



LICENSING SUB-COMMITTEE

**MEETING TO BE HELD IN CIVIC HALL, LEEDS ON
TUESDAY, 18TH SEPTEMBER, 2012 AT 10.00 AM**

MEMBERSHIP

Councillors

N Buckley - Alwoodley;
G Wilkinson - Wetherby;
C Townsley - Horsforth;

**Agenda compiled by:
Tel No:
Governance Services
Civic Hall
LEEDS LS1 1UR**

**Helen Gray
247 4355**

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<u>PRELIMINARY PROCEDURES</u> ELECTION OF THE CHAIR	
2			APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded) (*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)	

Item No	Ward	Item Not Open		Page No
3			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1) To highlight reports or appendices which:</p> <p>a) officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>b) To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>c) If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information</p> <p>2) To note that under the Licensing Procedure rules, the press and the public will be excluded from that part of the hearing where Members will deliberate on each application as it is in the public interest to allow the Members to have a full and frank debate on the matter before them.</p>	
4			<p>LATE ITEMS</p> <p>To identify any applications as late items of business which have been admitted to the agenda for consideration</p> <p>(the special circumstances shall be identified in the minutes)</p>	

Item No	Ward	Item Not Open		Page No
5			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY AND OTHER INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13 -18 of the Members' Code of Conduct. Also to declare any other significant interests which the Member wishes to declare in the public interest, in accordance with paragraphs 19 -20 of the Members' Code of Conduct.</p> <p><u>HEARINGS</u></p>	
6	Middleton Park		<p>'KASA' - 278 BELLE ISLE ROAD LEEDS LS10 - REVIEW OF A PREMISES LICENCE</p> <p>To consider a report of the Head of Licensing and Registration on an application for the review of a premises licence under Section 51 of the Licensing Act 2003, sought by West Yorkshire Trading Standards Service</p> <p>(report and appendices attached)</p>	1 - 80



Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: 18th September 2012

Subject: Review of the Premises Licence for Kasa, Belle Isle Road, Hunslet, Leeds, LS10 3QJ

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Middleton Park		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		

Executive Summary

This report informs Members of an application for the review of a premises licence under Section 51 of the Licensing Act 2003, sought by West Yorkshire Trading Standards Service in respect of Kasa, Belle Isle Road, Hunslet, Leeds, LS10 3QJ. The licensing authority is now under a duty to review the premises licence held by these premises.

1.0 Purpose of this Report

1.1 This report provides Members with the background and history to the making of the review application made by West Yorkshire Trading Standards Service (**Appendix A**). The report sets out the relevant law when reviewing licences under the Licensing Act 2003 ("the Act"), and informs members of the options available to them when reviewing a premises licence.

2.0 Background Information

2.1 An application for the conversion and variation of the former licence into a premises licence was submitted in September 2005 under the Licensing Act 2003. The premises licence was held in the name of Punch Taverns Plc.

No objection to the conversion application was received and a Premise Licence was duly granted for the existing hours and activities.

Objections were made in relation to the variation application and a hearing was held before the Licensing Sub Committee on the 7th October September 2005 in order to determine this matter.

At the hearing the Sub Committee concluded, having regard to the variation application, that there were conditions it could impose that were necessary, proportionate and reasonable and that these conditions would form part of the premises licence.

In April 2006 an application was made to vary the designated premises supervisor from Christopher Scully to Helen Tate.

A further application to vary the designated premises supervisor was submitted by the applicant on 25th March 2009 specifying Eric Duce as the designated premises supervisor.

On 22nd July 2009, Michael Waters senior liaison and enforcement officer of Leeds City Council served a section 19 closure notice on the premises as at the time of the visit the person in charge was unable to operate the CCTV system or download any footage. Further to this no Part A of the licence was obtainable and no incident register was on site as per a licence condition.

August 19th 2009 an application to vary the designated premises supervisor was submitted specifying Christopher Robin Scully as the designated premises supervisor.

On the 20th July 2010 an application was submitted to transfer the premises licence from Punch Taverns Plc to Mr Aqueel Bashir. At the same time an application was made to vary the designated premises supervisor and Mr Shakil Bashir was nominated as the designated premises supervisor.

A minor variation was lodged on the 12 August 2010, the application was to make internal structural alterations to the premises, the nature of the works were to remove the bar from the premises and to refit the premises to create a retail unit. The application was granted as applied for.

In December 2010 on the 23rd a further minor variation was submitted to remove the provision of regulated entertainment, the sales of alcohol on the premises and to amend the opening hours of the premises from 07:00am to 23:00pm. The applicant also requested that certain conditions be removed from the premises licence as they were no longer relevant to the licence in force.

3.0 Premises Licence

3.1 The premises licence holder is Mr Aqueel Bashir.

3.2 A copy of the premises licence can be found at **Appendix B** of this report. In summary, the premises licence permits the following:

- Sale by retail of Alcohol for consumption off the premises;

Every Day 07:00 – 23:00

4.0 Designated Premises Supervisor

4.1 The Designated Premises Supervisor for the premises is Mr Shakil Bashir.

5.0 Location

5.1 A map which identifies the location of the premises are attached at **Appendix C**.

6.0 Main Issues

6.1 On 18 April 2012, Mr Adeel Bashir pleaded guilty to five trading standards offences regarding the sale of illegal misdescribed wine and also failing to maintain an adequate traceability system for food, namely alcoholic drinks. Based on these offences West Yorkshire Trading Standards Service sought to review the premises licence on the basis that trading standards offences had been committed and therefore the licensing objective of preventing crime and disorder is no longer being upheld.

7.0 Relevant Representations/Letters of Support

7.1 Under the Act representations/support can be received from responsible authorities and or other persons. Representations must be relevant and, in the case of other people, must not be frivolous or vexatious.

7.2 A letter in support of the review application has been received from West Yorkshire Police. Member's attention is drawn to **Appendix D** of this report.

7.3 Representations have been received from the three councillors of the Middleton Park ward in support of this review application. Member's attention is drawn to **Appendix E** of this report.

8.0 Matters Relevant to the Application

8.1 Members of the Licensing Sub Committee must make decisions which are appropriate to the promotion of the licensing objectives which are:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

8.2 In making their decision Members are obliged to have regard to guidance issued under Section 182 of the Act. A copy of the relevant section is attached at **Appendix F**. Members must also have regard to the Council's licensing policy, the relevant representations made and evidence they hear.

9.0 Implications for Council Policy and Government

9.1 It is the stated licensing policy of the Council that when considering a review the authority will take into account all relevant circumstances, but will view the matters listed in paragraph 13.15 of the policy with particular seriousness.

10.0 Legal and Resource Implications

- 10.1 There are no resource implications in determining the review.
- 10.2 The Act provides the right to appeal on any decision reached on review. The right of appeal is to the Magistrate's Court.

11.0 Recommendations

- 11.1 Members are requested to determine this review. The Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
- to modify the conditions of the licence (which includes adding new conditions or any alteration or omission of an existing condition);
 - exclude any licensable activities to which the application relates;
 - to remove the Designated Premises Supervisor;
 - to suspend the licence for a period not exceeding 3 months; and/or
 - to revoke the licence.
- 11.2 Members may decide that no action is necessary and that the circumstance of the review does not require the Committee to take any steps to promote the licensing objectives.
- 11.3 Members should note the guidance also suggests it is open to Members to issue an informal warning to the licence holder or to recommend improvement within a particular time. However the Guidance further provides that where responsible authorities have already issued such warnings, the issuing of another warning should not be repeated.
- 11.4 Where the Committee decide that a modification of conditions or exclusion of licensable activities may be imposed, this can either be permanently or for a temporary period of up to three months.
- 11.5 Members are directed to paragraphs 11.25 to 11.31 of the Statutory Guidance which related to reviews arising in connection with crime.
- 11.6 Members of the Licensing Committee are asked to note that they may not take any of the steps outlined above merely because they consider it desirable to do so. It must be appropriate for the promotion of the licensing objectives.

12.0 Background Papers

- 12.1 Guidance issued under s182 Licensing Act 2003
- 12.2 Leeds City Council Statement of Licensing Policy

Appendices

Appendix A	Review application
Appendix B	Premises Licence
Appendix C	Map of premises
Appendix D	West Yorkshire Police supporting information
Appendix E	Representation from ward councillors
Appendix F	Extract from the S182 Guidance



West Yorkshire Trading Standards Service

West Yorkshire Joint Services

PREM 1012 Appendix A

West Yorkshire Trading Standards Service
P.O. Box 5, Nephaw Lane South, Morley,
Leeds LS27 0QP
Tel: Leeds (0113) 253 0241 Fax: Leeds (0113) 253 0311
e-mail: info@wyjs.org.uk
Internet Web Site: http://www.ts.wyjs.org.uk
Chief Officer: G. Hebblethwaite B.Soc.Sc.DTS.M.T.S.I

My Reference:

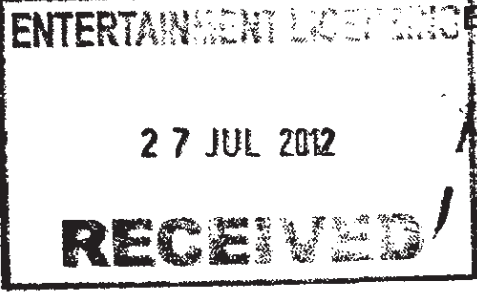
017414

Date: 24th July 2012

This matter is being dealt with by: Mr D.L. Mullins

Tel: 0113 3939705

Email: dmullins@wyjs.org.uk



27 JUL 2012

Leeds City Council
Entertainment Licensing
Civic Hall
Leeds
LS1 1UR

Dear Sir

Licensing Act 2003: Premises Licence Review Kasa – 278 Belle Isle Road, Leeds, LS10 3QJ

As a Responsible Authority under the Licensing Act 2003 West Yorkshire Trading Standards is seeking a review of the Premise Licence for the above premises. Details of the grounds for this application are set out in the attached documentation.

We can confirm that all relevant documentation has been sent to the Premise Licence Holder and all other Responsible Authorities.

Yours faithfully

D L Mullins
Divisional Manager



2001-2002
Competitiveness and
Enterprise

West Yorkshire Joint Services are provided
by a Joint Committee of the Metropolitan
Districts of Bradford, Calderdale, Kirklees,
Leeds and Wakefield.



West Yorkshire
Joint Services

Bradford Calderdale Kirklees Leeds Wakefield

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

Appendix

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 David Louis Mullins

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description KASA 278 Belle Isle Road	
Post town Leeds	Post code (if known) LS10 3QJ

Name of premises licence holder or club holding club premises certificate (if known) Aqueel Bashir 334 Dewsbury Road Leeds LS11 7DJ
--

Number of premises licence or club premises certificate (if known) PREM/01253/V03

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises

- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address West Yorkshire Trading Standards Service PO Box 5 Nepshaw Lane South Morley Leeds LS27 0QP Case Officer- David Mullins
Telephone number (if any) 0113 3939705
E-mail address (optional) dmullins@wyjs.org.uk

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 | |
| 4) the protection of children from harm | |

Please state the ground(s) for review (please read guidance note 1)**INTRODUCTION**

On 18 April 2012, Mr Adeel Bashir t/a KASA pleaded guilty at Leeds Magistrates to five trading standards offences regarding the sale of illegal misdescribed SOAVE wine and also failing to maintain an adequate traceability system for food, namely alcoholic drinks.

Based on these offences WYTSS as a responsible authority under the Licensing Act 2003 seeks to call a premises licence review on the basis that trading standards offences have been committed at the premises and therefore the licensing objectives of preventing crime and disorder are not being met at KASA of Belle Isle Road, LEEDS.

Off licences have a duty under the General Food Regulations 2004 to have an adequate traceability system and should be able to identify where their stock comes from. KASA was not able to satisfy this requirement and WYTSS has concerns regarding this family run off licence's ability to adequately uphold the licensing objectives and hence is seeking review against the premises licence holder, Mr Aqueel BASHIR, the brother of Adeel BASHIR.

In addition, WYTSS is also aware that other responsible authorities have concerns regarding the management of the premises and this review will provide the opportunity for all responsible authorities to respond as they see fit regarding the operation of this business and its ability to uphold the licensing objectives.

FACTS OF THE CRIMINAL CASE GIVING RISE TO THE REVIEW

Following a complaint concerning a vodka product, which the complainant stated was purchased from KASA 278 Belle Isle Road, Leeds, LS10 3QJ a visit was made to these premises on 26th September 2011. During the inspection no bottles of the vodka product were identified. However upon inspection of the shop, the investigating officer observed on the shelves behind the counter a number of bottles of Sambuca, which did not have labelling in English, and bottles of Whisky.

The officer then proceeded to inspect the storage area in the back of the shop and observed the same bottles of Sambuca being stored and bottles of White Wine. The officer inspected the bottles of White Wine labelled 'Soave' and noted that the only information relating to the manufacturer or bottler was 'bottled in Bulgaria'

The officer sampled all the bottles concerned and demanded that the proprietor Adeel Bashir send invoices relating to these products to West Yorkshire Trading Standards for inspection within 14 days. The invoices were never received.

On 6th January 2012 Adeel Bashir attended an interview in accordance with the Police and Criminal Evidence Act 1984. During the course of the interview Adeel Bashir stated he purchased the bottles of spirits and wine from a man in a van. He could not provide any meaningful business names or addresses for the 'smartly dressed Asian male' he purchased the bottles from.

Adeel Bashir stated he had only been in business one year, however he had previously purchased stock from established cash and carry businesses. Adeel Bashir admitted he generally does all the buying for the shop and normally purchases from reputable cash and carry's such as Bestways. He also admitted it was foolish to purchase stock from an itinerant wholesaler of alcohol.

During the interview Adeel BASHIR could not provide the details of his supplier for the alcohol in question. This prevented WYTSS from tracing the supplier and importer of the wine. WYTSS has prosecuted four off licence premises within the last 12 months for sale of either illicit wine or vodka. Typically such products contain undesirable ingredients such as methanol, chloroform and isopropanol which can, in certain circumstances, be harmful to health.

