



**Lancashire  
Constabulary**  
police and communities together

**The Anti-Social Behaviour Crime and Policing Act 2014, sections 43 to 58 Warning Notice**

Person B  
XXXXXXX Street  
Burnley

**COMMUNITY PROTECTION WARNING NOTICE**

Being satisfied that your conduct\* (see Schedule 1) is having a detrimental effect on the quality of life of others in the locality, Jonathan Jackson, an authorised officer of Burnley Borough Council, hereby requires that you do:

	<b>Specifics</b>	<b>Timescale for completion (if required)</b>
<b>1.</b>	<b>Not possess for supply, or allow to be possessed for supply by any member of staff or visitor to the shop premises at 260 Colne Road, Burnley, any smuggled, bootlegged, counterfeit or otherwise illicit tobacco products</b>	<b>With Immediate effect</b>
<b>2.</b>	<b>Provide on request by any officer of Lancashire Constabulary, Lancashire County Council or Burnley Borough Council evidence that all tobacco and/or alcohol products have been purchased from a reputable source and are reputable products</b>	<b>With immediate effect</b>
<b>3.</b>	<b>Maintain a working CCTV system covering all public areas of the shop premises at 260 Colne road, Burnley and provide on request by any officer of Lancashire Constabulary, Lancashire County Council or Burnley Borough Council evidence the system is maintained in proper working order; recording date and time; operating throughout all business operating hours; recordings are stored for a minimum of 31 days and there are processes in place to ensure recordings cannot be tampered with</b>	<b>By 28 November 2018</b>
<b>4.</b>	<b>Ensure a written Check 25 and Challenge 25 Policy for tobacco and (if applicable) alcohol sales respectively at the shop premises at 260 Colne Road, Burnley is in place and agreed by the Council's Licensing Officer and that training of all staff on the Policy can be evidenced on request by any officer of Lancashire Constabulary, Lancashire County Council or Burnley Borough Council</b>	<b>By 28 November 2018</b>
<b>5.</b>	<b>Have the appropriate posters detailing the Check 25 and Challenge 25 Policy displayed at all times at all points of sale</b>	<b>By 28 November 2018</b>

6.	<b>Maintain an up to date register, to be kept on site, of employees details to include their name, date of birth, national insurance number, current home address, photograph and contact details is in place and agreed by the Council's Licensing Officer and can be evidenced on request by any officer of Lancashire Constabulary, Lancashire County Council or Burnley Borough Council</b>	<b>By 28 November 2018</b>
7.	<b>Maintain a refusals register, of a type approved by Lancashire County Council or Burnley Borough Council, and ensure it is kept and maintained at the shop premises at 260 Colne Road, Burnley to record details of all refusals to sell tobacco and/or alcohol at the premises and can be evidenced on request by any officer of Lancashire Constabulary, Lancashire County Council or Burnley Borough Council</b>	<b>By 28 November 2018</b>
8.	<b>Ensure that an incident book is kept and maintained at the shop premises to record the time, date and comprehensive details of all incidents of crime and disorder and can be evidenced on request by any officer of Lancashire Constabulary, Lancashire County Council or Burnley Borough Council</b>	<b>By 28 November 2018</b>

This notice offers you the opportunity to avoid the issue of a Community Protection Notice.

\* *“Conduct” includes a failure to act to abate the nuisance described.*

\* *“Conduct” on, or affecting, premises that a person owns, leases, occupies, controls, operates, or maintains, is treated as conduct of that person.*

#### IMPORTANT NOTICE

If you fail to comply with this Warning Notice a Community Protection Notice may be issued without further warning. Non-compliance with a Community Protection Notice carries criminal sanctions and can lead to a criminal record.

Failure without reasonable excuse to comply with a Community Protection Notice can lead to seizure and forfeiture of items, default works and recovery of costs and / or a fine of up to £2,500 in relation to an individual or up to £20,000 in the case of a body.

Non-compliance may also result in the issue of a fixed penalty notice in the sum of £100.

Authorised Officer: Signature:

Date: 12<sup>th</sup> November 2018

This behaviour consists of:

1. Allowing the storage and trade in illicit tobacco from the shop premises at 260 Colne Road, Burnley
2. Impacting on the trade of other retailers selling legal tobacco by offering illicit tobacco at an unfair discount
3. Encouraging smoking by adults exposed to the sale of illicit tobacco by making it more affordable
4. Impacting on the health of adults using illicit tobacco without them knowing where and how it has been sourced or what it contains
5. Encouraging smoking by children and young people exposed to the sale and proxy sale of illicit tobacco by making it more affordable
6. Impacting on the health of children and young people using illicit tobacco without them knowing where and how it has been sourced or what it contains
7. Allowing the criminality relating to possession for supply of illicit tobacco taking place at the shop premises at 260 Cone road, Burnley to cause harassment, alarm and distress to residents in the locality
8. Continually and unreasonably allowing this to happen since at least July 2018
9. Persistently and unreasonably failing to respond to warnings.