

WITNESS STATEMENT

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

Statement of: Babul Hussain

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

Occupation: Lead Cheap and Illicit Tobacco 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: 01/12/2023

Signature:



I am the Lead Cheap and 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 30/08/2023 I attended at B K News, 78 Harehills Road, Harehills, Leeds, LS8 5NU to take part in an inspection visit. The business owner Mr Aamir Masood was working at the store. I could see a substantial quantity of disposable electronic cigarettes for sale behind the counter. The Tobacco and Related Products Regulations 2016 limits the tank capacity of disposable electronic

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

(Signed) 

Dated.....01/12/2023.....

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**

cigarettes, otherwise known as vapes, to a volume not exceeding 2ml which provides around 600 puffs. I examined some of the electronic cigarettes on sale and could see they were in breach of

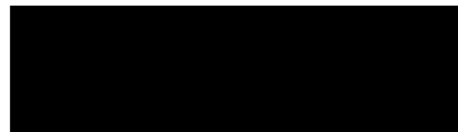
Continuation Statement of: Babul Hussain

this legislation by containing more than 2ml of liquid and are therefore illegal to be sold in the UK. Further quantities of illegal electronic cigarettes were recovered from the downstairs store room. The total amount seized was 1,601 disposable electronic cigarettes.

HMRC officers were also present at the store and seized quantities of non duty paid alcohol.

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

(Signed)



Dated.....01/12/2023.....

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**.....



ZOMM
MEAN COOL
TECHNOLOGY
CHERRY
KING 5%
2% 3% 5%
0.000

ZOMM
MEAN COOL
TECHNOLOGY
COOL MINT PUFFS
0% 2% 3% 5%
0.000

ZOMM
MEAN COOL
TECHNOLOGY
RED ENERGY ICE
0% 2% 3% 5%
0.000

ZOMM
MEAN COOL
TECHNOLOGY
CHERRY
0% 2% 3% 5%
0.000

ZOMM
MEAN COOL
TECHNOLOGY
COOL MINT PUFFS
0% 2% 3% 5%
0.000

ZOMM
MEAN COOL
TECHNOLOGY
ROCK N ROLL
0% 2% 3% 5%
0.000

ZOMM
MEAN COOL
TECHNOLOGY
CHERRY
0% 2% 3% 5%
0.000

ZOMM
MEAN COOL
TECHNOLOGY
COOL MINT PUFFS
0% 2% 3% 5%
0.000

ZOMM
MEAN COOL
TECHNOLOGY
RED ENERGY ICE
0% 2% 3% 5%
0.000

ZOMM
MEAN COOL
TECHNOLOGY
CHERRY
0% 2% 3% 5%
0.000

ZOMM
MEAN COOL
TECHNOLOGY
COOL MINT PUFFS
0% 2% 3% 5%
0.000

ZOMM
MEAN COOL
TECHNOLOGY
RED ENERGY ICE
0% 2% 3% 5%
0.000



FAO: Leeds City Council's
Entertainment Licensing Team

**Gipton & Harehills Ward
Labour Councillors
Councillor Arif Hussain
Councillor Salma Arif
Councillor Ashgar Ali**
Civic Hall
Leeds, LS1 1UR
Civic Tel [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
20.12.23

Dear To Whom It May Concern

Subject: Licence Review, BK Store, 78 Harehills Road, Harehills, Leeds, LS8 5NU PREM/01064/004

As ward Councillors we are writing to **support** the licence review of BK Store on Harehills Road.

BK Store is located on one of Harehills' main arteries, Harehills Road, a busy thoroughfare that cuts through the heart of a densely populated residential area. Harehills Road is also an area that is already saturated with retail outlets legally selling alcohol.

To put this into context, along Harehills Lane and Harehills Road, approximately 70% of shops are selling alcohol. These alcohol outlets sit – quite literally – adjacent to people's homes, children's schools as well as places of worship. Harehills is a densely populated neighborhood; a place where what happens on the street has a huge impact on the local community.

According to the 2019 Index of Multiple Deprivation, Gipton & Harehills Ward has 17 Lower Super Output Areas (LSOAs) that are amongst the 10% most deprived in the country. That is more than any other Ward in Leeds. Coupled with this cumulative deprivation is the fact that Gipton & Harehills Ward is:

- Gipton and Harehills is second most populated Ward in Leeds with 33,645 residents living in 12,400 properties; nearly 10% of homes are classed as overcrowded.
- The Ward is both young and dynamic; 29.5% of residents are children and young people aged 14 or under. 53% of the population is aged 29 or under.
- 4,303 children and young people aged 0-15 in Gipton & Harehills live in the most income deprived households in England.