Adeel Bashir stated he could not remember how much he paid for the bottles but then later stated he did not pay for the bottles at all. He could have refused to take delivery of the product or simply turned the white van man away. Adeel Bashir also admitted that there was a misdescription in relation to the Soave White Wine as it was not made from grapes of the correct variety, nor did it originate from Italy, as required. WYTSS views the above episode as sufficiently serious to give rise to a S51 Review having regard to both WYTSS Enforcement Policy and Section 13 of Leeds City Council's Statement of Licensing Policy 2011-2013.

WYTSS recommends that due to the failure of Adeel Bashir to uphold the licensing objectives the premises licence is suspended for a period of 3 months to allow the business to put the necessary systems in place to avoid the commission of further trading standards offences and ensure the licensing objectives of (1) the prevention of crime and (2) public safety are being upheld.

Please provide as much information as possible to support the application
(please read guidance note 2)

Please see attached package of papers. This includes documentary evidence to support the review in the form of witness statements, exhibits and written submissions.

The documentary evidence includes;

- Sc.9 statement from Lucy Sutton (WYTSS)
- Sc.9 statement from Jonathan Cadden (WYTSS)
- Sc.9 statement from David Blackmore (WYTSS)
- Sc.9 statement from Brian Smith (Food Standards Agency)
- Exhibit LVS1 Sari Sambuca (in secure store)
- Exhibit LVS2 Di Chicco Sambuca (in secure store)
- Exhibit LVS3 Dexter Whisky (in secure store)
- Exhibit LVS4 Soave White Wine (in secure store)
- Exhibit LVS5 Report on a Trading Standards Visit
- Exhibit LVS6 Analyst's Reports
- Exhibit LVS7 Delivery Note
- Exhibit LVS8 Interview Transcript
- Copy of Premises Licence



Please tick yes

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

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

n/a

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 3)

Signature of applicant or applicant's solicitor or other duly authorised agent
(See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature



Date 25/07/2012

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)
Graham Hebblethwaite, Chief Officer West Yorkshire Trading Standards, PO Box 5, Nepshaw Lane South, Morley,

Post town
Leeds

Post Code
LS27 0QP

Telephone number (if any) 0113 253 0241

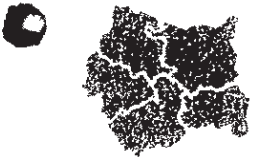
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)



WITNESS INFORMATION SHEET

WITNESS NAME: EASTON /A/ KASA

Name of witness:-	Lucy Victoria Sutton
Address of witness :-	Business Compliance, Po Box 5, Nepshaw Lane South, Morley, Leeds, LS27 0QP
Contact phone number/s:- (Home, Mobile, and/or Office)	Office- 0113 3939 903
Availability :-	
Status of Witness:- (civilian/expert/professional/ Investigating /supporting officer)	Investigating Officer
Name of witness:-	Jonathan Peter Cadden
Address of witness :-	Business Compliance, Po Box 5, Nepshaw Lane South, Morley, Leeds, LS27 0QP
Contact phone number/s:- (Home, Mobile, and/or Office)	Office- 0113 3939 872
Availability :-	
Status of Witness:- (civilian/expert/professional/ Investigating /supporting officer)	Assistant
Name of witness:-	David Leslie Blackmore
Address of witness :-	Business Compliance, Po Box 5, Nepshaw Lane South, Morley, Leeds, LS27 0QP
Contact phone number/s:- (Home, Mobile, and/or Office)	Office- 0113 3939 867
Availability :-	
Status of Witness:- (civilian/expert/professional/ Investigating /supporting officer)	Supporting Officer
Name of witness:-	Brian Howe Smith
Address of witness :-	Aviation House, 125 Kingsway, London, WC2B 6NH
Contact phone number/s:- (Home, Mobile, and/or Office)	Office 01606 855050
Availability :-	
Status of Witness:- (civilian/expert/professional/ Investigating /supporting officer)	Regional Wine Inspector



Name of witness: [Name]

Age of witness: (if over 18 enter 'over 18') OVER 18

Occupation: TRADING STANDARDS OFFICER

This statement (consisting of 6 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated: 24/01/12

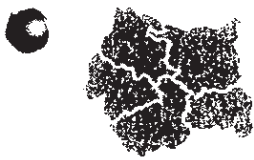
Signature: [Handwritten Signature]

I am a Trading Standards Officer, employed by West Yorkshire Joint Services. I work in the Trading Standards department (PO Box 5, Nepshaw lane South, Morley, Leeds, LS27 0QP), specifically the Business Compliance team. In my role as a Trading Standards Officer I conduct inspections and investigate breaches of legislation. I am an authorised officer for the purposes of the Consumer Protection from Unfair Trading Regulations 2008 and the General Food Regulations 2004.

On 26th September 2011 I visited KASA, 278 Belle Isle Road, Leeds, LS10 3QJ with Jonathan Cadden, Trading Standards Assistant, West Yorkshire Trading Standards Service. The visit was made following a complaint received about a vodka product. On arrival at the shop I introduced myself to the male present, he was Asian, around 5' 9 tall. He stated that he was not the owner of the shop, I explained that the visit was as a result of complaint received by the Service. I then proceeded to ask him to contact the owner of the shop via telephone.

NOTE : If statements are typed double spacing should be used
One side only of this paper should be used.

(Signed) [Handwritten Signature]
Dated 24/01/12 Page 1 of 6
010911




which stated when the bottles were first taken from the shop I did not remember. I asked if there were any invoices on the premises for the bottles I had examined and he stated that the invoices are kept at his home address. I then asked **ADEEL BASHIR** to forward me copies of the invoices for the Sari Sambuca, Di Cicco Sambuca, Dexter Whisky, Soave White Wine within 14 days as this is a requirement under the General Food Regulations 2004. I did not receive any invoices for these products.

I then took all the bottles of Sari Sambuca, Di Cicco Sambuca, Dexter Whisky, Soave White Wine in the shop as samples and completed sample documents. I explained to **ADEEL BASHIR** that one bottle from each of the brands would be analysed by the Public Analyst and the labelling examined. **ADEEL BASHIR** agreed to this and I asked Jonathan Cadden to assist me in sampling the bottles. I now produce the bottles sent for analysis in Evidence as **Item Numbers LVS1-4**.

I filled out a Report on a Trading Standards Visit and detailed the number of bottles take and the requirement for invoices for the bottles sampled to be forwarded to me within 14 days. I then handed the Report on a Trading Standards Visit to **ADEEL BASHIR** and kept the carbon copy. I now produce the carbon copy in Evidence marked **Item Number LVS5**.

When Jonathan Cadden and I returned to the office, I completed an order submission form and sent one bottle from each brand to the Public Analyst. I then placed the remaining bottles in the Secure Store.

NOTE : If statements are typed double spacing should be used.
One side only of this paper should be used.

(Signed) 
Dated 24/01/12 Page 3 of 6
010911



On 23rd November 2011 I received a report from a sample of wine which was found and sampled. I now produce these Reports in Evidence marked item number LV93.

The Soave white wine was labelled with 'bottled in Bulgaria', however Soave is a grape varietal which is found in the Veneto region in North-East Italy. The wine Regulations 2011 & EC 607/2009 & EC 1234/2007 provide provisions to protect certain production areas and names used by those production areas. The term Soave is restricted to White wines produced in the Veneto region of Italy and cannot be used by any other wine producing region. The use outside the Veneto region of Italy is illegal. The term Soave has also got a Protected Designation of Origin (PDO).

Therefore a wine bottled in Bulgaria cannot be legally called Soave. The bottle also did not bear any contact information for the producer or bottler or importer of the product. Therefore the product is untraceable.

The Di Cicco Sambuca was labelled with an alcohol by volume of 40%, however upon analysis it was found to be 38.6% alcohol by volume. The Dexter Whisky was labelled with an alcohol by volume of 40% however it was found to be 40.50% alcohol by volume.

The Di Cicco Sambuca was also not labelled in English.

On 6th December 2011 I sent an interview invite to ADEEL BASHIR.

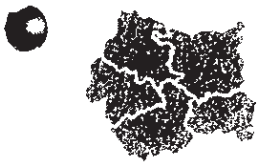
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(Signed)

Lucy Deane
Dated 24/01/12

Page 4 of 6

010911



On 6th January 2012 Dawn Brauer from Trading Standards Office, Leeds visited the Standards Service and myself conducted a tape recorded interview in accordance with the Police and Criminal Evidence Act 1984 at West Yorkshire Trading Standards Service. The interviewee was **ADEEL BASHIR** and his solicitor was present named Andrew Gold, Cohen Cramer Solicitors.

During the interview I asked **ADEEL BASHIR** to provide the traceability information that I requested from him at the time of the visit. He stated he had sent the original in the post to me, however I must not have received it. He then produced a photocopy of a delivery note dated 5th July 2011. The delivery note did not have an address from whom the bottles were purchased, nor did it have the price of the bottles purchased, nor was it fully itemised. The delivery note did not have any contact details on it apart from 'BEER SUPPLIES LONDON' and 'TONY'. When questioned on an address for **BEER SUPPLIES LONDON, ADEEL BASHIR** was unable to give one, nor a telephone number for this business. I now produce a copy of the delivery note in evidence marked **Item Number LVS7**. I now produce the interview transcript in evidence marked **Item Number LVS8**.

Following the interview I made enquiries with regard to **BEER SUPPLIES LONDON**. From a search on the internet I identified two premises **LONDON BEER SUPPLIES**, Unit 5a Beta Building, The Bilton Centre, Walmgate Road, Perivale, Green ford, London, UB6 7LR and **LONDON BEER SUPPLIES LTD**, Unit 25 Cumberland Business Park, Cumberland Avenue, Willesden, London, NW10 7RT. I contacted the local Trading Standards

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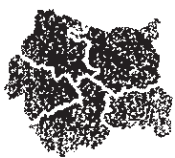
(Signed) _____

Dated _____

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24/01/12

Page 5 of 6

010911



West Yorkshire
 Police
 Criminal Justice Centre
 100, The Quadrant, Leeds LS1 9BB

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2
 Criminal Justice Act 1967, s. 9
 Magistrates Courts Act 1980, s8

Appendix

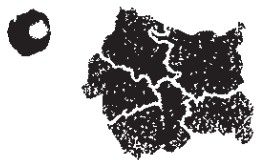
Witness statement of [Name] dated [Date] regarding the [Case Name] in which the [Officer Name] has been charged with the offence of [Offence Name].

[Name] is a [Age]-year-old [Gender] who has lived at [Address] since [Date]. [Name] has lived at [Address] for [Duration] and has never lived elsewhere. [Name] has never been convicted of any criminal offence and has no criminal record.

[Handwritten Signature]
 24/01/12

NOTE : If statements are typed double spacing should be used.
 One side only of this paper should be used.

(Signed) *[Handwritten Signature]*
 Dated 24/01/12 Page 6 of 6
 010911



Statement of: **JONATHAN PETER CALDWIN**

Age of witness: (if over 18 enter 'over 18') **OVER 18**

Occupation: **TRADING STANDARDS ASSISTANT**

This statement (consisting of **1** page~~s~~ each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated: **23/1/2012**

Signature: 

I am a Trading Standards Assistant employed by West Yorkshire Trading Standards, PO Box 5, Nepshaw Lane South, Morley, Leeds, LS27 0QP. Part of my role involves accompanying authorised officers on visits to trade premises.

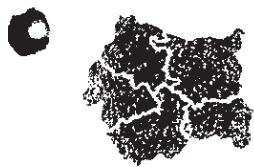
On 26th September 2011 I accompanied Lucy Sutton, Trading Standards Officer, West Yorkshire Trading Standards Service on a visit. The premises visited was KASA, 278 Belle Isle Road, Leeds, LS10 3QJ. During the visit Lucy Sutton asked me to assist her in sampling a number of cases of Dexter Whisky, Soave White Wine, Sari Sambuca and Di Cicco Sambuca.

During the visit an Asian male entered the shop and stated he was the owner of KASA, 278 Belle Isle Road, Leeds, LS10 3QJ and his name was ADEEL BASHIR.

NOTE : If statements are typed double spacing should be used.
One side only of this paper should be used.

(Signed) 

Dated: **23/1/12** Page 1 of 1



West Yorkshire
Trading
Standards

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2
Criminal Justice Act 1967, S. 9
Magistrates Courts Act 1980

Appendix

Statement of

DAVID LEWIS (Trading Standards Officer)

Age of witness: (if over 18 enter 'over 18')

OVER 18

Occupation:

TRADING STANDARDS OFFICER

This statement (consisting of pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated:

25/1/12

Signature:

I am a Trading Standards Officer employed by West Yorkshire Trading Standards, PO Box 5, Nepshaw Lane South, Morley, Leeds, LS27 0QP. I am authorised for the purposes of investigating offences under the General Food Regulations 2004 and Consumer Protection from unfair Trading Regulations 2008.

On 6th January 2012 I accompanied Lucy Sutton, Trading Standards Officer, West Yorkshire Trading Standards Service during a tape recorded interview which took place at West Yorkshire Trading Standards and was conducted in accordance with the Police and Criminal Evidence Act 1984.

The person interviewed was **ADEEL BASHIR** the proprietor of **KASA**, 278 Belle Isle Road, Leeds, LS10 3QJ.

NOTE : If statements are typed double spacing should be used.
One side only of this paper should be used.

