



**Application for the Review of a Premises Licence or Club Premises Certificate
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 **PC BERESFORD 1330NW**

apply for the review of a premises licence under Section 51 of the Licensing Act 2003
for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description:

Carniprod, 181 Burnt Oak Broadway, Edgware

Post town:

Harrow

Post code:
(if known)

HA8 5EH

Name of premises licence holder or club holding club premises certificate (if known):

Georgiana Monica Craciunescu

Number of premises licence or club premises certificate (if known):

LN/000005304/2012/1

Part 2 – Applicant details

I am:

Please tick Yes

- | | | |
|----------|--|-------------------------------------|
| 1 | an individual, body or business which is not a responsible authority
(please read guidance note 1 and complete (A) or (B) below) | <input type="checkbox"/> |
| 2 | a responsible authority (please complete (C) below) | <input checked="" type="checkbox"/> |
| 3 | a member of the club to which this application relates (please complete section (A) below) | <input type="checkbox"/> |

PROTECTIVE MARKING

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)									
Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Miss	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Any other title (e.g. Rev.)	<input type="checkbox"/>
Surname:				First Names:					
I am 18 years old or over				<input type="checkbox"/>					
Current postal address if different from premises address:									
Post town:				Post code:					
Daytime Tel. No.:				Email: (optional)					

(B) DETAILS OF OTHER APPLICANT (fill in as applicable)	
Name and Address:	
Telephone Number (if any):	
Email address: (optional)	

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT (fill in as applicable)	
Name and Address:	
PC BERESFORD - Harrow Police station – Licensing Team	
Telephone Number (if any):	
Email address: (optional)	

This application to review relates to the following licensing objective(s)		
		Please tick one or more boxes
1	The prevention of crime and disorder	<input checked="" type="checkbox"/>
2	Public safety	<input checked="" type="checkbox"/>
3	The prevention of public nuisance	<input checked="" type="checkbox"/>
4	The protection of children from harm	<input checked="" type="checkbox"/>
Please state the ground(s) for review: (please read guidance note 2)		
<p>During several visits to the premises, it has been found that the premises licence holder has not been promoting the licencing objectives to the required standard.</p> <p>During visits by police and other responsible authorities, the following issues have been found: Non duty paid goods have been found at the premises more than once.</p>		

PROTECTIVE MARKING

Please provide as much information as possible to support the application: (please read guidance note 3)

The premises licence holder for Carniprod, 181 Burnt Oak Broadway, Edgware is failing to promote the licensing objectives, specifically:

- Prevention of crime and disorder.
- Prevention of public nuisance.
- Public safety
- Protection of children from harm

Over a period of approximately 4 years, The management of Carniprod have shown themselves to be one of the main contributors of Anti-Social Behaviour in the Burnt Oak area. The poor practices and running of the store are having a significant negative impact on the local community. This area has a long history of Anti-Social Behaviour and crime. Police have a dedicated problem solving plan, with partners aiming to improve the area, using Public Spaces Protection Orders and Criminal Behaviour Orders to do so. Carniprod have shown a complete disregard for the law, repeatedly engaging in the sale of smuggled goods with little consideration for the and knock on affect on the local community.

On the 8th March 2019 Carniprod was found to have a quantity of tobacco on the premise by police and trading standards, that was suspected to be non-UK duty paid (smuggled) goods therefore a breach of section 112 of the customs and excise management act 1979 and S144 of the licensing act 2003 which makes it an offence to store non duty paid goods. Upon Police arrival, the venue received delivery of a box of non-duty paid goods. The delivery was received and placed behind the counter by Mr Duta's 14 year old son. 76 packs of tobacco were seized in total. Mr Duta appeared from the rear entrance of the shop shortly after the delivery van drove off.

Whilst at the premises Police Licensing Officers also identified a large number of plastic water bottles containing what Mr Duta said was wine and an empty foil bag which Mr Duta explained he had decanted the wine from, having imported it from Romania. Mr Duta stated that he sold the plastic bottles containing the wine to customers/friends.

Police are greatly concerned about this practise. Mr Duta has no idea what is in these foil bags he has been buying in terms of what ingredients is in these bags of "wine" it has not been subject to UK regulations and could be harmful to those consuming it. The customers that are most likely to buy this are the vulnerable members of the community. Carniprod's License is off sales only which means that all drinks sold have to be factory sealed.

The goods were recovered by trading standards, they are dealing with this investigation. Selling non duty paid items allows the trader to sell alcohol and tobacco products at a reduced rate, thereby undercutting and undermining responsible retailers.

This is not the first time Carniprod has been found to be selling non duty paid goods :

On 16th December 2015, Trading Standards conducted a visit following a covert test purchase, which had identified illicit tobacco products were being sold from the shop. Trading standards found and seized a large variety of illicit tobacco and also counterfeit Glens Vodka.

On 6th September 2016, Mr Duta appeared before Willesden Magistrates court and pleaded guilty as Director and on behalf of the Company for the alleged offences under the Tobacco Products Manufacture, Presentation & Sale Regulations and the Trade Marks Act 1994.

The company was fined £1,290, ordered to pay a £99 victim surcharge and costs of £1,000.00. Mr Duta was fined £175 and ordered to pay a victim surcharge of £20.

28th September 2016, Trading Standards conducted another visit where illicit tobacco was again found behind the counter.

18th April 2017 – Mr Duta appeared before Willesden Magistrates court and pleaded guilty as Director and on behalf of the Company for the alleged offences under the Tobacco and Related Products Regs 2016.

The company was fined £2,500, ordered to pay a £175 victim surcharge and costs of £1,000.00. Mr Duta was fined £350 and ordered to pay a victim surcharge of £35.

Carniprod has had ample opportunity to show that they can work in a safe and legal way but have consistently failed to promote the licensing objectives. This leaves the police with no alternative but to submit a review application for this premises licence. Mr Duta has repeatedly failed to demonstrate the behaviour we expect from a business owner we are aware that he is not the premises licence holder but he still continues to work at the location with a disregard for the law. Georgiana Monica is the premises licence holder and knows she needs to promote the licensing objectives and still continues to let this go on in the shop this is not the behaviour we expect on the Borough of Harrow and therefore respectfully request that the licence be revoked.

PROTECTIVE MARKING

Have you made an application for review relating to this premises before?

(Please tick yes)

Day

Month

Year

If yes, please state the date of that application:

0

If you have made representations before relating to this premises please state what they were and when you made them:

PROTECTIVE MARKING

Please tick Yes

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate.



I understand that if I do not comply with the above requirements my application will be rejected.



IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature:

[Redacted Signature]

Date:

20/04/2019

Capacity:

Licensing Officer - Metropolitan Police

Contact name (where not previously given) and postal address for correspondence associated with this application: (please read guidance note 6)

PC BERESFORD

Post town:

Post code:

Telephone Number (if any):

If you would prefer us to correspond with you using an e-mail address, your e-mail address (optional):

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details, for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example, solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.