

Licensing Act 2003

Responsible Authority Representation Form

Cambridgeshire County Council Trading Standards

Name:	Andrew Fayers
Job Title:	Lead Officer
Postal and email address:	Trading Standards, Supporting Business and Communities, Cambridgeshire County Council, PO Box 450, Great Cambourne, Cambridge, CB23 6ZR andrew.fayers@cambridgeshire.gov.uk
Telephone:	01954 284622

Name and address of premises for which the representation is being made:

Grosik Sklep Ltd, 115 High Street, Huntingdon, PE293LD

Which of the four licensing objectives does your representation relate to?

The Prevention of Children from Harm, to Prevent Crime and Disorder, Public Safety.

Please detail the evidence supporting your representation or the reason for your representation

The Prevention of Children from Harm

The applicant has been involved in the sale of illicit tobacco please see Crime and Disorder below, so that this objective evidence can be read in context.

The sale of illicit cigarettes at cheap prices (around £3 -£4 per pack) will not deter children from taking up smoking. Recent test purchases of cigarettes by children in a nearby City to Huntingdon resulted in sales of illicit cigarettes at cheap prices to under 18 year olds. A business which is prepared to be involved in the sale of illicit cigarettes is not going to be concerned about breaking the law and selling tobacco or alcohol to children.

To Prevent Public Nuisance

To Prevent Crime & Disorder

The applicant is known to be involved in the supply of illicit tobacco.

The sale of Illicit tobacco is a major criminal activity locally as well as nationally. There have been a number of seizures by the Police, HMRC and the County Council's Trading Standards Service, the most recent being 15 May 2015 when over 30,000 cigarettes and over 2Kgs of rolling tobacco were seized from 3 shop premises in Wisbech, by this Trading Standards Service. The importation and sale of illicit tobacco has links to major crime gangs and illicit tobacco costs the nation over £2 billion annually in lost tax revenue.

The information linking the applicant to illicit tobacco is from information received from Oxfordshire Trading Standards. They stated that in response to intelligence received, that on 13th September 2012 a joint visit was undertaken with Customs and Excise Officers to an alleged premises selling illegal tobacco, namely Grosik Euro Supermarket at 40 High Street, Banbury, Oxon.

After a search of the property a large amount of tobacco products were seized from the property by Customs and Excise as it was confirmed to be illegal duty free. The tobacco was not counterfeit. They stated the owner of the premises is Mr Zryan Mohammed Sharyf with a mobile telephone number of [REDACTED]

This followed an earlier seizure of illicit tobacco from the shop in February 2011 by Customs and Excise.

Oxfordshire County Council Trading Standards Service stated that on 14th October 2014 that they conducted an enforcement visit to Grosik Euro Supermarket Ltd of 40 High Street, Banbury OX165ET to search for suspected illegal tobacco products. A tobacco detection dog was used for the search. Illegal tobacco products were found and seized. The cigarettes were hidden in drawers which had been built into the shop counter at floor level behind the plinth fascia. Mr Zryan Mohammad Sharyf of Flat 19, West Court, West Walk, Leicester LE17NP was listed at Companies House as the sole Director of Grosik Euro Supermarket Ltd, with a date of birth of [REDACTED], and he was also named as the food business operator at the premises. He has a mobile phone number [REDACTED]

The following items of illegal tobacco were seized from the premises:

23 packs Gold Marlboro Original Polish language

16 packs L & M Blue Label Polish language

2 packs of Super Slims NZ Gold Russian language

1 pack L & M Link 20 Mint Stix Polish language

10 packs of P3CT Russian language.

Although this appears to be a small amount, this will be do to the fact that typically shops continually re-stock from a vehicle or another premises in order to argue that it is for personal use or they did not know it was there, which is the standard owners excuse and of course they only lose a small amount of stock.

The Trading standards Section which is within the Supporting Businesses and Communities service is

committed to the prevention the sale of illicit tobacco. The refusal of granting of the licence will help the service prevent criminal activities within the county. As stated previously in this representation, a business which is prepared to be involved in the sale of illicit cigarettes/tobacco is not going to be concerned about breaking the law and selling tobacco or alcohol to children.

Public Safety

The European standard for cigarettes includes a safety element which means that a cigarette is self extinguishing. Each non illicit cigarette sold in the UK has points along the paper where if the cigarette is not being smoked the cigarette self extinguishes. The reason for this requirement was that house fires across Europe where being caused by cigarettes left to burn. There is an increase risk that fires will occur if illicit cigarettes are within a community. In 2008, before the new safety standard, it was estimated that around 2,800 fires in the UK were caused by smoking materials in which 101 people died and 932 were injured. April 2013 to April 2014 37% of all house fires were smoking related. Unfortunately the continued sale of illicit cigarettes will not reduce this figure significantly. An elderly lady June Buffham of Lincolnshire died when an illicit cigarette set light to the chair she was sitting in.

Illicit cigarettes are more dangerous than European standard cigarettes. Counterfeit cigarettes have been found to contain significantly higher amounts of potentially toxic lethal chemicals such as lead.

The shop is described as general off licence supermarket, with the plan showing limited alcohol shelving but the description of the store emphasises 'off licence'.

Cambridgeshire County Council Supporting Business and Communities (Trading Standards) Service requests that the licence is refused as the service does not believe that the applicant will uphold the licence objectives of the Prevention of Crime and Disorder, Public Safety and the Protection of Children from Harm.

Signed:



Date: 12/09/15