(Signed)

Dated

25/1/12

Page 1 of 1

Food Standards Agency Statement of Witness

Criminal Procedure Rules r 27.4(1)2010; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980 s. 68

Appendix

Statement of Richard Sutton

5. On 6 December 2011, I attended a meeting with Mr Trevor Gray, Principal Trading Standards Officer and Miss Lucy Sutton, Trading Standards Officer regarding the sampling of wines from a chain of local shops, the wine in question was a SILISTRA branded Bulgarian, the same brand of wine that I detained at Rotherham Bond.
6. I was shown a bottle of the SILISTRA 2007 vintage wine that had the same label but a different Lot number with the illegal use of the protected Italian wine term, Soave and the wine label did not have the compulsory bottler information that is required under EC Regulation 607/2009, Article 56, 2. (a) & (b)
7. I can confirm that Soave is a Protected Designation of Origin (PDO) for Italian wine and not allowed for Bulgarian wine.
8. The Principal general provisions are contained in COUNCIL REGULATION (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation). Article 118 (m) on the protection of Protected Designation of Origin (PDO's) and Protected Geographical Indications (PGI's). In addition Article 118 (s) – "existing protected wine names".
9. Secondary provision is shown in EC Regulation 607/2009, Article 19 (protection).
10. The use of Soave is in accordance with Regulation 1234/2007, Article 118(n) is included in the electronic register E-Bacchus which incorporates the Register of designations of origin and geographical indications protected in the EU in accordance with Council Regulation (EC) No 1237/07.

I believe that the facts stated in this witness statement are true.

Name Richard Sutton
 Signature _____

Taken By - Name
 Signature _____

Self made.



WYTSS -v- ADEEL BASHIR T/A KASA

Statement of: Lucy Sutton

Offence No.	Exhibit No.	Item No:	Description of Exhibit	Location of Exhibit	Page No. (Crown Court cases only)
1		1	Sari Sambuca	Secure Store	
2		2	Di Cocco Sambuca	Secure Store	
3		3	Dexter Whisky	Secure Store	
4 & 5		4	Soave White Wine	Secure Store	
All		5	Report on a Trading Standards Visit	File	
All		6	Analyst's Report	File	
All		7	Delivery Note	File	
All		8	Interview Transcript	File	



Report on a Trading Standards Visit

27538

Business Name: Ways
 Address: 271 Town Hall Lane
Leeds LS2 7LJ
 Contact Name: David Baker Position: Director
 Officer's Name: Henry Williams E-Mail: h.williams@wyjs.org.uk
 Date: 26/09/11 Time: 10:30 Direct Line: 0113 255 0990

Details of samples, problems, advice and comments. Action required / No action required

- Complaints made concerning Air Quality Complaint
- Signature plates not as displayed
- Taken 6 boxes of Dexter Veterinary O. Sample (96927)
- Taken 14 boxes of Dexter Veterinary O. Sample (96928)
- Taken 36 boxes of Sorelle white wine as a sample (96929)
- Taken 18 boxes of Wt. Class Sanburo as a sample (96930)

Analysis will be conducted on the samples + results reported. The will be reported to the trader.
 The trader should ensure that invoices for products included within the date of the samples are correct.
 Signature plates should be correct.

- No Air Quality Complaint
- The trader has to go into business CC as it is a requirement of the Act.

Officer's Copy



West Yorkshire Analytical Services

West Yorkshire Analytical Services
PO Box 11, Nepshaw Lane South, Morley, Leeds LS27 0LD
Tel: 0113 333 7530 Fax: 0113 333 7531
Email: analyyst@wajs.org.uk
Internet Web Site: www.analyst.wajs.org.uk

West Yorkshire Analytical Services is a not-for-profit organisation
registered with the Charity Commission for England and Wales
Charity No. 1095766

Report No: BA14740 / CMIH

28 November 2011

West Yorkshire Trading Standards Service
Nepshaw Lane South
Morley
Leeds
LS27 0QP

Submitted By: Lucy Sutton
Order No: 19018 AXX
Date Submitted: 27 September 2011
Date Analysis Completed: 08 November 2011

TEST REPORT

The following Informal Food Safety Act 1990 samples have been analysed with results as under. They were found to be satisfactory with respect to the analysis performed, except where indicated.

Sample Number	Lab reference	Sample Description	Parameter	Method	Result	Outcome Action
096928	BA14740	Sambuca	Alcohol	0033	38.0 %vol	S
			Total solids	0032 *	34.3 g/100ml	
			Volatiles foreign to sambuca	0195 *	Not detected	
096927	BA14741	Whisky	Alcohol	0033	40.5 %vol	C 1
			Conductivity	0116 *	212 uS/cm	
			Methanol	0030	3 mg/100ml ethanol	
			Acetaldehyde	0030 *	0 mg/100ml ethanol	
			Propanolol	0030	4 mg/100ml ethanol	
			Ethyl acetate	0030	7 mg/100ml ethanol	
			2methyl propanol	0030	14 mg/100ml ethanol	
			3methyl butanol	0030	37 mg/100ml ethanol	
			2methyl butanol	0030	13 mg/100ml ethanol	
Amyl alcohol	0030	50 mg/100ml ethanol				
096930	BA14742	Sambuca	Alcohol	0033	38.6 %vol	C 1
			Total solids	0032 *	33.20 g/100ml	
			Volatiles foreign to sambuca	0195 *	Not detected	

Observations

096927 BA14741 Whisky
096930 BA14742 Sambuca



Both samples were found to have alcoholic strength slightly in excess of the declared amount. In each case, the excess was more than the maximum permitted positive tolerance of 0.3% vol set by the Food Labelling Regulations 1996.

If I can be of any further assistance regarding these results, please do not hesitate to contact me.



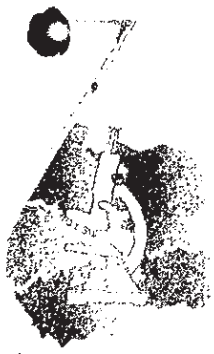
C M Hunt B.Sc., M.Chem.A., C.Chem., F.R.S.C.
Public Analyst

Direct Line: 0113 393 9718
Email: chunt@wyjs.org.uk



Notes

1. Tests marked * in this report are not included in the UKAS Accreditation Schedule for our Laboratory
2. Opinions and interpretations expressed herein are outside the scope of UKAS accreditation.



West Yorkshire Analytical Services

West Yorkshire Analytical Services
PO Box 11, Nepshaw Lane South, Morley, Leeds LS27 0UB
Tel: 0113 383 7550 Fax: 0113 383 7181
Email: analyst@wyjs.org.uk
www.wyjs.org.uk

West Yorkshire Analytical Services is a trading name of
West Yorkshire Analytical Services Limited
Registered in England No. 02042811

Report No: BA14739 / CMH

28 November 2011

West Yorkshire Trading Standards Service
Nepshaw Lane South
Morley
Leeds
LS27 0QP

Submitted By: Lucy Sutton
Order No: 19018 AXX
Date Submitted: 27 September 2011
Date Analysis Completed: 11 November 2011

TEST REPORT

The following Informal Food Safety Act 1990 sample has been analysed with results as under. It was found to be satisfactory with respect to the analysis performed, except where indicated.

Sample Number	Lab reference	Sample Description	Parameter	Method	Result	Outcome Action
096929	BA14739	White wine 11.5% vol	Alcohol	0074	11.3 %vol	L 4
			Total solids	0032 *	1.4 g/100ml	
			Sorbic acid	0049 *	170 mg/kg	
			Sulphur dioxide	0044	<10 mg/l	
			Benzoic acid	0049 *	<10 mg/l	
			Acesulfame	0049 *	<10 mg/l	
			Aspartame	0049 *	<10 mg/l	
			Saccharin	0049 *	<10 mg/l	

Observations

The sample appeared to consist of genuine wine. The label indicated that it was Soave white wine and that it was produced and bottled in Bulgaria. Soave is a wine producing area of Italy. Wine produced in Bulgaria should not, therefore use the description 'Soave'. The label did not include the name and address of the bottler.

If I can be of any further assistance regarding these results, please do not hesitate to contact me.

C M Hunt B.Sc., M.Chem.A., C.Chem., F.R.S.C.
Public Analyst

Direct Line: 0113 393 9718
Email: chunt@wyjs.org.uk



\\wyjsfs\SampleResults\2011-12\Complaints\sub 19018b.doc
Note

1. Tests marked * in this report are not included in the UKAS Accreditation Schedules for our Laboratory
2. Opinions and interpretations expressed herein are outside the scope of UKAS accreditation
3. Method numbers beginning EXT have been sub-contracted.

Page 28

West Yorkshire Joint Services are provided by a Joint Committee of the Metropolitan Districts of Bradford, Calderdale, Kirkstall, Leeds and Wakefield.

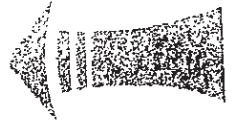


West Yorkshire
Joint Services

Delivering better than ever. Trading Standards

Delivery Note

56



Date: 05-07-2011

From: BEER SUPPLIER LONDON

To: KASA

272 BELLE ISLE ROAD DEEDY

Our Ref: LSIC309 Your Ref: TOWU

Description

- 2x6 - DEXTER WHISKY - 75cl
- 10x6 - SAMBULL - 75cl
- 5x12 - SCARF WINE 75cl

vodka
not added.

17 CASES TOTAL

INVOICE TO FOLLOW

Received in good condition on

By

Signed

Print Name





TRANSCRIPT OF INTERVIEW

Interview of:	ADRIAN BUSHIP	Date of interview:	08/01/2012
Address:	44 GROVE HALL PARADE LEEDS LS11 7AE	Date of interview:	08/01/2012
Place of interview:	WEST YORKSHIRE TRADING STANDARDS SERVICE, MORLEY	Signature of interviewing officer:	<i>Lucy Sutton</i>
Officer conducting interview:	LUCY SUTTON TRADING STANDARDS OFFICER, WEST YORKSHIRE TRADING STANDARDS SERVICE	Number of pages:	21
Other persons present:	DAVID BLACKMORE, TRADING STANDARDS OFFICER, WEST YORKSHIRE TRADING STANDARDS ANDREW GOLDEN COHEN CRAMER SOLICITORS, LEEDS	Exhibit Number:	LVS8
Tape Reference No.	T101/11-12/LVS	Time commenced:	10:27
Time commenced:	10:27	Time concluded:	10:56

Tape Counter Times	Person Speaking	TEXT
1 MIN 00 SEC	LS	AT THE CONCLUSION OF THE INTERVIEW I WILL GIVE YOU A NOTICE EXPLAINING WHAT WILL HAPPEN TO THE TAPES AND YOUR RIGHTS TO ACCESS COPIES OF THE TAPES OK. DO YOU UNDERSTAND THAT YOU ARE NOT UNDER ARREST?
	AB	YEAH
	LS	AND YOUR FREE TO LEAVE AT ANYTIME
	AB	YEAH
	LS	YOU ARE ENTITLED TO SEEK LEGAL ADVICE AT ANYTIME YOU'VE GOT YOUR SOLICITOR PRESENT SO IF YOU WANT TO TAKE ANY ADVICE DURING THE COURSE OF THE INTERVIEW LET ME KNOW AND THE INTERVIEW WILL BE SUSPENDED WHILST YOU TAKE THAT ADVICE
	AB	RIGHT
	LS	OK SO NOW WE HAVE TO CAUTION YOU BECAUSE WE FOLLOW THE SAME PROCEDURES AS THE POLICE

TRANSCRIPT OF INTERVIEW

AB YEAH

1 MIN LS CAUTIONED DO YOU UNDERSTAND THAT CAUTION?
30 SEC

AB YEAH

LS OK SO RIGHT WE'LL GET INTO THE INTERVIEW NOW. SO YOU KNOW WHY YOU'RE HERE DON'T YOU?

AB YEAH

LS IT'S REGARDING A VISIT MADE TO YOUR PREMISES

AB YEAH

LS ON THE 26/9/2011 AND REGARDING THE SAMPLING OF SOME ALCOHOL

AB YEAH

2 MIN LS OK AND THE NAME OF THE BUSINESS IS KASA AND ITS ON BELLE
00 SEC ISLE ROAD, LEEDS SO CAN YOU CONFIRM YOU'RE THE OWNER OF THAT BUSINESS?

AB YES I AM YEAH IT'S CALLED KASA BELLE ISLE

LS KASA BELLE ISLE IS IT A LIMITED COMPANY?

AB NO SOLE TRADER

LS OK CAN YOU SPEAK ON BEHALF OF THAT BUSINESS THEN?

AB YEAH I'M THE OWNER YEAH

LS OK AND WERE YOU THE OWNER ON THE 26/9/2011?

AB YEAH

LS OK WAS THERE ANYONE ELSE INVOLVED IN THE OWNERSHIP OF THAT SHOP?

AB NO



TRANSCRIPT OF INTERVIEW

LS AT THE TIME OK SO WHO DOES THE BUYING FOR THE SHOP?

2 MIN AB GENERALLY THE
30 SEC

LS RIGHT GENERALLY WHAT DO YOU MEAN BY THAT?

AB I MAINLY DO THE BUYING

LS OK WHO ELSE DOES THE BUYING?

AB I GET HELP AND ADVICE OF OTHER OTHER OTHER PEOPLE BUT OTHER SHOP KEEPERS, BUT I MOSTLY DO IT THEY TELL ME WHERE TO GO AND GET STUFF THEN

LS RIGHT DO YOU MEAN OTHER SHOP KEEPERS? AS IN YOUR BROTHERS? BECAUSE I KNOW YOUR FAMILY OWNS A CHAIN OF

AB YEAH

LS KASA'S DON'T THEY?. OK SO IS IT YOU THAT GOES TO BUY THE ALCOHOL?

AB YEAH

3 MIN LS YOURSELF IS IT?
00 SEC

AB YEAH

LS OK SO WHAT EXPERIENCE DO YOU HAVE IN BUYING ALCOHOL?

