



REV1

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I PC [REDACTED] Haywood (insert name(s) of applicant) apply for the review of a premises licence under section 51/apply for the review of a club premises certificate under section 87 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 club premises, or if none, ordnance survey map reference or description

Biedronka, 225 Roundhay Road, Leeds

Post town
Leeds

Post code
LS8 4HS

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

Alan Amiri

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

PREM/03522/005

Part 2 – Applicant details

I am

Please tick ✓ yes

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

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

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

Surname First names

Please tick ✓ Yes

I am 18 years old or over

Current postal address
if different from
premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

(B) DETAILS OF OTHER APPLICANT

Name
Address
Telephone number (if any)
E-mail (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name PC [REDACTED] Neil Haywood
C/O Leeds District HQ Elland Road Police Station Elland Road LS118BU
Telephone number (if any)
E-mail [REDACTED]

This application to review relates to the following licensing objectives(s)

Please tick one or more boxes ✓

- | | | |
|----|--------------------------------------|-------------------------------------|
| 1. | the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2. | public safety | <input checked="" type="checkbox"/> |
| 3. | the prevention of public nuisance | <input type="checkbox"/> |
| 4. | the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 2)

On the 24th November 2017 & 22nd February 2018, Trading Standards carried out test purchase at the store. On both occasions, a purchase was made of cigarettes under their duty paid price

On the 25th November 2017 and the 5th March 2018, Trading standards carried out inspections. On both occasions, large quantities of illicit and counterfeit tobacco and cigarettes were seized. Alan Amari was present.

On the 26th April 2018, Trading standards seized counterfeit condoms and perfume from the store

On the 24th October 2023, Trading Standards carried out a test purchase at the store. A sale was made of cigarettes without the proper excise duty.

On the 2nd November 2023, Police and Trading Standards carried out a joint operation. Large amounts of counterfit and illicit tobacco and cigarettes were seized. Alan Amari was present.

On the 15th December 2023, Trading Standards carried out a test purchase at the store. A sale was made of cigarettes without the proper excise duty.

Biedronka is one of a number of premises in Harehills and the surrounding area possessing and selling products that are not compliant with regulations, and selling products without the correct duty paid. This is believed to be organised criminal activity.

The sale of smuggled goods is a criminal offence which must be taken especially serious given that Biedronka currently holds a premises licence. They are not promoting the licence objectives in that

they are committing criminal offences, and there are risks to public safety selling products that are not compliant with legal requirements.

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

Statement of Jason Bethell - Trading Standards officer detailing the various seizures

Statement of Mark McCombe – Trading Standards officer- Details seizures made on the 2nd November 2023.

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

If yes please state the date of that application

Day		Month		Year			

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

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

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 5). **If signing on behalf of the applicant please state in what capacity.**

Signature [REDACTED]

Date *18/12/23*

Capacity *Police officer.*

Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 6)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Notes for guidance

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

WITNESS STATEMENT

**Criminal Procedure Rules, r 27.2
Criminal Justice Act 1967, S. 9
Magistrates Courts Act 1980, 5B**

Statement of: Mark McCombe

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

Over 18

Occupation:

Trading Standards Officer

This statement (consisting of 2 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: 27/11/2023

Signature:M McCombe.....

I am a Trading Standards Officer employed by West Yorkshire Trading Standards (WYTS). I am an authorised officer under the Food Safety Act 1990, Food Information Regulations 2014 and Food Safety and Hygiene (England) Regulations 2013 and the Trade Marks Act 1994.

On 2nd November 2023 I took part in a large operation in Harehills, Leeds, concerned with illicit tobacco.

At approximately 10:30am I visited **Biedronka Stores Ltd**, 225 Roundhay Road, Harehills, Leeds, LS8 4HS. The purpose of the visit was to carry out an inspection of the premises to identify any illicit tobacco and to conduct a general inspection of the premises including a routine food standards inspection. Upon entering, I introduced myself to the person behind the serving counter to the right of the front door and showed my ID card. I explained the purpose of my visit. The person gave his name as [REDACTED] and stated he was a Sales Assistant. Prior to carrying out any inspection I issued [REDACTED] with a Notice of Powers and Rights.

Signed.....M McCombe.....

Dated 27/11/2023

Page 1 of 2

I was accompanied by Carmel Brennand, Senior Licensing Enforcement Officer with Leeds City Council and I continued to conduct my inspection.

During the inspection I examined several shelves at the service counter and discovered a bag hidden under the counter containing 15 packets of assorted rolling tobacco of various brands. In addition, I discovered a box under the counter containing packets of cigarettes. In total there were 132 packets of cigarettes which I recorded on a Record of Inspection form. All the tobacco products appeared to be non-compliant as the packets did not display the combined health warnings and/or were not in the required standardised packaging.

I duly inspected the stockroom at the back of store. No further illicit tobacco was found but I did notice two very large metal safe containers which I attempted to inspect. Both containers were locked. I asked [REDACTED] if he had a key. He replied that he did not.

A short while later a man who introduced himself as Mr Alan Amiri, owner attended the shop. I explained that I had discovered what appeared to be illicit tobacco and that I would be taking the items away as evidence. I asked Mr Amiri what was in the two metal containers. He stated that he did not know as he had never had a key for them – the containers being left by the previous business owner.