- Whilst 62.4% of the population is economically active; long term unemployment is double the Leeds average and those that have never worked is at 15.2%, which is nearly four times the Leeds average. Women from the Ward active in the job market is also notably lower than the Leeds average.
- 33.3% of working age people are receiving universal credit.
- Gipton and Harehills Ward is very diverse, with 63% of the population identifying as being from an ethnic minority; 72% of households reported that English was a first language.
- As a migration hub, the Ward has hundreds of languages spoken and numerous faiths live in close proximity (75% of households identify as being religious against a Leeds average of 65%).
- Nearly 56% of households don't have access to a car or van.
- Fuel poverty for the Ward stands at 29.9%, 8.4% of households don't have central heating.
- Crime is higher than the Leeds average with violence and sexual assault, public order, ASB and criminal damage presenting as the main issues

Source: <https://observatory.leeds.gov.uk/deprivation>

Numerous residents, both young and old and of all faiths and backgrounds, have talked to all three of us about their experiences of drink related abuse and violence on their doorstep. This behaviour as led to damage to property, broken glass, urine and worse left on the pavements outside of people's homes.

Against this backdrop, the idea that a business in the heart of a residential area in Harehills could be not only operating illegally but compounding these issues by selling alcohol to underage children is simply staggering.

Such is the scale of alcohol related issues in Harehills, a Cumulative Impact Assessment (CIA) was introduced by the council in early 2019 and has been re-drafted and enlarged in November 2022; this enlarged area now includes the site of BK Store:

<https://democracy.leeds.gov.uk/documents/g11973/Public%20reports%20pack%2029th-Nov-2022%2010.00%20Licensing%20Committee.pdf?T=10> The response from Harehills residents to the CIA consultation was both compelling and shocking, but sadly not surprising.

Indeed, we feel passionately that this licence should be reviewed in light of the compelling evidence presented by the Police, as letting this business trade illegally would be seriously damaging to the health of the people of Harehills; from local residents, parents and children who have to witness anti-social behaviour on their doorstep as the result of alcohol abuse to the vulnerable children who may exposure to alcohol and tobacco products that they otherwise wouldn't have access to.

For over three years, a dedicated partnership made up of local Cllrs, council officers, the Police and representatives from the community and voluntary sector have sought to address the issue of problem drinking in Harehills. Problem street drinking is a tragic but inevitable bi-product of the availability of cheap alcohol, sold from numerous outlets, at all hours.

This latest development around the sale of illegal alcohol to children is a major concern. The following paragraphs outline the arduous journey that has been undertaken to help tackle problem drinking in adults in Harehills. To think that potentially another generation of our children could be embarking on this path because of access to illegal alcohol is frankly terrifying and cannot be allowed to happen.

To expand, the multi-agency partnership is taking-up this complex challenge is on several fronts. Focus is being given to disruption, which includes enforcing the existing Public Space Protection Order (PSPO: <https://www.leeds.gov.uk/antisocial-behaviour-and-crime/public-spaces-protection-orders/harehills-pspo>) and serving injunctions on the more troublesome street drinkers.

In tandem to this approach, there is also a concerted effort to engage with this cohort of drinkers to address their needs around addiction. This work has proven challenging for the partnership given the obvious tension between balancing the imperative to support individuals who are addicted to alcohol and the concerns of the wider community who are suffering because of their actions. A constant pressure for the partnership is allowing the space and time for the outreach work to pay dividends whilst demonstrating to residents that this issue is being taken seriously via enforcement activity that reduces unacceptable levels of anti-social behaviour.

Genuine relationships are being forged under difficult circumstances by Touchstone's dedicated outreach worker who has conducted numerous visits to the Harehills area to date. Allied to this, alcohol supply has sought to have been addressed through the continued defence of the council's Cumulative Impact Assessment (CIA) and the opposition of any new off licenses; four applications have been declined in recent times, but tens of off-licences remain in a less than two-mile square radius. A prominent derelict site on Compton Road has also been target hardened following work by Cleaner Neighbourhoods Team colleagues, as it was a magnet for street drinkers.