AB NOT A LOT TO BE HONEST WITH YOU. I WAS, I'VE NOT BEEN IN THE SHOP BUSINESS FOR VERY LONG. IT'S BEEN ABOUT A YEAR, I'M ARCHITECT TECHNOLOGIST BY TRADE

LS RIGHT

AB I'VE BEEN I'VE BEEN DESIGNING BUILDINGS BUILDINGS MOST OF MY LIFE, IT WAS ONLY LAST YEAR WHEN I GOT MADE REDUNDANT I DECIDED TO BUY A SHOP AND BUY INTO THE SHOP AND START START DOING SOMETHING DIFFERENT REALLY

3 MIN LS OK SO YOU'VE NEVER HAD ANY EXPERIENCE OR NEVER BEEN

TRANSCRIPT OF INTERVIEW

West Yorkshire
Police
Interview Schedule

30 SEC

WANTED IN ANY OTHER COUNTRIES?

AB

NO. I HAVEN'T.

LS

RIGHT OK SO YOU'VE BEEN IN THE TRADE ABOUT A YEAR THEN WOULD YOU SAY?

AB

YEAH ROUNDABOUT NOW YEAH

LS

OK AND WHERE DO YOU BUY THINGS FROM WHAT PLACES?

AB

BEST WAYS MAINLY DEEBEE'S, TB'S, BOOKERS AND PROBABLY AM PM

4 MIN LS
00 SEC

OK DO YOU HAVE ANYMORE QUESTIONS ON JUST THAT?

DB

NO

LS

OK SO I VISITED YOUR SHOP WITH A COLLEAGUE ON THE 26/9/11 IT WAS FOLLOWING A COMPLAINT ABOUT SOME VODKA WE DIDN'T FIND THE VODKA ON SALE AT THE SHOP AT THAT TIME SO WE ARE NOT GOING TO GO INTO THAT

AB

RIGHT

LS

IT'S MAINLY ABOUT WHAT HAPPENED WHEN I WENT TO THE SHOP AND I NOTED THAT THERE WERE SOME BOTTLES OF SPIRITS FOR SALE ON THE SHELVES AND ALSO IN THE BACK OF THE SHOP

AB

YEAH

4 MIN LS
30 SEC

YOU HAD QUITE A LOT OF BOXES THAT CONTAINED I THINK WAS IT SIX OR NINE BOTTLES EACH INCLUDED IN THEM WERE BOTTLES SAMPLED OF DEXTER WHISKY, DE CHICO SAMBUCA AND ALSO SOAVE WHITE WINE SO WE'VE HAD THOSE BOTTLES ANALYSED

AB

YEAH

LS

BY THE PUBLIC ANALYST AND THEY COME BACK INCORRECT BASICALLY FOR DIFFERENT REASONS SO BEFORE I GO INTO THAT I JUST WANT TO KNOW WHERE DID YOU PURCHASE THESE PARTICULAR BOTTLES FROM?

5 MIN
00 SEC

B4.0.29

01/09/11



CUTE A BIT OF IT

7 MIN
00 SEC

YEAN

LS OK SO HOW LONG DO YOU STOCK THE PRODUCTS HAD YOU BOUGHT ANY PRIOR TO THAT?

7 MIN
30 SEC

AB WHAT I DID WAS WAS WHEN HE CAME TO ME I OBVIOUSLY DIDN'T HAVE A PROPER INVOICE SO I SAID I'M NOT PAYING YOU UNTIL YOU GIVE ME A PROPER INVOICE SO I STOCKED THEM ALL IN THE BACK WAITING FOR HIS INVOICE IT DIDN'T ARRIVE I THINK ABOUT IT MUST HAVE BEEN ABOUT THREE OR FOUR WEEKS SO WHEN IT DIDN'T ARRIVE SO I STARTED PUTTING A FEW STOCK UP SEEING HOW THEY DID

LS RIGHT OK DO YOU HAVE ANY CONTACT NUMBERS FOR THIS GUY?

AB NO NO HE TOLD ME HE WAS GOING TO COME ON LIKE A MONTHLY ONE MONTH AND A HALF BASIS

LS RIGHT

AB ON A REGULAR BASIS

LS OK WHEN HE BROUGHT THEM TO YOU DID HE HAVE ANY SORT OF CORPORATE VEHICLE?

8 MIN
00 SEC

AB HE HAD A VAN HE WAS SMARTLY DRESSED HE BROUGHT HE HAD A BIG LIST OF PRODUCTS BUT TO ME THESE WERE THE ITEMS THAT I BOUGHT THEY WERE GOOD VALUE REALLY. I LOOKED AT THE BOTTLES THEY WERE ALL SEALED UP AND THEY ALL LOOKED OK AND THEY WERE ALL BOXED AND YOU KNOW LOGO UP SO I DIDN'T THINK NOWT OF IT TO BE HONEST WITH YOU

LS RIGHT OK AND ON THIS NOTE THAT YOU'VE GOT HERE THERE IS NO DETAILS OF ANY PRICES OR ANYTHING LIKE THAT SO HOW MUCH DID YOU PAY?

8 MIN
30 SEC

AB THAT'S A PROBLEM I CANT REMEMBER TO BE HONEST WITH YOU. IT WAS THAT FAR BACK I KNOW I KNOW I THOUGHT THEY WERE CHEAP AT THE TIME I KNOW THEY WEREN'T YOU KNOW I DIDN'T THINK THEY WERE TOO EXPENSIVE



TRANSCRIPT OF INTERVIEW

LS

AB CHEAPER THAN WHAT NORMAL WOULD BE. A 15 PER

LS

RIGHT SO DO YOU NOT THINK IT'S A BIT ODD THAT YOU'VE NOT GOT ANY ADDRESS FOR THIS GUY, YOU'VE NOT GOT A NAME FOR HIM, YOU'VE NOT GOT A TELEPHONE NUMBER?

AB

LOOK BACK IN HINDSIGHT YEAH I THINK I THINK THAT IS A BIT SILLY OF ME REALLY I SHOULD HAVE I SHOULD HAVE DONE SOME PROPER CHECKS AND MADE SURE IT WAS FROM A REPUTABLE YOU KNOW A NICE COMPANY REPUTABLE COMPANY BEFORE I ACTUALLY BOUGHT IT BUT I THINK IT WAS JUST DOWN TO MY INEXPERIENCE REALLY

09 MIN
00 SEC

LS

RIGHT BECAUSE YOUR QUITE AN INTELLIGENT PERSON OBVIOUSLY YOU'VE OBVIOUSLY SOME GOOD QUALIFICATIONS, WERE YOU JUST TRYING TO SORT OF GET SOME CHEAP BOOZE OR SOMETHING LIKE THAT?

AB

WELL YEAH THAT WHAT IT SEEM TO ME IT SEEM TO ME THAT IT WAS GOOD VALUE CHEAP BOOZE SO I THOUGHT YOU KNOW OK IT COULD SELL IT COULD NOT SELL I'D FIND OUT

LS

WERE ALARM BELLS NOT RINGING AT THE TIME?

09 MIN AB
30 SEC

NO THEY WASN'T TO BE HONEST WITH YOU I MEAN HE SAID HE WAS GOING TO SEND ME WHAT I UNDERSTOOD WAS AS LONG AS YOU KNOW MAKE SURE YOU GET A PROPER INVOICE, ADDRESSES, DATES AND YOUR OK SO IN MY NAIVETY I EXPECTED HIM TO SEND ME IT AND YOU KNOW I THOUGHT THAT WOULD BE THAT WOULD BE OK WHEN HE SENDS ME IT I THOUGHT I'LL TAKE HIS HONESTY TO FACE VALUE BUT OBVIOUSLY IT'S NOT THE SAME AS THE CONSTRUCTION INDUSTRY IS IT, SO

LS

OK SO IF YOU GET A REP FROM SAY DEEBEE'S

AB

YEAH

10 MIN LS
00 SEC

BECAUSE I'VE GOT A DEEBEE'S PRICE LIST

AB

YEAH



LS FROM ONE OF YOUR OTHER VENDOR STOPS BUT A KASK
 FROM WITH THE NAME OF THE BUSINESS AND THE PRODUCTS
 LIST WITH LOTS OF INFORMATION THAT I'D LIKE TO SEE. CAN YOU
 SHOW YOU ANYTHING LIKE THAT?

AB YEAH HE DID HE HAD LIKE A LITTLE BOOKLET WITH LOTS OF PRICES
 ON IT LOTS OF PRODUCTS

LS DID IT LOOK PROFESSIONAL OR?

AB IT WAS IN A LEVER ARCH FOLDER WITH JUST LISTS OF THINGS
 TYPED UP

10 MIN LS RIGHT SO IT DIDN'T HAVE ANY INFORMATION IN IT AS TO WHO THE
 30 SEC OWNER WAS OF THE BUSINESS OR ANYTHING LIKE THAT?

AB HE HAD THE HE HAD THE COMPANY NAME ON THE FRONT OF THE
 FOLDER

LS AND THAT WAS BEER SUPPLY

AB YEAH

LS SUPPLIER LONDON?

AB YEAH IT WAS B S LONDON I THINK ON THE FOLDER

LS B S LONDON OK. SO HOW MUCH WERE YOU SELLING THEM FOR?

11 MIN AB I CANT REMEMBER TO BE HONEST WITH YOU I THINK THE DEXTER'S
 00 SEC WAS AROUND ABOUT £15 I THINK IT WAS OR 20 SOMETHING POUNDS

LS SO IT WAS QUITE A LOT OF MONEY YOU WERE SELLING IT FOR WHAT
 ABOUT THE WHITE WINE?

AB WHITE WINE I DON'T THINK I HAD THAT OUT, THE WHITE WINE I
 THINK THAT WAS THE ONE THAT WAS IN THE BACK YEAH

LS RIGHT

AB SO THE WHITE WINE I DIDN'T HAVE THAT ON

LS WHAT ABOUT THE SAMBUCA?



AB ...
11 MIN LS
30 SEC ...
IT'S OK FOR YOUR NOT ...
YOUR SELLING THEM AT WHAT ...
PRICES THAT YOU'D BUY SAY ...
SAMBUCA AND WHISKY AND ...
REMEMBER HOW MUCH YOU ...

AB ...
I KNOW I REMEMBER ...
WAYS AND DEEBEE'S AND ...
BY ABOUT A POUND OR SO

LS ...
RIGHT

12 MIN AB
00 SEC ...
THAN MOST SAMBUCA'S ...
WAYS AND DEEBEE'S ...

LS ...
RIGHT OK SO WHEN ...
OF CHECKS ON HIM OR ...
COMPANY TO SEE IF ...

AB ...
NO I DIDN'T NO

12 MIN LS
30 SEC ...
NO. SO BASICALLY ...
LOOK AT MY ALCOHOL ...
GIVE YOU A DELIVERY ...
NOTHING DO YOU ...

AB ...
WELL TO ANSWER ...
NOTICE BECAUSE I ...
WORK OFF HIM

LS ...
DO YOU NOT THINK ...

AB ...
IN HINDSIGHT ...
HINDSIGHT I ...

13 MIN LS
00 SEC ...
OK SO WHAT ...
YOU LIKE TO BUY ...
DEEBEE'S WHICH ...

AB ...
WELL IT'S JUST ...
THOUGHT YOU KNOW ...



NEW COMPANY A NEW LEAD CHEMIST

LS
 TO HOW WOULD YOU DESCRIBE THE TYPE OF GUY THAT WOULD BUY
 GUY TO BUY SOME MORE?

AB
 WELL HE SAID TO ME THAT HE WAS GOING TO COME ON A REGULAR
 BASIS

AB
 RIGHT HE SAID HE WAS GOING TO BE ABOUT A WEEK, A MONTH OR A
 MONTH AND A HALF HE'D BE COMING ON A REGULAR BASIS

LS
 RIGHT DO YOU HAVE ANY QUESTIONS ABOUT THAT?

13 MIN DB
 30 SEC
 YEAH I JUST WONDERED IF YOU HAD THE ORIGINAL OF THIS
 DELIVERY NOTE

AB
 I DON'T HAVE THE ORIGINAL I SENT THE ORIGINAL OUT TO YOU GUYS
 SOME TIME BACK BUT I DON'T KNOW WHAT HAPPENED TO IT

LS
 NO WE'VE NOT RECEIVED ANY PAPERWORK FROM YOU

AB
 I MADE A COPY OF WHEN I SENT IT TO YOU

DB
 HMM

AB
 OF MY PAPERS SO THAT'S WHAT I HAVE NOW

DB
 HAVE YOU I ASSUME THAT YOU HAVEN'T HAD ANY DEALINGS WITH
 THIS SUPPLIER SINCE THIS DELIVERY?

14 MIN AB
 00 SEC
 I HAVE FROM THAT THAT WAS A ONE OFF AND NOW I DON'T BUY
 FROM ANYONE WHO COMES TO THE DOOR IF IT'S NOT FROM
 DEEBEE'S OR THEM LOT I DON'T BUY I TURN THEM ALL AWAY

DB
 HMMM

AB
 I TURN THEM ALL AWAY I'VE LEARNT FROM MY MISTAKE REALLY SO
 I'VE STOPPED DOING THAT NOW

DB
 CAN I JUST CLARIFY WHEN YOU ACTUALLY PAID FOR THE GOODS
 CAUSE YOU SAID EARLIER THAT YOU WOULDN'T PAY UNTIL YOU'D
 RECEIVED AN INVOICE

AB
 I DIDN'T PAY FOR IT CAUSE I SAID I'M NOT PAYING FOR IT UNTIL I GET



INTERVIEWEES DID NOT PAY FOR ANY OF THE GO 703

DB DO YOU HAVE RECEIPTS OR THE GO 703

AB NO

LS AND HE'S NOT COME BACK NEXT WEEK ON A REGULAR BASIS?

