



**HASTINGS POLICE STATION  
EAST SUSSEX DIVISION**

Your Ref: Our Ref: ESX/LIC/DCI Date: 31<sup>st</sup> October 2012.  
Contact Name: Chief Inspector Keating Tel. Extension: 60221 Direct Dial No: 01424 456171

Dear Mr Brown

**SUSSEX POLICE REPRESENTATION AGAINST THE GRANT OF A PREMISES LICENCE UNDER THE  
LICENSING ACT 2003.**

**72 Mount Pleasant Road (formally Pleasant Off Licence) Hastings East Sussex TN34 3SN.**

Sussex Police wish to make representation against the application for the grant of a premises licence submitted by Miss. Nejla Yalcin on the 12<sup>th</sup> October 2012, relating to 72 Mount Pleasant Road Hastings East Sussex. TN34 3SN.

The basis for the opposition is that the grant of a premises licence for these premises will not promote the licensing objectives, particularly the prevention of crime and disorder and the prevention of public nuisance.

The hours the premises will be open to the public are Monday – Sunday 07:00hrs to 23:00hrs with no seasonal or special event variations.

The application is made under Section 17 of the Licensing Act 2003, for the licensable activity, supply of alcohol. Times requested for the licensable activity are Monday – Sunday 07:00hrs to 23:00hrs with no seasonal or special event variations to these times. Supply of alcohol for consumption off the premises.

Ms. Yalcin has stated that she is to be the Designated Premises Supervisor despite the fact that she does not currently hold a personal licence. This would tend to show a lack of understanding of basic formalities relating to the Licensing Act 2003.

On the 1<sup>st</sup> February 2012, Ms. Louise Baxter Team Manager East Sussex County Council Trading Standards Service submitted an application to the Licensing Department Hastings Borough Council for a review of the premises licence. The basis for the review being that the premises were involved in the illegal sale of counterfeit, illicit and dangerous alcohol.

On the 20<sup>th</sup> March 2012 the Licensing Sub Committee, after hearing all the evidence, revoked the premises licence.

Mr. Cuma Yalcin, the holder of the premises licence at that time appealed the decision of the Licensing Sub Committee. The appeal was heard on the 3<sup>rd</sup> August 2012 and was dismissed.

The applicant submitted the application for the grant of a premises licence on the 12<sup>th</sup> October 2012, approximately two months after the Licensing Sub Committee found cause to revoke the licence. There is nothing in legislation to prevent this application however Sussex Police contend that to allow the grant of a

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Licensing Manager  
Environment and Safety Directorate  
Aquila House  
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TN34 3UY.



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EAST SUSSEX DIVISION**

premises licence at this time would undermine the whole process of reviewing a premises licence.

On Tuesday 30<sup>th</sup> October 2012, Anthony Masters Sussex Police Licensing Officer for the Hastings District, visited the premises. Mr. Masters had attempted to speak with the applicant but she had failed to return his telephone calls. At the premises and conducting the business was the manager Mr. Mohammed Hassan. Mr. Hassan was the Designated Premises Supervisor at the time of the East Sussex Trading Standards investigation. Mr. Hassan was also the Designated Premises Supervisor at the Ideal Mini Market 61 Queens Road Hastings East Sussex when the premises licence was revoked after an East Sussex Trading Standards investigation.

Sussex Police have no additional evidence to adduce, with regard to the premises but wish to emphasize the reasons as to why the premises licence was revoked.

Trading Standards mentions in their review paper that their public analyst commented that there were irregularities with the UK duty stamp which indicated that it may not be genuine


In the Government's new alcohol strategy published in March this year, sections 2.18 to 2.20 refer to the government's response to 'emerging issues' of serious concern.

2.19 Alcohol duty fraud costs the Government up to £1.2 billion per year and organised crime groups are responsible for much of this cost.

Sussex Police also regard this as a serious public confidence issue. The public have a properly placed expectation that responsible authorities such as the police & trading standards have a duty to safeguard their welfare in the context of the Licensing Act and in the general context of being a responsible public body. By dealing with these breaches robustly it is hoped that such public confidence will be maintained and public expectations properly managed.