Ward Members from both Gipton and Harehills and Burmantofts and Richmond Hill have committed funding for the Touchstone outreach worker, with group sessions for this cohort taking place at a local café on Harehills Lane. Encouragingly, around 12-15 people now regularly attend and engage with support services at these sessions, with over 129 individuals with alcohol dependency issues attending since October 2021.

Incremental progress is being made with two attendees in rehab; one individual is not attending due to "now working" and some of those who attended on a regular basis

are now staying at home, in a relationship or visiting family i.e. positive lifestyle changes. Most refrain from drinking to attend the session then go home afterwards. Furthermore, some clients changed their drinking behaviour and reported increased confidence and self-worth. In addition, there was a take up of new registrations with Forward Leeds, who supported the drop in sessions.

Allied to this, colleagues in Leeds Anti-Social Behaviour Team, along with the Police and the Safer, Stronger Communities Team are constantly working in partnership using all the available legislation including the Anti-Social Behaviour Crime and Policing Act 2014 to address the issue of problem street drinking and associated community concerns.

The innovative use of 'Closure Orders', granted under anti-social behaviour legislation further bolstered the existing PSPO in the area for a time. The Closure Order, which denied access to a specific area if people are in possession of an open container of alcohol, also gave officers additional powers to ensure there was the necessary balanced approach that allowed officers to support the needs of the community as well as the needs of a group of individuals with very serious challenges around addiction.

East Leeds Neighbourhood Policing Team undertook the following action in relation to the Closure Order, which ran from December 2021 until June 2022:

- 92 x individuals issued with warnings
- 36 x individuals reported for summons to court, for breaching the order and previous warnings issued
- 7 x individuals arrested for offences including breach of the closure order, breach of bail and drunk and disorderly.
- 3 x individuals prosecuted and fined in court, for breaching the partial closure order

Closure Order: <https://www.westyorkshire.police.uk/news-appeals/new-powers-tackle-street-drinking-harehills-leeds>

As a community, along with the council, statutory services and local community and voluntary sector groups we are exhaustively trying to redress the current imbalance in an area where alcohol misuse is having a detrimental effect on the lives of residents.

Ignoring the very real and serious concerns raised by the Police in this licence review, will be slap on the faces of everyone who has campaigned for the CIA, the PSPO, the closure order as well as those working hard to support people with alcohol addiction and those wanting a safer future for themselves and their children.

As Ward Councillors, we hope you will consider the concerns raised above and come to the decision that Harehills does not need, want or deserve an off license selling illegal alcohol, especially to our children.

We say with a united voice, please consider the impact on our children, they deserve so much better than this.

Yours sincerely



Councillor Arif Hussain

Councillor Salma Arif

Councillor Asghar Ali

Elections and Regulatory Services

Civic Hall
Leeds LS1 1UR

Our Ref: A80/CB/LIC/PREM/01064/005

Your Ref:

Contact: Carmel Brennand

Tel: [REDACTED]

Fax: [REDACTED]

Email: [REDACTED]

Date: 27 December 2023

Entertainment Licensing
Leeds City Council
Civic Hall
Leeds
LS1 1UR

Dear Sirs/Madam,

REVIEW APPLICATION UNDER THE LICENSING ACT 2003
PREMISES: N.A.NEWS LIMITED, 78 HAREHILLS ROAD, LS8 5NU

Please accept this formal representation by an officer on behalf of the Licensing Authority. I am employed as a Senior Liaison & Enforcement Officer within Leeds City Council's Entertainment Licensing Section.

My duties include investigating complaints for licensed/unlicensed premises contrary to the Licensing Act 2003 as well as visiting licensed premises with other agencies to ensure compliance under the Licensing Act 2003, in promoting the four licensing objectives; the prevention of crime and disorder; public safety; the prevention of public nuisance and the protection of children from harm. I have delegated authority under the said Act.

The shop at this address has been licensed to sell alcohol for consumption off the premises since 2nd September 2005. The Premises Licence permits the retail sale of alcohol from 06:00 to 23:00 Monday to Saturday and 07:00 to 23:00 on Sundays with the opening and closing times being the same. The current Premises Licence Holder (PLH) and Designated Premises Supervisor Mr Aamir Masood has been specified on the Premises Licence since 21st June 2018.

Although the Premises Licence is issued to N.A.News Limited, the premises are known as and has signage as B.K.Stores.

There have been issues with this shop on and off for years and I have visited several times with the then Police Licensing Officer, the Neighbourhood Policing Team Sergeant as well as the Council's Anti-Social Behaviour Team in respect of street drinkers congregating outside and the resultant anti-social behaviour, littering and intimidation of local residents.