14 MIN AB NO HE SAID HE WAS GOING TO COME IN ABOUT A MONTH'S TIME
30 SEC ONCE HE GAVE ME THAT BUT HE DIDN'T COME BACK

DB I FIND THAT VERY USUAL INDEED

LS I DO THAT YOU HAVEN'T PAID CASH OR ANYTHING LIKE THAT FOR THEM

AB HE DID ASK FOR CASH BUT I SAID I'M NOT PAYING YOU UNTIL I GET AN INVOICE, SO HE SAID OK I'LL BE BACK IN ABOUT A MONTH'S TIME ANYWAY, SO YOU USUALLY GET CREDITS FROM MOST CASH AND CARRY'S ANYWAY SO

15 MIN LS I FIND IT VERY DIFFICULT TO BELIEVE THAT SOME GUY HAS TURNED
00 SEC UP IN A WHITE VAN AND NOT ASKED FOR ANY MONEY TO BE HONEST BECAUSE THAT'S GENERALLY

AB HE DID ASK FOR MONEY BUT I SAID I'M NOT GOING TO GIVE HIM IT UNTIL YOU KNOW I GET THE INVOICE

LS RIGHT AND HE'S NOT CHASED YOU UP AT ALL?

AB UNLESS HE'S BEEN RINGING AT THE SHOP AND I'VE NOT BEEN THERE BUT NO NO

LS CAN YOU DESCRIBE THIS PERSON TO ME?

15 MIN AB HE WAS ASIAN ABOUT 5'8", SMARTLY DRESSED, CLEAN SHAVEN,
30 SEC WHAT ELSE CAN I TELL YOU BLACK HAIR COMBED BACK

LS HMMM

AB THAT'S IT SMARTLY DRESSED HE HAD A SHIRT AND TIE ON

LS OK ANY DISTINGUISHING FEATURES?

AB DON'T KNOW TO NO JUST SLIM, SMALL NOSE HE DIDN'T HAVE NO



TRANSCRIPT OF INTERVIEW

EDITORS OR NOTES

16 MIN LS RIGHT OK, SO VALUE OF THE... THE REPORT...
09 SEC IT ANALYSED AND HAVE YOU HAVE SIGHT OF THE ANALYST'S REPORT?

AB YEAH

LS OK SO YOU KNOW THAT THE ANALYSIS HAS MENTIONED ABOUT THE NAMES SOAVE WHITE WINE AND ON THE LABEL IT SAID IT WAS BOTTLED IN BULGARIA ARE YOU FAMILIAR WITH THE TERM SOAVE?

AB NO NOT 100% NO

16 MIN LS NO OK, WELL SOAVE IS THE NAME OF WINE THAT IS PRODUCED IN A
30 SEC PARTICULAR AREA OF ITALY IT'S NEAR VERONA AND ONLY WINE THAT'S PRODUCED IN THAT PARTICULAR AREA CAN BE CALLED THAT NAME OK. SO IT'S UNDER THE WINE REGULATIONS 2011 THAT THEY'VE ACTUALLY GOT AN OFFENCE AS WELL FOR THAT. YOU CAN'T CALL IT SOAVE IF IT'S MADE IN BULGARIA FOR INSTANCE BECAUSE OBVIOUSLY BULGARIA IS NOT IN ITALY IT'S A COUNTRY SO THEREFORE YOU CANT USE THE DESCRIPTION SOAVE REALLY AT ALL UNLESS IT'S FROM ITALY. ALSO THE BOTTLE DIDN'T HAVE ANY SORT OF NAME AND ADDRESS OF WHO THE BOTTLER WAS IT JUST SAID BOTTLED IN BULGARIA SO DON'T YOU THINK THAT WAS ODD?

17 MIN
00 SEC

AB NO, LOOKING BACK AT IT YEAH IT PROBABLY WAS BUT AT THE TIME I DIDN'T THINK IT WAS. I MEAN I'M NOT A WINE CONNOISSEUR SO TO ME IT LOOKED LIKE IT WAS WHAT IT SAID ON IT

17 MIN LS OK DO YOU DRINK ALCOHOL?
30 SEC

AB NO I DON'T NO

LS NO SO BUT OBVIOUSLY YOU RUN A SHOP THAT SELLS ALCOHOL SO YOU SHOULD BE FAMILIAR REALLY WITH BRANDS AND

AB YEAH

LS THINGS LIKE THAT SO OBVIOUSLY IF YOUR CALLING SOMETHING SOAVE AND IT'S NOT FROM THAT REGION OF ITALY



TRANSCRIPT OF INTERVIEW

AB YES??

LS THEN THERE IS A POTENTIAL OF AN OFFENCE UNDER SECTION 75, CONSUMER PROTECTION FROM UNFAIR TRADING REGULATIONS SO DO YOU SEE HOW IT CAN BE AN OFFENCE?

AB YES I DO YEAH

18 MIN LS OK DO YOU UNDERSTAND THAT IT IS A CRIMINAL OFFENCE?
00 SEC

AB YES I DO YEAH

LS TO DO THAT HAVE YOU ANY THOUGHTS ON THAT?

18 MIN AB I SUPPOSE I WAS I WAS SILLY REALLY ALL I CAN SEE IS THAT I
30 SEC PROBABLY DIDN'T HAVE ENOUGH EXPERIENCE AND I DIDN'T KNOW. WHEN YOU GUYS CAME I WAS ASKING YOU WHAT DO YOU GUYS LOOK AT I DON'T KNOW IF YOU REMEMBER OR NOT YOU AND YOUR COLLEAGUE SO YOU KNOW I CAN SPOT THE DIFFERENCE, SO I MEAN, IT WAS A LEARNING CURVE FOR ME AND I'VE BEEN LEARNING EVER SINCE SO NOW YOU KNOW I KNOW TO CHECK FOR HALLMARKS, CHECK FOR ADDRESSES AND THAT WAS ONLY AFTER I'D SPOKEN TO YOU GUYS AND REALLY I SHOULD HAVE FOUND OUT BEFOREHAND BUT OBVIOUSLY I'VE BEEN A BIT NAIVE AND SILLY REALLY

LS HMMM SO DO YOUR BROTHERS OR OTHER FRIENDS THAT HAVE SHOPS NOT MENTIONED ANYTHING TO YOU ABOUT SORT OF CHECKING BOTTLES LOOKING FOR COUNTERFEITS?

19 MIN AB NO REALLY CAUSE WE NEVER WE NEVER DISCUSS THINGS LIKE
00 SEC THAT THEY WERE JUST TELLING ME YOU KNOW GO BEST WAYS THEY'VE GOT AN OFFER ON BUY IT FROM THEM, PUT THAT MUCH MARK UP ON SELL IT FOR THAT, GO HERE BUY IT FROM THERE

LS RIGHT DID THEY EVER SAY TO YOU BUY FROM WHITE VAN MEN?

AB NO THEY DIDN'T NO THEY NEVER

LS DID THEY ADVISE AGAINST IT?

AB TO BE HONEST I NEVER SPOKE TO THEM ABOUT IT. THEY ALWAYS

TRANSCRIPT OF INTERVIEW

West Yorkshire
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19 MIN
30 SEC

DO YOU KNOW LABEL SUBMIT TO GET PROPER INVOICES AND YOU
I DON'T BILLS OF LADING WITH YOU PLEASE I CAN
TALK WITH IF YOU DON'T GOT A GOOD CONTACT PERSON
THAT'S ALWAYS BEEN STUCK IN MY HEAD IN THE EARLY DAYS SO
WHEN THIS GUY COME THE ONLY THING I COULD REALLY THINK OF
WAS WHERE IS THE PROPER BILL WHERE IS THE INVOICE YOU
KNOW MAKE SURE YOU GIVE ME THEM

20 MIN
00 SEC

LS OK SO THAT'S THE WHITE WINE WE'VE ALSO HAD THE OTHER
THINGS ANALYSED AND THE DEXTER WHISKY IT'S SAID IT SAID ON
THE LABEL 40% ABV HOWEVER IT HAD GOT 40.5 ABV SO IT HAD GOT
EXTRA IF YOU LIKE MORE ALCOHOLIC STRENGTH THAN WHAT IT
SAID ON THE LABEL. THE TOLERANCE THE LEGAL TOLERANCE IS
0.3% SO IT'S ACTUALLY OVER THE LEGAL TOLERANCE. WITH THE DI
CICCO SAMBUCA THE LABELLING WASN'T IN ENGLISH, IT WAS IN
ITALIAN IT HAD A NAME AND ADDRESS ON THERE, HOWEVER ANY
OTHER INFORMATION HAS GOT TO BE IN ENGLISH. IT'S GOT TO BE
INTELLIGIBLE SO THAT YOU CAN READ IT IN THE COUNTRY WHERE
YOU ARE BUYING IT

20 MIN
30 SEC

AB YEAH

LS OK THAT STATED 40% ABV BUT IT HAD 38.6 SO IT WAS ACTUALLY
LOWER STRENGTH AND AGAIN THE TOLERANCE IS 0.3 EITHER WAY
SO IT WAS UNDER HAVE YOU GOT ANY THOUGHTS ON THAT?

AB JUST SAME AGAIN REALLY FROM THE WINE REALLY

21 MIN
00 SEC

LS THERE WAS ALSO AS I MENTIONED SOME LABELLING ISSUES WITH
THE DI CICCO AND ALSO THE SOAVE WHITE WINE THE SOAVE DIDN'T
HAVE THE NAME AND ADDRESS ON IT THE CHICO DID BUT ALL THE
REST OF THE INFORMATION WAS IN ITALIAN AND OBVIOUSLY WE
ARE IN ENGLAND SO IT'S GOT TO BE IN ENGLISH DO YOU HAVE ANY
THOUGHTS ON THAT?

AB SAME AGAIN REALLY THE WINE THE WINE WAS STILL IN THE BACK
REALLY I HADN'T I DIDN'T KNOW WHAT TO DO WITH THAT WINE TO
BE HONEST WITH YOU SO THAT WAS STILL THERE SO THAT WASN'T
ON THE SHELF BUT SAME AGAIN REALLY I SHOULD HAVE CHECKED
CHECKED THROUGH IT ALL REALLY

21 MIN LS

I NOTED THAT EARLIER ON IN THE INTERVIEW YOU SAID THAT YOU'D



TRANSCRIPT OF INTERVIEW

00:00:00 AB LOOKED AT THE BOTTLES

00:00:01 AB YEAH

00:00:02 LS DID YOU LOOK AT THE BOTTLE OF THE SAMBUCA AND THINK WELL THIS ISN'T IN ENGLISH I CANT READ IT?

00:00:03 AB I DIDN'T TO BE HONEST WITH YOU I LOOK AT THE BOTTLE AND I THOUGHT WELL YOU KNOW SAMBUCA I DIDN'T REALLY KNOW THE WHOLE LABEL SAMBUCA SO RIGHT IT'S GOT A SEAL ON IT, IT LOOKS ALRIGHT YOU KNOW

00:00:04 LS OK

00:00:05 AB IT LOOKS LOOKS LIKE SAMBUCA'S SO

00:00:06 LS RIGHT OK DO YOU HAVE ANY QUESTIONS DAVID?

22 MIN DB DO YOU SUPPLY HAVE YOU SUPPLIED ANY OF THOSE PRODUCTS TO
00 SEC ANY OTHER RETAILERS?

00:00:07 AB NO I HAVEN'T NO

00:00:08 DB OR WHOLESALERS?

00:00:09 AB NO

00:00:10 DB HAS IT BEEN SIMPLY RETAIL THEN, JUST FROM YOUR SHOP?

00:00:11 AB YEAH

00:00:12 DB OK

00:00:13 LS HAVE YOU SPOKEN TO YOUR BROTHERS ABOUT THIS?

00:00:14 AB YEAH

00:00:15 LS WHAT DID THEY SAY?

00:00:16 AB THEY GAVE ME A RIGHT ROLLICKING FOR IT

00:00:17 LS DID THEY?

00:00:18 AB YEAH



Q DO THEY GET ANY BUYERS FROM THE RECORD?

22 MIN AB YEAH THEY SAID MAKE SURE YOU CHECK THAT THERE'S NO BUY
30 SEC BUY OFF OF PEOPLE WHO TURN UP IN THE SHOP

23 MIN LS RIGHT OK, SO YOU UNDERSTAND THAT THERE IS SOME
00 EC MISREPRESENTATION HERE MAY BE IN THE SOAVE WHITE WINE
WITH REGARDS TO SAYING IT'S SOAVE AND IT'S PRODUCED IN
BULGARIA. DO YOU UNDERSTAND THAT THERE CAN BE SOME
CONSUMER DETRIMENT BECAUSE PEOPLE MAY PICK IT UP AND SEE
THE LABEL SOAVE AND BUY IT?

AB YEAH

LS MAY NOT CHECK THE BACK OF THE LABEL BECAUSE IF IT'S ON THE
SHELF OR BEHIND THE COUNTER THEY MAY NOT LOOK SO DO YOU
UNDERSTAND THAT CONSUMERS COULD BE MISLEAD BY THAT?

AB YEAH

LS OK, WITH REGARDS TO YOUR SHOP YOU SAY THAT YOU'RE THE
OWNER AND NO ONE ELSE IS INVOLVED?

AB YEAH

LS WHY IS THE PREMISE LICENCE HOLDER AQUEEL BASHIR?

AB BECAUSE HE HAS A PREMISE'S LICENCE I DON'T

LS BUT WHY IF YOU'RE THE OWNER?

AB BECAUSE I HAVEN'T GOT A PREMISE'S LICENCE

23 MIN LS RIGHT OK SO WHY IS SHAKIL THE DPS?
30 SEC

AB CAUSE HE IS ANOTHER ONE WHO HAS THE LICENCE FOR IT THEM
TWO BOTH HOLD PREMISES LICENCES

LS RIGHT BUT IF IT'S YOUR SHOP AND YOUR SELLING THE ALCOHOL

AB YEAH



TRANSCRIPT OF INTERVIEW

LS: I'M GOING TO ASK YOU THE IS A SEPARATE PREMISES LICENCE FOR
BECAUSE YOURSELF AND AQUEEL HAVE NOTHING TO DO WITH
YOUR BUSINESS WHY HAVE THEIR NAMES ON THE FABLE WORK?