Sussex Police contend the premises licence was revoked, by the Licensing Sub committee, as a result of the significant evidence submitted by the East Sussex Trading Standards Department. With regard to this issue in addition to those mentioned above Sussex Police invite the Licensing Authority to refuse this application.

Yours sincerely,

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ROSS.

Chief Inspector H. Keating  
District Commander.  
Hastings.

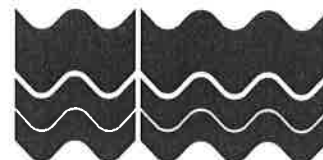
**Economy, Transport and Environment**  
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BEng (Hons) CEng MICE  
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**Trading Standards**  
**Lucy V C Corrie**  
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**East Sussex**  
County Council



Mr Robert Brown  
Licensing Manager  
Hastings Borough Council  
Aquila House  
Breeds Place  
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East Sussex  
TN34 3UY

When responding  
please ask for  
Lucy Corrie  
01323 463421

Our Ref  
P000948

Your  
Ref

Date  
5 November 2012

Dear Mr Brown

**Re: Licensing Act 2003: application for a premises licence at 72, Mount Pleasant, Hastings, TN34 35N**

I write with reference to the above application, a copy of which was sent to me on 10<sup>th</sup> October 2012 by the applicant's solicitors Funnell & Perring.

This Trading Standards service is a responsible authority within the meaning of the Licensing Act 2003 and as such wishes to comment on this application.

This service requested a review of the premises licence of the above premises in February 2012 which was heard by the Hastings Borough Licensing Review Sub committee on 20<sup>th</sup> March 2012. At that time Mr Cumar Yalcin was the premises licence holder and the designated premises supervisor was Mr Mohammed Hassan.

The Sub committee was presented with evidence that an inspection of the premises on 15<sup>th</sup> December 2011 revealed the presence of 21 bottles of illicit vodka which breached the Consumer Protection from Unfair Trading Regulations 2008, Food Labelling Regulations 1996, General Food Regulations 2004 and Spirit Drink Regulations 2008.

Further evidence was presented to the Sub committee concerning test purchases made between 17<sup>th</sup> March 2010 and 12<sup>th</sup> July 2010 which resulted in illegal tobacco products being sold on four different dates and more illegal tobacco being seized by officers on another three occasions. Also on 12<sup>th</sup> July 2010 the premises was inspected by Trading Standards and Her Majesty's Revenue and Customs officers. During the inspection foreign labelled and counterfeit tobacco products were found. Also seized were seven cases of duty evaded alcohol, including Priskia & Glens Vodka.

Cont.....



INVESTOR IN PEOPLE

[eastsussex.gov.uk](http://eastsussex.gov.uk)

All these incidents indicated a general disregard for the law and a culture of non-compliance on the part of the then premises licence holder and the designated premises supervisor.

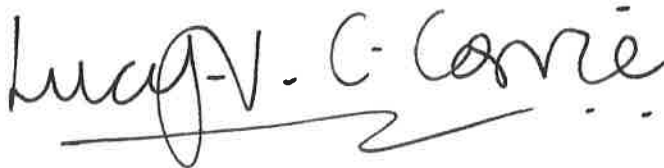
On the 2<sup>nd</sup> August 2012 an appeal against the revocation was heard by Magistrates sitting at Hastings Magistrates' Court. This appeal was dismissed and the revocation upheld.

The current application is made in the name of Nejla Yalcin who appears to be a close family member of the previous premises licence holder. This applicant has also made an application to become the designated premises supervisor. This suggests that the controlling mind of the business is unlikely to change and that the previous bad practices may well continue.

Additionally it is respectfully suggested that should a licence be granted to this applicant so soon after the previous revocation, and particularly to another family member, the revocation process would become ineffective and the whole licensing process could be brought into disrepute.

Finally the Government's recently published 'Alcohol Strategy' has an underlying theme of restricting the sale of cheap alcohol and reducing the resulting harm to the community. Illicit and counterfeit alcohol is often of inferior quality which can result in enhanced health risks and is also invariably cheaper than legitimate products which can encourage over indulgence. The trade in these products can have a direct impact on the licensing objective of preventing crime and disorder and, I suggest, should be taken into account when considering whether to grant a licence for these premises.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lucy V C Corrie', with a stylized flourish underneath.

Lucy V C Corrie  
Head of Trading Standards