Signed.....M McCombe.....

Dated 27/11/2023

Page 2 of 2

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2
Criminal Justice Act 1967, S. 9
Magistrates Courts Act 1980, 5B

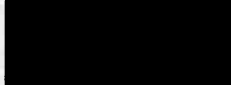
Statement of: Jason Lee BETHELL

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

Occupation: Illicit Tobacco officer

This statement (consisting of 4 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: 24/11/2023

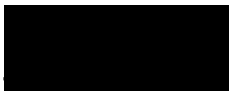
Signature: 

I am an Illicit Tobacco officer employed by West Yorkshire Trading Standards Service (WYTSS). I am an authorised officer for the purposes of the Trade Marks Act 1994, the Tobacco and Related Products Regulations 2016, the Standardised Packaging of Tobacco Regulations 2015 and the Consumer Rights Act 2015.

The Premises that is Biedronka Polski Sklep, 225 Roundhay Road, Leeds, LS8 4HS is well known to West Yorkshire Trading Standards due to complaints being received about the sale of illegal tobacco.

On 24/11/2017 and 22/02/2018 Test Purchases were conducted at the store, illegal packets of cigarettes were purchased on both occasions at a fraction of their genuine, duty paid price.

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

(Signed) 

Dated.....24/11/2023..... Page 1 of 4

To be completed if applicable:being unable to read the above statement I,of....., read it to him/her before he/she signed it. Signed Dated.....

WITNESS STATEMENT

**Criminal Procedure Rules, r 27.2
Criminal Justice Act 1967, S. 9
Magistrates Courts Act 1980, 5B**

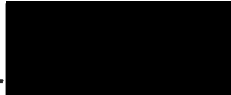
On 25/11/2017 and 05/03/2018 Inspection visits were conducted at the store. Substantial quantities of illegal counterfeit/illicit cigarettes and hand rolling tobacco were seized on both occasions. The business owner, Premises Licence Holder and Designated Premises Supervisor, Mr Alan Amiri, was present in the store. It was confirmed he knew the cigarettes and hand rolling tobacco were illegal and he was warned about continuing in their sale.

On 26/04/2018 a further visit was conducted at the store and quantities of counterfeit perfumes, cosmetics and condoms were seized.

On 24/10/2023 a test purchase was conducted at Biedronka Polski Sklep and an illegal packet of cigarettes was purchased for £4.00. This is well below the normal retail price of a genuine packet of cigarettes of over £12.00, around £8.00 of which would be excise duty that had clearly not been paid. The cigarettes were obtained from under the sales counter. The store had continued to sell illegal cigarettes.

On 02/11/2023 an inspection visit was conducted at Biedronka Polski Sklep by Trading Standards and Police officers. Mr Amiri was working at the store when it was visited. Illegal counterfeit/illicit cigarettes and hand rolling tobacco were seized from behind the counter. The total amount was 130 x 20 packets of cigarettes & 15 x 50g pouches of hand rolling tobacco

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

(Signed) 

Dated.....24/11/2023..... Page 1 of 4

To be completed if applicable:being unable to read the
above statement I,of.....,
read it to him/her before he/she signed it. Signed Dated.....




Continuation Statement of: Jason Lee BETHELL

I visually examined the tobacco products that were purchased and seized from the store. I could see they were not in the standardised format as required by The Standardised Packaging of Tobacco Products Regulations 2015 and were in violation of the Tobacco and Related Products Regulations 2016 as the prescribed health warnings were not present in English. From discrepancies in the packaging on some cigarettes and from the foreign excise stamps present on others it was clear to me the cigarettes were a mix of counterfeit and smuggled items

The sale of Counterfeit/Illicit Tobacco products is not a minor breach of Trading Regulations but is in fact Serious Organised Criminality. These items which cannot be legally sold in the UK are smuggled into the country on a vast scale. The Profits of this illegal trade going to criminals while the treasury is deprived of the Tax/Excise. The current yearly loss in revenue is in excess of £2.5 billion which in turn deprives public services of funding.

Smoking is the leading cause of preventable diseases in the UK and over half of long term smokers will die prematurely from smoking related diseases. Tobacco taxes are a proven strategy to reduce smoking and extend lives. The illegal, cheap sale of this product removes this incentive

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

(Signed) 

Dated.....24/11/2023..... Page 1 of 4

To be completed if applicable:being unable to read the above statement I,of....., read it to him/her before he/she signed it. Signed Dated.....



Continuation Statement of: Jason Lee BETHELL

of helping people to quit and also makes cigarettes more affordable to children, making it more likely they will start.

The supply of illegal tobacco not only causes harm to people but also causes genuine businesses to lose income and potentially close. This damages local communities with reduced employment and the loss of essential services.

The owner and Licensee of this business has ignored a warning to stop trading in illicit goods. West Yorkshire Trading Standards therefore fully supports a review of its alcohol licence.

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

(Signed) 

Dated.....24/11/2023..... Page 1 of 4

To be completed if applicable:being unable to read the above statement I,of....., read it to him/her before he/she signed it. **Signed** **Dated**.....