AB: LIKE I SAID IS IS I'VE ALWAYS WORKED IN A CONSTRUCTION
INDUSTRY

LS: HMMM

24 MIN 00 SEC AB: I'VE NOT WORKED IN THE RETAIL SO I'VE STARTED YOU KNOW SINCE
I'VE GOT MADE REDUNDANT THE OPPORTUNITY CAME FOR ME, I
TOOK IT, OBVIOUSLY I DIDN'T HAVE A PREMISES LICENCE OR I'M NOT
A DPS SO I COULDN'T RUN AN OFF LICENCE ON THAT SO THE NEXT
PEOPLE I HAD TO PAY WAS THEM LOT

LS: RIGHT HAVE YOU SORT OF DONE ANY EXAMS TO BE A DPS OR A
PREMISES LICENCE HOLDER SINCE?

24 MIN 30 SEC AB: I'VE STUDIED THROUGH THE REQUIREMENTS FOR IT AND DONE ALL
THE REVISION WORKS I'M HOPING TO DO IT AT THE END OF NEXT
YEAR

LS: BECAUSE ON A SEPARATE SUBJECT YOU UNDERSTAND SAY IF AN
UNDERAGE SALE WAS MADE IN YOUR SHOP

AB: YEAH

LS: THEN YOUR BROTHERS SHAKIL AND AQUEEL WOULD BE GETTING IN
TROUBLE

AB: YEAH

LS: AS WELL AS YOU IF YOU'RE THE OWNER

AB: YEAH

LS: AND THEN IF THEY HAVE NOTHING TO DO WITH THE BUSINESS CAN
YOU SEE HOW THAT?

AB: YEAH

LS: IT SHOULD REALLY BE YOURSELF

AB: THEY'VE GIVEN ME LIKE A BOOKLET THAT I SIT WITH AND DO SIT

TRANSCRIPT OF INTERVIEW

25 MIN
00 SEC

WITH THEM AND YOU KNOW YOU PREPARE THE POST AND I MAKE
SURE I KNOW WHERE THE INFORMATION IS AND WHERE YOU
WHAT I SHOULD BE DOING AND WHAT ANY CHECKS I SHOULD DO
WHAT CHECKS I DO

LS

OK SO YOUR GOING TO MAKE SOME IMPROVEMENT ON THAT. JUST
REGARDS TO THE TRACEABILITY AS PART OF MY JOB NOW I HAVE
TO GO BACK TO THE PERSON WHO SUPPLIED YOU WITH IT

AB

YEAH

LS

OBVIOUSLY I'VE JUST GOT BEER SUPPLIES LONDON

AB

YEAH

25 MIN
30 SEC

LS

THERE IS NOT MUCH TO GO ON THERE I CAN TRY GOOGLING IT BUT I
DON'T KNOW IF GOOGLE WILL POP UP WITH A NAME AND ADDRESS
YOU SEE SO THAT'S WHY THE GENERAL FOOD REGS HAVE GOT A
PROVISION FOR TRACEABILITY IN IT STATING THAT YOU IF YOU'RE A
FOOD SUPPLIER

AB

YEAH

26 MIN
00 SEC

LS

AND DRINKS AND ALCOHOL IS CLASSED AS FOOD FOR THE
PURPOSES OF THE LAW BUT YOU'VE GOT TO PROVIDE SOME
TRACEABILITY INFORMATION, IT SAYS "FOOD AND FEED BUSINESS
OPERATORS SHALL BE ABLE TO IDENTIFY ANY PERSONS FROM
WHOM THEY HAVE SUPPLIED BEEN SUPPLIED WITH THE FOOD A
FEED A FOOD PRODUCED ANIMAL OR ANY SUBSTANCE INTENDED TO
BE OR EXPECTED TO BE INCORPORATED INTO A FOOD OR FEED TO
THIS END SUCH OPERATORS, LIKE YOURSELF, SHALL HAVE IN PLACE
SYSTEMS AND PROCEDURES WHICH ALLOW FOR THIS INFORMATION
TO BE MADE AVAILABLE TO COMPETENT AUTHORITIES ON DEMAND"
SO I DEMANDED THAT FROM YOU, THAT PAPERWORK AND YOU
PROVIDE ME WITH THIS SO I CAN'T TRACE WHO YOU'VE BOUGHT IT
FROM REALLY

AB

RIGHT

26 MIN
30 SEC

LS

YOU'VE NOT GOT A TELEPHONE NUMBER TO GO ON WE'VE NOT GOT
AN ADDRESS SO DO YOU THINK THAT YOU HAVE MET THE
REQUIREMENTS?

TRANSCRIPT OF INTERVIEW

AB I DON'T THINK HE NEEDS TO PROVIDE ANY COPIES OF ANY OTHER
INVOICES OR

LS OK DO YOU KNOW ABOUT TRACEABILITY NOW AND

AB YES I DO YEAH

LS KEEPING RECEIPTS AND THINGS

AB YEAH AND IF AN ADDRESS IS

LS YEAH DO YOU KEEP RECEIPTS FROM DEEBEE'S AND BEST WAYS?

AB YEAH

LS DID YOU DO THAT BEFORE?

AB YEAH

LS OK HAVE YOU GOT ANY QUESTIONS?

27 MIN AB I DON'T THINK HE NEEDS TO PROVIDE ANY COPIES OF ANY OTHER
00 SEC INVOICES OR

LS NO NOT FOR THE, FOR THAT

DB NO

LS BUT FOR, I'M TALKING ABOUT THIS

DB YES

LS I JUST WANTED TO MAKE SURE THAT HE WAS AWARE THAT HE'S
GOT TO KEEP TRACEABILITY INFORMATION

DB HMM

LS SO DO YOU THINK IT'S WRONG TO SELL THESE ITEMS?

AB I DO YES

LS OK AND IN THE FUTURE WHAT WILL YOU DO?

27 MIN AB MAKE SURE I DON'T BUY FROM PEOPLE WHO PULL UP IN WHITE VAN
30 SEC THAT'S FOR SURE MAKE SURE IT'S A REPUTABLE COMPANY, MAKE
SURE YOU KNOW THEY'VE GOT A LOT OF TRADING HISTORY BEFORE



LS: DID YOU BUY ANYTHING FROM THEM?

AB: OK, DON'T THEY GET GOVERNED, BECAUSE I WAS A BIT...

DB: NO

LS: OK SO WE'LL GIVE YOU A CHANCE NOW IF YOU WANT TO SAY ANYTHING IN YOUR MITIGATION YOU CAN DO, ANY COMMENTS?

AB: I MEAN AGAIN JUST TO REITERATE REALLY I MEAN I'VE NOT BEEN TRADING LONG JUST COME INTO THE INDUSTRY SO OBVIOUSLY I WAS A BIT SILLY, NAIVE WHICH I SHOULD I MEAN I'VE BEEN WORKING IN CONSTRUCTION MOST OF MY LIFE REALLY AND I STILL HAVE A LOVE FOR IT AND I STILL LIKE TO GO BACK THERE TO BE HONEST WITH YOU, IT WAS ONLY BECAUSE I GOT MADE REDUNDANT YOU KNOW I THOUGHT RETAIL MARKET IS A BIT MORE STABLE THAN CONSTRUCTION SO FOR THE NEXT COUPLE OF YEARS IT MIGHT BE SOMETHING TO KEEP ME GOING REALLY, THAT'S WHY I WENT DOWN THAT WAY REALLY AND YOU KNOW I WAS SILLY REALLY TO BUY IT FROM FROM SOMEONE WHO PULLED UP REALLY AND SHOULD SHOULD DO MORE CHECKS AND I THINK THAT WAS JUST A ONE OFF REALLY AND IT'S NOT GOING TO HAPPEN AGAIN AND I'LL BE MAKING SURE I DO ALL THE RIGHT CHECKS BEFORE WE BUY AGAIN

LS: OK SO THIS HAS NEVER HAPPENED BEFORE THEN?

AB: NO IT'S NEVER HAPPENED TO ME BEFORE NOW

LS: SO THIS IS JUST THE FIRST TIME EVER?

AB: FIRST TIME EVER YEAH

LS: AND HAD ANY OTHER SHOPS AROUND THE AREA BEEN VISITED BY THIS PERSON?

29 MIN AB: I DON'T KNOW TO BE HONEST WITH YOU I HAVEN'T ASKED ANYBODY
00 SEC ELSE

LS: RIGHT SO NO ONE IN THE FAMILY HAS MENTIONED?

AB: NO THEY DIDN'T SAY ANYONE CAME UP

LS: RIGHT OK RIGHT IF WE'VE GOT NO MORE QUESTIONS HAVE YOU



TRANSCRIPT OF INTERVIEW

LS DO YOU WANT TO STOP THE INTERVIEW AT THIS POINT?

AB NOT THINK THAT'S IT

LS WELL THEN WE'LL CONCLUDE THE INTERVIEW, SO THIS IS A NOTICE THAT I TOLD YOU ABOUT AT THE BEGINNING OF THE INTERVIEW THIS IS IF YOU WANT TO ACCESS COPIES OF THIS TAPE

AB YEAH

29 MIN LS THE TIME NOW IS 10:56 AND I AM SWITCHING OFF THE RECORDER
30 SEC

Print Version

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Summary

Reference	PREM/01253/V03
Application Type	Variation
Licence Type:	Premises Licence Minor Variation
Status	Current Licence
Licence Holder	Mr Aqueel Bashir
Premises Name	Kasa (formerly Grey Goose Hotel)
Address	Belle Isle Road Hunslet Leeds LS10 3QJ
Issue Date	Thu 24 Nov 2005
Expiry Date	Sat 24 Nov 2012
Case Officer	Mr Matthew Nelson

Important Dates

Date Application Received	Thu 23 Dec 2010
Date Application Validated	Fri 24 Dec 2010
Expiry Date for Consultations	No data
Hearing Date	No data
Date Issued	Thu 24 Nov 2005
Renewal Date	No data

No Committee dates are on record.

Contacts

Contact Type	Designated Premises Supervisor
Name	Mr Shakil Bashir
Address	Private Address
Contact Type	Licensing Applicants
Name	Mr Aqueel Bashir
Address	334 Dewsbury Road Leeds LS11 7DJ

Conditions

Condition	No supply of alcohol may be made under this licence
Mandatory Condition 2	a. At a time when there is no designated premises supervisor in respect of the premises licence, or

- Mandatory Condition 1

b. At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

Direct supply of alcohol and the premises licence may be made or authorised by a person who holds a personal licence

Alcohol shall not be sold or supplied except during the hours stated on this licence and:
- JL Embedded Restriction 1

a. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.

b. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions do not prohibit:
- Embedded Restrictions

a. the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of alcohol so ordered;

b. the sale of alcohol to a trader or club for the purposes of the trade or club;
- Not Available

Adopt the Check 21 proof of age scheme in accordance with guidance issued by West Yorkshire Police or other approved proof of age scheme.
- Not Available

Operate and maintain the existing CCTV system to record throughout operating hours.
- Not Available

The Designated Premises Supervisor will ensure that written records of all accidents and safety incidents involving members of the public are kept. The Designated Premises Supervisor shall ensure that these will be made available at the request of an authorised officer.
- Not Available

The Designated Premises Supervisor will ensure that safety glass that is impact resistant should be used wherever possibly in all areas where the public may come into contact with it. Where it is not used in public areas glazing should be shielded to protect it from impact.
- Not Available

The Designated Premises Supervisor will ensure that all floor surfaces will be suitably slip resistant, kept in good conditions and free of obstructions to prevent slips, trips and falls.
- Not Available

The Designated Supervisor will ensure that where strobes, lasers, smoke machines or any other special effects equipment may be used a written health and safety policy covering all aspects of their use will be provided. The Designated Premises Supervisor will ensure that staff will be appropriately trained on the policy.

Additional Information

Alcohol Prime Use YES
 Cumulative Impact Area. (Y/N) No
 Ratable Value Band 190

Related Information

There are 4 cases associated with this licence.
 There is 1 property associated with this licence.

Premises Licence

Premises licence number:

PREM/01253/V03

Initial licence from:

24th November 2005

Public Register Copy

Current Licence effective from:

12th January 2011

Appendix B

Premises Address Kasa (formerly Grey Goose Hotel), Belle Isle Road, Hunslet, Leeds, LS10 3QJ

Licensable activities authorised by this licence

Sale by retail of alcohol

Times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol
Every Day 07:00 - 23:00

The opening hours of the premises

Everyday 07:00 - 23:00

Alcohol is sold for consumption off the premises

Premises licence holder(s): Mr Aqueel Bashir, 334 Dewsbury Road, Leeds, LS11 7DJ

Designated premises supervisor: Mr Shakil Bashir

Access to the premises by children is unrestricted.

Licence Issued under the authority of Leeds City Council



Mr Matthew Nelson
Licensing Officer
Entertainment Licensing
Licensing and Registration

Licence produced on 09/08/2012 at 09:32
by Mr Matthew Nelson

Annex 1 – Mandatory Conditions

1. No supply of alcohol may be made under this licence
 - a. At a time when there is no designated premises supervisor in respect of the premises licence, or
 - b. At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Embedded Restrictions

4. Alcohol shall not be sold or supplied except during the hours stated on this licence and:
 - a. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
 - b. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
5. The above restrictions do not prohibit:
 - a. the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of alcohol so ordered;
 - b. the sale of alcohol to a trader or club for the purposes of the trade or club.

Annex 2 – Conditions consistent with the operating schedule

Additional details in respect of licensable activities authorised by this licence

None

Conditions consistent with the operating schedule relating to the licensing objectives

The prevention of crime and disorder

6. Adopt the Check 21 proof of age scheme in accordance with guidance issued by West Yorkshire Police or other approved proof of age scheme.
7. Operate and maintain the existing CCTV system to record throughout operating hours.

Annex 3 – Conditions attached after a hearing by the licensing authority

Public safety

8. The Designated Premises Supervisor will ensure that written records of all accidents and safety incidents involving members of the public are kept. The Designated Premises Supervisor shall ensure that these will be made available at the request of an authorised officer.

