

**CITY OF
WOLVERHAMPTON
COUNCIL**

Mr Chris Howell
Licensing Services
City of Wolverhampton Council
St Peter's Square
Wolverhampton
WV1 1SH

17 September 2018

Dear Mr Howell,

Application for a review of a premises licence under Licensing Act 2003
Burleigh Mini Market T/A Lessgo, 70 Burleigh Road, Penn Fields, Wolverhampton,
WV3 0HN

I write on behalf of the Licensing Authority as a Responsible Authority. I write in support of the above review application made by Trading Standards Service. Representations are made against Crime and Disorder and Public Safety licensing objectives the failure of the current management of the premises to promote these objectives.

The premises licence holder, Tangarasa Yogarasa and the management of the premises have not demonstrated they are operating in accordance with the premises licence and therefore are not promoting the licensing objectives of Crime and Disorder and Public Safety.

The issues raised by trading standards relate to the possession, custody and control of illegal cigarettes and tobacco for sale at the premises. The illegal cigarettes and tobacco were discovered behind the counter and also within Mr Yogarasa's living accommodation above the shop. This shows blatant disregard to the licensing objectives by the premises licence holder and the management of the premises.

If Councillors are satisfied that illegal activities have taken place at the premises and are in breach of promoting the licensing objectives, the licensing authority would request the Licensing Sub-Committee ensure these issues are addressed by considering modification of the current premises licence in accordance with section 52 of the Licensing Act 2003 the guidance issued by the secretary of state under 182 of the Act together with City of Wolverhampton Councils Statement of Licensing Policy.

Paragraph 11.27 of the guidance under section 182 of the Licensing Act 2003 states: -
"There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously." This includes "for the sale or storage of smuggled tobacco and alcohol."

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Paragraph 11.28 of the guidance states: -

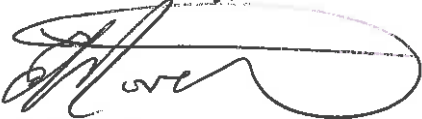
“It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines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

Councillors may conclude from the evidence given within the review application and at the hearing in order to promote the licensing objectives of Crime and Disorder and Public Safety that modification of the premises licence or suspension of the licence to ensure the current management of the premises fully understands their roles and responsibilities is not a suitable option and that there is no alternative but to revoke the licence.

The Licensing Authority fully supports the review application brought by Trading Standards Service and concludes the above issues should be resolved in order to promote the licensing objectives of Crime and Disorder and Public Safety.

I shall be in attendance at the hearing should councillors have any questions or require any further assistance.

Yours sincerely,



E. Moreton
Section Leader
On behalf of the Licensing Authority

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Email: licensing@wolverhampton.gov.uk

CC: Mr Tangarasa Yogarasa (Premises Licence Holder)