On the 10th November 2022 I was working with Home Office Immigration Officers (HOIE) when we attended at B.K.Stores at 15:25. The PLH and DPS Mr Aamir Masood was on site. I conducted an inspection under the Licensing Act 2003 whilst the HOIE spoke to members of staff.

The Part A and B of the Premises Licence were in order. I noted Check 21 posters displayed behind the counter. When I asked to look at the cctv monitor which showed 8 cameras on the system, I noted that the time on the monitor was 1 hour out. Mr Masood rectified this straight away. However when I asked to look at footage from 31 days prior, it became clear the system was only recording since the 23rd October which is only 18 days. I explained to Mr Masood that every time a can of beer or a bottle of vodka is sold if alcohol is sold when the cctv is not compliant, him and/or his staff are committing offences under Section 136 of the Licensing Act 2003, namely:-

- 1) A person commits an offence if -
 - (a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or
 - (b) he knowingly allows a licensable activity to be so carried on.
- (4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to a unlimited fine, or to both.
- (5) In this Part "authorisation" means -
 - (a) a premises licence,
 - (b) a club premises certificate, or
 - (c) a temporary event notice in respect of which the conditions of section 98(2) to (4) are satisfied.

Mr Masood explained that he had a new system fitted on the 23rd October. I advised him I would return after the 23rd November to check.

On checking the basement I counted 36 crates of lager which were Polish in origin and noted that the ingredients were not listed in English. When I checked the fridges in the shop area, there was a substantial amount of the same. When I explained to Mr Masood that he can not display for sale alcohol that is not marked in English, he said that a polish man delivered it in a van. I advised him that these items should be removed from sale.

I produce a copy of the inspection dated 10th November which Mr Masood signed before he received a copy, as my exhibit CB 1.

HOIE arrested 2 males for working without the right to do so.

The day after I sent the information on imported beers to Trading Standards.

At 10:10 on the 30th November 2022 I revisited the shop with [REDACTED], a Food Officer with Trading Standards. Mr [REDACTED] was the only member of staff working at the time. We introduced ourselves and explained the reason for the visit. We found a substantial amount of refrigerated food past its use by date, i.e. meat and sandwiches, some from dating back to August and September. [REDACTED] completed a record of inspection which Mr [REDACTED] refused to sign. Mr [REDACTED] was given a copy of the inspection record.

[REDACTED] also checked the lagers in the fridges and advised [REDACTED] that those that did not have allergens stated, i.e. wheat or gluten should be removed; such as the 'Perla' and 'Okoam' brands. Whilst 'Zuber' could not be sold in singles as allergens were not in English, they could be sold in packs of 4 as these were in plastic wrapping and the ingredients on the plastic wrapping was in English.

██████████ was unable to operate the cctv system so I asked him to ask Mr Masood to send me a screen shot of the cctv showing 31 days recording.

On the 7th December 2022 Mr Masood sent me an email with a screenshot of the cctv showing it was recording from the 1st November 2022, so now compliant.

Due to the large quantity of seized food items during our visit ██████████ determined to prosecute Mr Masood and asked for a statement from me.

I produce a copy of my statement dated the 2nd March 2023 as my exhibit CB 2.

On the 25th September 2023 West Yorkshire Police conducted a test purchase at these premises and a member of staff sold alcohol to a child. Although this person stated they had only been in the country a couple of weeks, he was not working at the shop; just helping out.

This member of staff has committed an offence under Section 146 and the Premises Licence Holder and Designated Premises Supervisor and/or other managers have potentially committed offence under Section 147 of the Licensing Act 2003, namely:-

This is an offence under Sections 146 & 147 of the Licensing Act 2003 :

146 Sale of alcohol to children

(1) A person commits an offence if he sells alcohol to an individual aged under 18.

(4) Where a person is charged with an offence under this section by reason of his own conduct it is a defence that—

(a) he believed that the individual was aged 18 or over, and

*(b) either— (i) he had taken all reasonable steps to establish the individual's age, or
(ii) nobody could reasonably have suspected from the individual's appearance that he was aged under 18.*

(5) For the purposes of subsection (4), a person is treated as having taken all reasonable steps to establish an individual's age if—

(a) he asked the individual for evidence of his age, and

(b) the evidence would have convinced a reasonable person.