9. The Designated Premises Supervisor will ensure that safety glass that is impact resistant should be used wherever possible in all areas where the public may come into contact with it. Where it is not used in public areas glazing should be shielded to protect it from impact.
10. The Designated Premises Supervisor will ensure that all floor surfaces will be suitably slip resistant, kept in good conditions and free of obstructions to prevent slips, trips and falls.
11. The Designated Supervisor will ensure that where strobes, lasers, smoke machines or any other special effects equipment may be used a written health and safety policy covering all aspects of their use will be provided. The Designated Premises Supervisor will ensure that staff will be appropriately trained on the policy.

Annex 4 – Plans

The plans for these premises are as those submitted with the application. A copy of which is held by Leeds City Council licensing authority.

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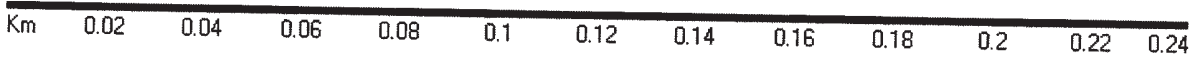
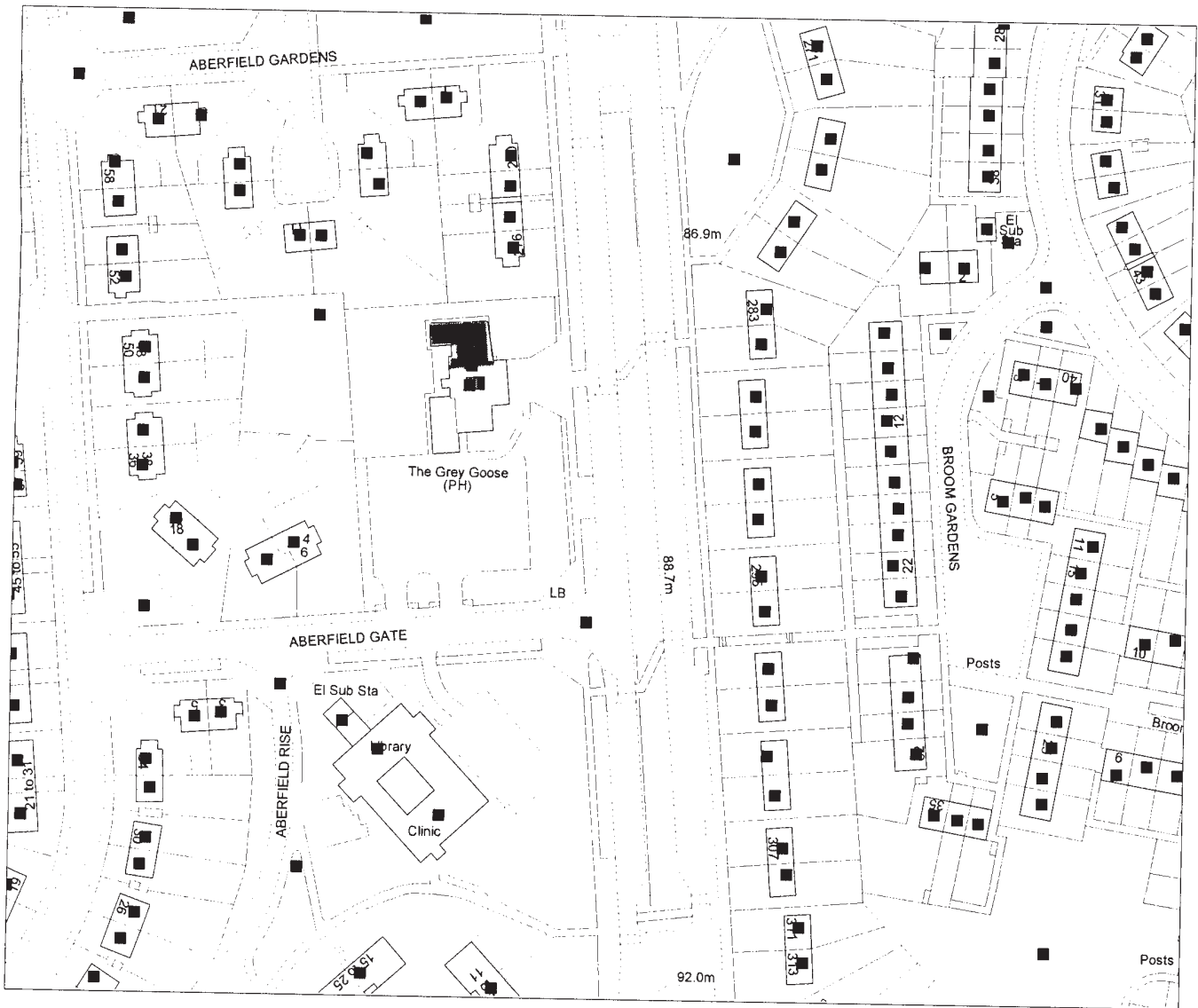
Leeds
CITY COUNCIL

Appendix C

Leeds City Council
Entertainment Licensing

PREM/01253/005 Kasa

Belle Isle Road, Leeds, LS10 3QJ



This map is based upon the Ordnance Survey's Digital Data with the Permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office

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Date:	06 September 2012
Scale:	1:1500

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Leeds District Licensing Department

Licensing Department

Millgarth Police Station
Millgarth Street
Leeds
LS2 7HX

Tel: 0113-2413072
Fax: 0113-2413123
Email:
catherine.arkle@westyorkshire.pnn.police.uk
Website:

Your ref:
Our ref:

18th August 2012

Entertainment Licensing Section
Leeds City Council
Civic Hall
Leeds
LS1 1UR

**RE:PREMISES LICENCE REVIEW – KASA – 278, BELLE ISLE ROAD, LS10 3QJ
POLICE – LETTER OF REPRESENTATION**

West Yorkshire Police understand that West Yorkshire Trading Standards have applied for a review of the premises licence for the above mentioned shop. We submit this representation, a chronology of events and a statement, in support of that application and to detail any dealings we have had where the Licensing Objectives have been deemed to be undermined.

Yours faithfully

C.A.Arkle
Divisional Licensing Officer
City & Holbeck

NOT PROTECTIVELY MARKED

KASA, 278, BELLE ISLE ROAD, LS10 3QJ

Chronology for Premises Licence Review.

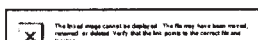
Date	Action/Offence/Intelligence	Outcome/Involved
26/07/2010	Application received by WYP to transfer the premises licence, vary premises licence to change DPS and minor variation to reduce hours, remove entertainment and associated conditions and convert to off sales only	No objection from the police. Objection from local resident/business to minor variation.
19/08/2010	Minor variation received by WYP to change the layout of the premises to trade as an off-licence, not a pub.	No police representation.
14/09/2010	Police test purchase	Premises pass.
15/09/2010	Police test purchase	Premises pass.
02/11/2010	Police test purchase	Premises pass.
23/12/2010	Minor variation received by WYP to remove entertainment activities and associated conditions, and also to reduce the hours from the old pub operating hours and for consumption to be off the premises only.	No police representation.
15/02/2011	Police test purchase	Premises pass.
18/04/2011	Complaint received by Trading Standards from Paul Rix of Leeds City Council Licensing Enforcement. Local resident has contacted the Council to complain that Kasa have sold alcohol to her son who is under 18 years of age.	Test purchase operation carried out on 07/05/2011 – see below.
13110188582 25/04/2011	Intelligence(E41) re a group of youths causing ASB, drinking alcohol behind the library/rent office on Belle Isle Road. There is a belief that they are purchasing the alcohol from KASA.	

04/05/2011	Police test purchase.	Premises pass.
07/05/2011	Trading Standards test purchase.	Premises pass.
13110232590 22/05/2011	Intelligence(E41) that KASA are selling alcohol to underage youths in the area. On 20/05/2011 2 school girls bought a crate of lager.	
Log 1832 of 05/08/2011 21:15hrs	Call from Shakil Bashir re 20 youths outside causing problems. Smashing bottles and throwing them about, hitting cars.	No officers available immediately. Officers attend an hour later and all is in order. 2 males spoken to and advised not to return.
Log 1712 of 09/09/2011 20:52hrs	Call from Shakil Bashir re youth outside throwing stones at cars and swearing at customers.	No officers available immediately. When they do attend there are no offences disclosed and all is in order.
13110438559 24/09/2011	A search warrant was executed at KASA, Belle Isle Road under Theft Act 1968. Officers located stolen whisky from a theft in Hertfordshire from 19 th Sept. 5 x 1Ltr bottles of Jamesons Whisky in a box & 31 x 4.5Ltr bottles of Jamesons.	Shakil Bashir arrested for Handling Stolen Goods. After investigation not charged with any offence.
05/12/2011	Police test purchase	Premises pass
13120130126 22/03/2012	Antisocial Behaviour log created due to volume of calls for service from local residents re local youths gathering outside KASA and causing a public nuisance.	Regular visits to area by local Neighbourhood Policing Team.

<p>Log 1245 of 25/04/2012 19:28hrs</p>	<p>Call from local resident saying there are 5 youths standing outside Kasa with a bag containing beer. One of them is 18 but the others are around 14 years old – one of them appears to be only 10 years old.</p>	<p>Officers attended and alcohol confiscated from known 18 year old as they believed it would be supplied to younger children present.</p>
<p>13120294430 12/07/2012</p>	<p>Intelligence(E41) report that KASA are selling alcohol to underage youths. 17 year old seen to enter store on 07/07/2011 at 08:00hrs and exit drinking a bottle of Carlsberg.</p>	
<p>13120332452 02/08/2012</p>	<p>Intelligence(E41) that Kasa are selling alcohol to underage youths. Youths are also approaching males and females who are 18 or above and asking them if they will purchase it for them.</p>	

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Ref No:



Witness Statement

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

Crime Ref. No:	<input type="text"/>	URN:	<input type="text"/>
Statement of CATHERINE ARKLE			
Date of birth:	Over 18	Occupation:	PC 5548
<p>This statement (consisting of: 5 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.</p> <p>Dated: 18th August 2012</p> <p>Signature:</p>			

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a police constable in the West Yorkshire Police, City and Holbeck Division, currently stationed at Millgarth Police Station in the capacity of Divisional Licensing Officer. I have jurisdiction over the city centre and the Morley, Holbeck and Rothwell areas of Leeds. The city centre demands most of my time with approximately three hundred licensed premises operating in that area. I have worked in this position since Spring 2005.

My duties entail enquiring into the background of various liquor licence applications, preparing police reports for the Licensing Authority and partnership multi agency working with the licensing trade. I am responsible, together with other members of the Licensing Department, for maintaining computer records aimed at monitoring incidents and crimes that relate to licensed premises.

Signature:

Signature Witnessed by:

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Continuation Sheet No. 2

Continuation Statement of CATHERINE ARKLE

I make this statement in support of Trading Standards application to review the premises licence for premises known as Kasa, 278, Belle Isle Road, Leeds, LS10 3QJ.

These premises are located on the site of the Grey Goose Hotel in Belle Isle. Also located here are two other separate shops, Bargain Plus and Special One Takeaway, all part of the old pub premises as I understand it but only Kasa has the benefit of a premises licence. I am also of the understanding that the Bashir brothers, who own Kasa, also have some business interest in Bargain Plus. I do not know if this is true for Special One Takeaway.

On 26th July 2010 West Yorkshire Police received an application to transfer the premises licence from Punch Taverns PLC into the name of Aqueel Bashir. There was also an application to vary the DPS to Shakil Bashir, Leeds/PERL/00310/05. A minor variation was also submitted to reduce the hours for the sale of alcohol, and for consumption to be off the premises only, with conditions relating to regulated entertainment to be removed – effectively to transform the premises into an off-licence operation as opposed to a pub. West Yorkshire Police made no objections to this and the reduction in the hours for the sale of alcohol was seen as positive. Due to a local objection however the minor variation was refused.

On 19th August 2010 a further minor variation was received to change the layout of the premises to operate as an off-licence as opposed to a public house. The police made no objection to this.

On the 14th and 15th of September 2010 the premises now known as Kasa at 278, Belle Isle Road were subject of a police test purchase operation. Premises visited during this operation had either failed test purchases before or were subject of intelligence reports. The premises passed on both occasions as they did on a further test on 2nd November 2010.

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Signature Witnessed by:

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Continuation Sheet No. 3

Continuation Statement of CATHERINE ARKLE

On 23rd December 2010 another minor variation was submitted to reduce the hours for the sale of alcohol, which had remained according to the Grey Goose on-licence hours due to the first refused minor variation, to remove conditions relating to entertainment and to allow for consumption off the premises only. The police did not object to this.

On 15th February 2011 Kasa were again subject of a police test purchase operation and passed.

On 18th April 2011 we are aware that Trading Standards were contacted by Leeds City Council Enforcement and made aware of a complaint they had received from a local resident that her son, who was under 18 years of age, was sold alcohol in Kasa.

On 25th April 2011 West Yorkshire Police began to receive intelligence reports regarding the sale of alcohol to under eighteens at Kasa. On 4th May 2011 a police test purchase operation was carried out at the premises which did not sell to the volunteer. On 7th May 2011 Trading Standards also test purchased Kasa and no sale was made to their volunteer.

On 22nd May 2011 more intelligence was received regarding Kasa and the availability of alcohol to under eighteens. On this occasion the report was of schoolgirls buying a crate of lager.

On 5th August 2011 and 9th September 2011 Shakil Bashir telephoned the police regarding groups of youths outside the shop, throwing bottles and stones.

On 24th September 2011 a search warrant was executed at Kasa due to information received that bottles of whisky stolen from a lorry in Hertfordshire on 19th September 2011 were present on the

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Continuation Sheet No. 4

Continuation Statement of CATHERINE ARKLE

premises. Officers located five 1 litre bottles of Jamesons whisky in a box, and thirty one four and a half litre bottles of the same whisky in a small room off the main basement at the rear of the premises. The whisky was indentified as having come from the Hertfordshire theft and Shakil Bashir, the acknowledged buyer of all the stock for all the Kasa stores, was arrested for handling stolen goods. Further enquiries were made and Shakil Bashir produced a receipt. The validity of this could not be established but the amount written on it was confirmed to be a reasonable amount to pay for the alcohol. Due to this, and Mr.Bashir maintaining he had bought the whisky in good faith, no charges were brought.

