I wish to make a representation in support of the following Review Application:

**Applicant's name (if known):** Local Weights and Measures Authority, North Tyneside Trading Standards:

**Premises name and address:** Prudhoe off Licence  
4-5 Prudhoe Street  
North Shields  
NE29 6QZ

Application for a: -      **Review of a Premises Licence**.....

**Review of a Club Premises Certificate** .....

## Section 2 – Details of the Responsible Authority making a representation

**Name of Responsible Authority:** Northumbria Police

**Tel No:** 101 Ext: 45332

**Address where you would like us to correspond with you:**

**Mr N Kirkpatrick  
Northern Area Command  
Wallsend Police Station  
Middle Engine lane  
Wallsend  
NE28 9NT**

**Please note that a full copy of your representation will be sent to the applicant and will be a public document at any hearing of this matter.**

Please state under which of the licensing objective(s) your representation is being made (eg. Prevention of Crime & Disorder, Prevention of Public Nuisance, Public Safety, the Protection of Children from Harm).

PREVENTION OF CRIME AND DISORDER.  
PROTECTION OF CHILDREN FROM HARM

### Section 3 – Objection Details

My representation is based on the following:

**Prudhoe Off Licence**

**4-5 Prudhoe Street**

**North Shields**

**NE29 6QZ**

**Premises Licence Number: OOCK/17/0255.**

**Premises Licence Holder: Mr Ghulam Nabi.**

**Designated Premise Supervisor: Mr Ghulam Nabi.**

Northumbria Police wish to support the application from Local weights and Measures Authority, North Tyneside Trading Standards, for a review of the above named premises licence on the grounds of Crime and Disorder and Protection of Children from Harm.

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.

On 14 January 2014, Mr Kirkpatrick Licensing Officer for the Police and Mr Hedley from North Tyneside trading Standards visited this shop; there was a complaint about Mr Ghulam Nabi selling alcohol via proxy sale to children. There were no CCTV cameras outside to monitor this. An inspection of the refusals register was conducted and found that the register had not been utilised in several months. Suitable advice was given to Mr G Nabi about keeping the document up to date.

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 but it was passed to Mr Kirkpatrick to action.

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

May I request the committee to have regard to revised guidance issued under section 182 of the Licensing Act 2003 (April 2018), Section 11.26.

Where the licensing Authority is conducting a review on the grounds that the premise has been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective.

May I request the committee to have regard to revised guidance issued under section 182 of the Licensing Act 2003 (April 2018), 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 illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and the propensity for crime of young people:
- For the sale or storage of smuggled tobacco and alcohol.

May I request the committee to have regard to revised guidance issued under section 182 of the Licensing Act 2003 (April 2018), Section 11.28.

It is envisaged that licensing authorities, the Police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the Licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that, revocation on the licence-even in the first instance-should be seriously considered.

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 2015 to date, The local Weights and Measures of North Tyneside council, assisted by Northumbria Police, have visited Prudhoe off licence in North Shields eight times; The operations have been an intelligence lead, partnership approach, reacting to the concerns of the community of North Shields.

Four of these have resulted in the seizure of illicit tobacco products. The owner and his son 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 is also the Premises Licence Holder.

Northumbria police have lost confidence in the management of Prudhoe off licence in North Shields. The consistent poor management of the premises is of serious concern.

Due to the serious nature of this review, the selling of alcohol to a child, the consistent disregard for persistently storing and selling illegal/counterfeit tobacco and cigarettes Northumbria Police request the licensing committee to consider revocation of the premises licence, even in the first instance.

C/Insp Clare Langley 7178.

Signed.....*Clare Langley*..... Dated .....*9th April 2019*.....



North Tyneside Council

3

Quadrant East,  
The Silverlink North,  
Cobalt Business Park,  
North Tyneside, NE27 0BY

North Tyneside Licensing Committee  
North Tyneside Council  
Quadrant East  
Cobalt Business Park  
Silverlink North  
North Tyneside  
NE25 9DT

16<sup>th</sup> April 2019

Dear Sir/Madam

**Review of Premises Licence Prudhoe Off licence, 4-5 Prudhoe Street, North Shields**

We respectfully request that the licensing committee revoke the licence for the above premises in order to safeguard children and prevent crime.

We are extremely concerned about the wealth of evidence supplied by Trading Standards and the Police which demonstrates that Mr Ghulam Nabi as the licensee and designated premises supervisor does not take his responsibility seriously evidenced by both himself and his two sons who are involved with the business, having engaged in criminal activity on repeated occasions.

We do not believe that the premises licence holder up holds the licensing objectives and he has failed to protect children from harm by engaging in criminal behaviour.

While the failed test purchase for alcohol was back in 2016 and there have been no further failed test purchases, the repeated sales of illicit tobacco are extremely concerning. While fewer people than ever are now smoking, illegal cigarettes are often responsible for getting children initiated in to smoking as they can buy it at pocket money prices from people who don't care who they sell to. The figures, from the most recent North East Illegal Tobacco Survey identified that 55% of children aged 14 and 15 in the North East who smoke, reported buying illegal tobacco from sources from small independent shops and "tab houses". The sale of illegal tobacco is a criminal activity that supports a trade that encourages children to become hooked on cigarettes at younger ages and promotes dangerous products. Counterfeit tobacco has also been found to contain arsenic, rat droppings and far more tar and carbon monoxide than legal products.

It is clear that in order to protect children from harm and prevent further criminal activity that this premises licence should be revoked.

Thank you for the opportunity to raise our concerns and should you require any further detail please do not hesitate to contact us.

Yours faithfully,



**Wendy Burke**  
**Director of Public Health**  
**and Responsible Authority**



**Sue Burns**  
**Local safeguarding Children's Board Manager**  
**and Responsible Authority on behalf of LSCB**