EW

PREM/03522/007



PREM4

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

Application to transfer premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure 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/We AZIZ AHMED (insert name(s) of applicant) apply to transfer the premises licence under section 42 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 03522/005

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 225 ROUNDHAY ROAD

Post town LEEDS Post code LS8 4HS

Telephone number at premises (if any) [REDACTED]

Please give a brief description of the premises SMALL MINI-SUPERMARKET

ENTERTAINMENT LICENSING 07 JUN 2019 RECEIVED

Name of current premises licence holder ALAN AMIRI

Part 2 – Applicant Details

In what capacity are you applying for the premises licence to be transferred to you?

- Please tick yes
- a) an individual or individuals* please complete section (A)
- b) a person other than an individual*
- i) as a limited company please complete section (B)
- ii) as a partnership please complete section (B)
- iii) as an unincorporated association or please complete section (B)
- iv) other please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) The proprietor of an educational establishment please complete section (B)
- f) A health service body please complete section (B)
- g) A person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of the Part) in an independent hospital in England please complete section (B)
- h) The chief officer of police of a police force in England and Wales please complete section (B)

*If you are applying as a person described in (a) or (b) please confirm

- Please tick yes
- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities or
 - I am making the application pursuant to a
 - o statutory function or
 - o a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

Surname

First names

AHMED

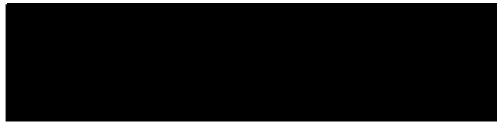
AZIZ

Date of Birth



I am 18 years old or over

Nationality



Where applicable (if demonstrating a right to work via the Home Office online right to work checking service) the 9-digit share code provided to the applicant by that service (please see note 2 for information)

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

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

Surname

First names

Please tick yes

Date of Birth

I am 18 years old or over

Nationality

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service) the 9-digit share code provided to the applicant by that service (please see note 2 for information)

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example partnership company unincorporated association etc)
Telephone number (if any)
E-mail address (optional)

Part 3

Are you the holder of the premises licence under an interim authority notice? Please tick yes

Do you wish the transfer to have immediate effect?

If not when would you like the transfer to take effect?

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

I have enclosed the consent form signed by the existing premises licence holder

If you have not enclosed the consent form referred to above please give the reasons why not. What steps have you taken to try and obtain consent?

Please tick yes

If this application is granted I would be in a position to use the premises during the application period for the licensable activity or activities authorised by the licence (see section 43 of the Licensing Act 2003)

- I have enclosed the premises licence

If you have not enclosed premises licence referred to above please give the reasons why not

- I have made or enclosed payment of the fee
- I have enclosed the consent form signed by the existing premises licence holder or my statement as to why it is not enclosed
- I have enclosed the premises licence or relevant part of it or explanation
- I have sent a copy of this application to the chief officer of police today
- I have sent a copy of this application to Home Office Immigration Enforcement today

[Applicable to all individual applicants including those in a partnership which is not a limited liability partnership but not companies or limited liability partnerships]

- I have included documents or my Home Office online right to work checking service share code to demonstrate my entitlement to work in the United Kingdom (please read note 2)

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION ASYLUM AND NATIONALITY ACT 2006 AND PURUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 2)

Part 4 – 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	[REDACTED]
Date	4/6/2019
Capacity	PARTNER

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 5) **If signing on behalf of the applicant please state in what capacity**

Signature	
Date	
Capacity	

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

Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Notes for guidance

- 1 Describe the premises For example the type of premises its general situation and layout and any other information which would be relevant to the licensing objectives
- 2 **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who

- does not have the right to live and work in the UK or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity They do this in one of two ways 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified) or 2) by providing their share code to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below)

WITNESS STATEMENT


**Criminal Procedure Rules, r 27.2
Criminal Justice Act 1967, S. 9
Magistrates Courts Act 1980, 5B**

Statement of: Jason Lee BETHELL

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


Occupation: Illicit Tobacco officer

This statement (consisting of 1 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: 18/12/2023 **Signature:** 

I am an Illicit Tobacco officer employed by West Yorkshire Trading Standards Service (WYTSS). I am an authorised officer for the purposes of the Trade Marks Act 1994, the Tobacco and Related Products Regulations 2016, the Standardised Packaging of Tobacco Regulations 2015 and the Consumer Rights Act 2015.

On 12/12/2023 a further test purchase was conducted at Biedronka Polski Sklep, 225 Roundhay Road, Leeds, LS8 4HS and an illegal packet of cigarettes was again purchased for £4.00. This is well below the normal retail price of a genuine packet of cigarettes of over £12.00, around £8.00 of which would be excise duty that had clearly not been paid. The cigarettes were obtained from a vehicle parked in front of the store and brought inside to the sales counter to make the sale. This store has continued to sell illegal counterfeit/illicit cigarettes.

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

Dated.....18/12/2023..... **Page 1 of 1**

To be completed if applicable:being unable to read the above statement I,of....., read it to him/her before he/she signed it. **Signed** **Dated**.....