On 5th December 2011 Kasa were again subject of a police test purchase and passed.

On 22nd March 2012 an antisocial behaviour police log was created due to the volume of calls to Kasa and the associated premises. Calls were being received on practically a daily basis regarding large groups of youths gathering outside the shops, kicking footballs against windows, throwing things and causing a general annoyance and nuisance. The area received more police attention in an attempt to reduce the antisocial behaviour and public nuisance.

At 19:28hrs on 25th April 2012 another call was received from a local resident stating there were five youths outside Kasa with a bag of beer, and that three of them appeared to be around 14 years old and one appeared only 10 years old. Officers attended and alcohol was seized from a known 18 year old as they believed that it would have been supplied to the younger children present.

On 12th July 2012 another report of a sale of alcohol was received by police, stating that a 17year old was seen to enter the store on 7th July 2012 at 08:00hrs and exit drinking from a bottle of Carlsberg.

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Continuation Sheet No. 5

Continuation Statement of CATHERINE ARKLE

On 2nd August 2012 another intelligence report was received. This stated that Kasa were selling to underage youths, and that the youths were also approaching male and female customers outside the shop and asking them to purchase alcohol for them.

The premises have been test purchased seven times in total, once by Trading Standards and six by the police. No alcohol has ever been sold to the underage volunteers but the intelligence reports have continued, the latest being in July and August of this year. The location has also suffered from antisocial behaviour caused by large groups of youths gathering outside and extra police attention has been paid to try and reduce this public nuisance. Antisocial behaviour problems and underage sales of alcohol are inextricably linked and one has to wonder what is attracting the youths to the area. The police evidence in itself has not been strong enough to justify an application to review the premises licence but I would ask the Licensing Authority to consider the intelligence reports and incidents described in my statement, and the issues highlighted by Trading Standards, and draw their own conclusions as to how these premises are being operated. I am hopeful that the local community will come forward with their first hand knowledge of any issues.

West Yorkshire Police support Trading Standards' application to review the premises licence and their recommendation that the licence be suspended for a period of 3 months to put the necessary systems in place to promote the licensing objectives. We would also recommend more stringent conditions in relation to the CCTV system, the protection of children from harm and the prevention of public nuisance.

Signature:

Signature Witnessed by:

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Interested Party Representation (Form IPR1)



Section 1 – Licence application details

Please indicate as appropriate :

- I wish to object to the following application:
 I wish to support the following application:

Applicant name (if known): KASA Belle Isle Road

Applicant premises name and address:

Belle Isle Road

Application for a	Premises Licence	<input type="checkbox"/>
	Club Premises Certificate	<input type="checkbox"/>

Application to vary an existing	Premises Licence	<input checked="" type="checkbox"/>
REVIEW	Club Premises Certificate	<input checked="" type="checkbox"/>

Section 2 – Your personal details

NB : If you are acting as a representative, please go to Section 3.

Title MR'S Mr Mrs Miss Other _____

Surname GROVES, BLAKE, TRUSWELL

First name(s) Kim, Judith, Paul

Address (Incl postcode): Leeds Civic Hall

It is essential that you provide your full residential address (or business address if you are objecting from a business). The Licensing Authority needs to be satisfied that you live or have business on the vicinity of the premises. Without this information your representation will not be accepted.

Please note that a full copy of your representation (including your name and address) will be sent to the applicant and will be a public document at any hearing of this matter.

Please refer to our Guidance Note – GN-M Guidance on making representations, for further information and alternative options.

Section 3 - Representative details	
If you represent residents or businesses in the vicinity please complete details below	
Name of Representative/ Organisation	CLUB'S For Residents of Middleton Park Ward
Full postal address (incl postcode)	
Please indicate capacity :	
E.g. Representative of Residents Association	<input type="checkbox"/>
Ward Councillor	<input checked="" type="checkbox"/>
Parish Council	<input type="checkbox"/>
MP	<input type="checkbox"/>
Trade Association	<input type="checkbox"/>
Other (please specify) _____	


Section 4 - Representation grounds	
The representation is relevant to one or more of the following licensing objectives:	Prevention of crime and disorder <input checked="" type="checkbox"/>
Please tick relevant box(es)	Prevention of public nuisance <input type="checkbox"/>
	Protection of children from harm <input checked="" type="checkbox"/>
	Public safety <input checked="" type="checkbox"/>
Please select :	
<input type="checkbox"/> I object to the application being granted at all	
<input checked="" type="checkbox"/> I object to the application being granted in its current form*	
*If you choose this option remember to tell us in the next section what changes you would prefer to see.	
The grounds of the representation is based on the following:	
<p>Ward Councillors have concerns following feedback from residents at community meetings, children are always gathering outside the property and our concern is for their health, should alcohol be purchased. Allegations have been made that we feel need to be investigated. Public safety may have been compromised had the wine, resulted in our residents feeling ill. Residents feel that the back of</p>	

The Shop is been used for a distribution centre.

You need to complete this box as fully as possible. If you do not then the Licensing Authority may not be able to assess the relevance of your representation.

Please attach supporting documents/further pages as necessary – please number all additional pages.

Try to be as specific as possible and give examples, e.g. on 1 February I could hear loud music from the premises between 10pm and 1am. I am concerned that if the premises open until 2am this will cause a nuisance to me and other residents of the street.

Signed: 
Crest Bickel.

Date: 24.8.12

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11. Reviews

THE REVIEW PROCESS

- 11.1 The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.
- 11.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.
- 11.3 An application for review may be made electronically, provided the licensing authority agrees and the applicant submits a subsequent written application. The licensing authority may also agree in advance that the application need not be given in writing. However, these applications are outside the formal electronic application process and may not be submitted via Business Link or the licensing authority's electronic facility.
- 11.4 In addition, the licensing authority must review a licence if the premises to which it relates was made the subject of a closure order by the police based on nuisance or disorder and the magistrates' court has sent the authority the relevant notice of its determination, or if the police have made an application for summary review on the basis that premises are associated with serious crime and/or disorder.
- 11.5 Any responsible authority under the 2003 Act may apply for a review of a premises licence or club premises certificate. Therefore, the relevant licensing authority may apply for a review if it is concerned about licensed activities at a premises and wants to intervene early without waiting for representations from other parties. However, it is not expected that licensing authorities should normally act as responsible authorities in applying for reviews on behalf of other persons, such as local residents or community groups. These individuals or groups are entitled to apply for a review for a licence or certificate in their own right if they have grounds to do so. It is also reasonable for licensing authorities to expect other responsible authorities to intervene where the basis for the intervention falls within the remit of that other authority. For example, the police should take appropriate steps where the basis for the review is concern about crime and disorder. Likewise, where there are concerns about noise nuisance, it is reasonable to expect the local authority exercising environmental health functions for the area in which the premises are situated to make the application for review.
- 11.6 Where the relevant licensing authority does act as a responsible authority and applies for a review, it is important that a separation of responsibilities is still achieved in this process to ensure procedural fairness and eliminate conflicts of interest. As outlined previously in Chapter 9 of this Guidance, the distinct functions of acting as licensing authority and responsible authority should be exercised by different officials to ensure a separation of responsibilities. Further information on how licensing authorities should achieve this

separation of responsibilities can be found in Chapter 9, paragraphs 9.13 to 9.19 of this Guidance.

- 11.7 Any application for a review received by the licensing authority from responsible authorities and any other persons should be given due consideration and treated by the authority in precisely the same way, regardless of the body or individual which made it. This includes an application made by the local authority acting in a separate capacity (for example, environmental health or child protection).
- 11.8 In every case, any application for a review must relate to particular premises in respect of which there is a premises licence or club premises certificate and must be relevant to the promotion of one or more of the licensing objectives. Following the grant or variation of a licence or certificate, a complaint regarding a general issue in the local area relating to the licensing objectives, such as a general (crime and disorder) situation in a town centre, should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time, could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 11.9 Where a licensing authority receives a geographic cluster of complaints, the authority may consider whether these issues are the result of the cumulative impact of licensed premises within the area concerned. In such circumstances, the authority may also consider whether it would be appropriate to include a special policy relating to cumulative impact within its licensing policy statement. Further guidance on cumulative impact policies can be found in Chapter 13 of this Guidance.
- 11.10 Representations must be made in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing. Representations may be made electronically, provided the licensing authority agrees and the applicant submits a subsequent written representation. The licensing authority may also agree in advance that the representation need not be given in writing.
- 11.11 It is important to recognise that the promotion of the licensing objectives relies heavily on a partnership between licence holders, authorised persons, responsible authorities and any other persons in pursuit of common aims. Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.

11.12 If the application for a review has been made by a person other than a responsible authority (for example, a local resident, residents' association, local business or trade association), before taking action the licensing authority must first consider whether the complaint being made is relevant, frivolous, vexatious or repetitious. Further guidance on determining whether a representation is frivolous or vexatious can be found in Chapter 9 of this Guidance (paragraphs 9.4 to 9.10).

REPETITIOUS GROUNDS OF REVIEW

11.13 A repetitious ground is one that is identical or substantially similar to:

- a ground for review specified in an earlier application for review made in relation to the same premises licence or certificate which has already been determined; or
- representations considered by the licensing authority when the premises licence or certificate was granted; or
- representations which would have been made when the application for the premises licence was first made and which were excluded then by reason of the prior issue of a provisional statement; and, in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or grant.

11.14 Licensing authorities are expected to be aware of the need to prevent attempts to review licences merely as a further means of challenging the grant of the licence following the failure of representations to persuade the licensing authority on an earlier occasion. It is for licensing authorities themselves to judge what should be regarded as a reasonable interval in these circumstances. However, it is recommended that more than one review originating from a person other than a responsible authority in relation to a particular premises should not be permitted within a 12 month period on similar grounds save in compelling circumstances or where it arises following a closure order.

11.15 The exclusion of a complaint on the grounds that it is repetitious does not apply to responsible authorities which may make more than one application for a review of a licence or certificate within a 12 month period.

11.16 When a licensing authority receives an application for a review from a responsible authority or any other person, or in accordance with the closure procedures described in Part 8 of the 2003 Act (for example, closure orders), it must arrange a hearing. The arrangements for the hearing must follow the provisions set out in regulations. These regulations are published on the Government's legislation website (www.legislation.gov.uk). It is particularly important that the premises licence holder is made fully aware of any representations made in respect of the premises, any evidence supporting the representations and that the holder or the holder's legal representative has therefore been able to prepare a response.

POWERS OF A LICENSING AUTHORITY ON THE DETERMINATION OF A REVIEW

- 11.17 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.
- 11.18 The licensing authority may decide that the review does not require it to take any further steps appropriate to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.
- 11.19 However, where responsible authorities like the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate.
- 11.20 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:
- to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
 - to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
 - to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
 - to suspend the licence for a period not exceeding three months;
 - to revoke the licence.
- 11.21 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response.

- 11.22 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.
- 11.23 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.
- 11.24 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

REVIEWS ARISING IN CONNECTION WITH CRIME

- 11.25 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises; money laundering by criminal gangs, the sale of contraband or stolen goods, or the sale of firearms. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts of law. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.
- 11.26 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.

- 11.27 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual licence holder.
- 11.28 As explained above, it is not the role of a licensing authority to determine the guilt or innocence of individuals charged with licensing or other offences committed on licensed premises. There is therefore no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. As stated above, at the conclusion of a review, it will be for the licensing authority to determine on the basis of the application for the review and any relevant representations made, what action needs to be taken for the promotion of the licensing objectives in respect of the licence in question, regardless of any subsequent judgment in the courts about the behaviour of individuals.
- 11.29 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crime;
 - for the sale and distribution of illegal firearms;
 - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
 - for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
 - for prostitution or the sale of unlawful pornography;
 - by organised groups of paedophiles to groom children;
 - as the base for the organisation of criminal activity, particularly by gangs;
 - for the organisation of racist activity or the promotion of racist attacks;
 - for knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter;

- for unlawful gambling; and
- for the sale of smuggled tobacco and alcohol.

11.30 It is envisaged that licensing authorities, the police 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. We would also encourage liaison with the local Community Safety Partnership.

11.31 As noted below (Chapter 13, paragraph 13.59), it is unlawful to discriminate or to refuse service on grounds of race, disability, gender reassignment, pregnancy and maternity, religion and belief, sex and sexual orientation or by displaying discriminatory signs on the premises. Representations made about such activity from responsible authorities or other persons would be relevant to the promotion of the crime prevention objective and justifiably give rise to a review.

REVIEW OF A PREMISES LICENCE FOLLOWING CLOSURE ORDER

11.32 Licensing authorities are subject to certain timescales, set out in the legislation, for the review of a premises licence following a closure order. The relevant time periods run concurrently and are as follows:

- when the licensing authority receives notice that a magistrates' court has made a closure order it has 28 days to determine the licence review - the determination must be made before the expiry of the 28th day after the day on which the notice is received;
- the hearing must be held within 10 working days, the first of which is the day after the day the notice from the magistrates' court is received;
- notice of the hearing must be given no later than 5 working days before the first hearing day (there must be five clear working days between the giving of the notice and the start of the hearing).

REVIEW OF A PREMISES LICENCE FOLLOWING PERSISTENT SALES OF ALCOHOL TO CHILDREN

11.33 Where persistent sales of alcohol to children have occurred at premises, responsible authorities should consider applying for a review of the licence, whether there has been a prosecution for the offence under section 147A or a closure notice has been given under section 169A of the 2003 Act. In determining the review, the licensing authority should consider revoking the licence if it considers this outcome is appropriate. Responsible authorities should consider taking steps to ensure that a review of the licence is routine in these circumstances.

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