

Minutes of a meeting of the Licensing Sub-Committee

At 10am on Tuesday 3rd September 2024

Held Online, via MS Teams

Present:-

Members

Councillors Jennie Bone, Jonathan Ekins and Dorothy Maxwell

Officers

Rita Groves, Licensing Enforcement Officer

Louise Delavaloire, Legal Advisor

Maddie Horner, Legal Advisor

Louise Tyers, Senior Democratic Services Officer

Northamptonshire Police

Sergeant Simon Moreton

PC David Bryan

PC Leanne Laren

1 Appointment of Chair

RESOLVED:

That Councillor Jonathan Ekins be appointed Chair for the Sub-Committee.

2 Apologies for non-attendance

There were no apologies for non-attendance.

3 Members' Declarations of Interest

There were no declarations of interest.

4 Euro Market, 1 Church Street, Wellingborough, NN8 4PA - Summary Review of Premises Licence

The licence holder was not present.

The Licensing Enforcement Officer introduced the report which asked the Sub-Committee to consider an application for a summary review of the premises licence in relation to the premises known as Euro Market, 1 Church Street, Wellingborough, NN8 4PA and whether interim steps were necessary with regards to the premises licence.

A certificate and application to review the premise licence were received from Northamptonshire Police on 24 September 2024. This application allowed a process for considering whether it was necessary to take action by way of interim steps, if the premises were deemed to be a cause for serious crime or disorder. Northamptonshire Police, within their application and certificate, considered that the premises concerned

were associated with serious crime. The application related to the prevention of crime and disorder under the licensing objectives as detailed in the Licensing Act 2003.

At the invitation of the Chair, PC Laren addressed the Sub-Committee and presented the case of Northamptonshire Police.

On 16th September 2024, officers from Northamptonshire Police attended the premises on information received from the Modern Slavery and Exploitation Helpline. In addition, there was previous intelligence linked to the shop regarding the sale and storage of smuggled tobacco.

On conducting a search at the premises, officers located a large quantity of hand rolling tobacco and cigarettes that were being kept in a storeroom at the rear of the premises. A smaller quantity was also discovered under the counter near to the till. All of the tobacco did not have the relevant UK tax paid markings and were not in the regulation packaging as required by the standardised packaging of tobacco products regulations and the tobacco and related products regulations 2016.

The search found 50,380 sticks (2519 packs) and 3.2 kilos (624 pouches) of hand rolling tobacco. The value of the hand rolling tobacco and cigarettes, if sold at UK market prices, came to £56,500.

RESOLVED:

That the premises licence be suspended and that the Sub-Committee would undertake a full review on 22nd October 2024.

Reasons for decision

In considering its decision the Sub-Committee referenced 12.13 - 12.16 of s182 of the Licensing Act 2003:

1. Modification of conditions – the Committee did not consider this to be sufficient based on the information presented.
2. Removal of Designated Premises Supervisor – the Committee consider that this was not sufficient, there had been no engagement from the DPS and North Northamptonshire Council was not the issuing authority for the DPS therefore no action could be taken.
3. Suspension of licence pending final hearing – the Committee considered this was the only remaining option which was agreed unanimously pending the full Review on 22nd October 2024.

It was also agreed that:

- Officers will inform Nottingham City Council that the DPS is involved in this.
- Officers will monitor the shop pending the final hearing on 22 October 2024.

The Sub-Committee are satisfied that the test for utilising the summary review process as the alleged criminal activity detailed results in substantial financial gain.

There are serious concerns that the licensing objectives in relation to the prevention of crime and disorder and public safety are being undermined by criminal activity at the licensed premises.

The Sub-Committee concludes that it is necessary to implement the interim step of suspending the premises licence pending the full review hearing.

5 Close of meeting

The meeting closed at 10.40am.

Chair

Date