(6) Where a person ("the accused") is charged with an offence under this section by reason of the act or default of some other person, it is a defence that the accused exercised all due diligence to avoid committing it.

(7) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

147 Allowing the sale of alcohol to children

(1) A person to whom subsection (2) applies commits an offence if he knowingly allows the sale of alcohol on relevant premises to an individual aged under 18.

(2) This subsection applies to a person who works at the premises in a capacity, whether paid or unpaid, which authorises him to prevent the sale.

(5) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

On the 30th August 2023 I took part in a multi-agency operation visiting shops in the Harehills area. At 11:10 am I attended at B.K.Stores with PS Chris Secker and Ms Nicola Raper, Section

Head of Entertainment Licensing. The PLH and DPS Mr Masood was on site as well as Mr [REDACTED] I checked the cctv and confirmed it was recording from the 23rd July. Mr Masood stated that he was adding 4 more cameras.

Officers from His Majesty's Revenue & Customs (HMRC) and Trading Standards were already on site.

HMRC were seizing wines, spirits and beers that Mr Masood could not provide invoices for, saying that he bought the stock from a white van man whilst Trading Standards Officers were seizing illegal vapes.

On the 8th September 2023 Mark McCombe emailed me the results of the successful prosecution against Mr Masood under the Food Safety and Hygiene (England) Regulations 2013.

I produce a copy of the press release dated 4th September 2023 as my exhibit CB 3.

It is clear from the serious and continuous breaches of the Licensing Act 2003, the seizures of illicit alcohol and illegal vapes that Mr Aamir Masood does not take his responsibilities seriously. He has failed to comply with a variety of legislation and is unconcerned about the impact his business has on the immediate community. It is clear that he has failed to operate responsibly in upholding the objectives; namely the protection of children from harm, the prevention of crime and disorder public safety. I therefore support the review being brought by West Yorkshire Police.

Yours faithfully

[REDACTED]

Mrs Carmel Brennand
Senior Liaison & Enforcement Officer
Entertainment Licensing



£180 ANNUAL FEE DUE 24.11.22.

Licensing Act 2003
Record of Inspection



Leeds
CITY COUNCIL

UGNF/01678

Premises Details		Inspection Details	
Licence Number: <u>Prem/01044/004</u>		Date: <u>10.11.22</u> Time In: <u>1525</u> Time Out:	
Name: <u>N.A. NEWS</u>		Authorised Officer:	
Address: <u>78 HARMIUS ROAD</u>		Other officers:	
<u>LS8 5NU.</u>		In company with WYP/BTP/TS <u>HOIE</u>	
Other Agency:			
Premises Licence Holder/DPS: <u>AAMIR MASOOD</u>			Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
X	Matters arising (Advice given marked with "X" in left-hand column)	Timescale	
<input checked="" type="checkbox"/>	<u>PART A IN ORDER</u>		
<input checked="" type="checkbox"/>	<u>PART B DISPLAYED.</u>		
<input checked="" type="checkbox"/>	<u>CHECK 21.</u>		
<input checked="" type="checkbox"/>	<u>CCTV 1 HOUR OUT.</u>		
<input checked="" type="checkbox"/>	<u>CCTV SHOULD BE 31 DAYS RECORDING.</u>		
<input checked="" type="checkbox"/>	<u>REMOVE FROM SALE ANY BEER LAGER THAT INGREDIENTS ARE NOT IN ENGLAND.</u>	<u>BY 23.11.22!</u>	
<input type="checkbox"/> No action required		<input checked="" type="checkbox"/> Action required; contravention(s)/breach of condition(s) as above	
Signatures			
Authorised Officer's signature: 		Date: <u>10.11.22</u>	
		Time: <u>1625</u>	
Appropriate person at premises			
I certify that the issue(s) identified have been brought to my attention and I undertake to rectify any breaches by the agreed timescale(s) set out above. I have been advised that a revisit will be made to ensure that the breaches have been rectified. I will ensure that the Premises Licence Holder and Designated Premises Supervisor is informed of this inspection and the findings at the earliest opportunity.			
Print Name: 		Date:	
Signed:		Time:	
Position:			

Enforcement Powers and Offences - Licensing Act 2003

Section 136 – Unauthorised licensable activities

- (1) A person commits an offence if –
 - (a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or
 - (b) he knowingly allows a licensable activity to be so carried on.
- (4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine, or to both.
- (5) ... "authorisation" means –
 - (a) a premises licence,
 - (b) a club premises certificate, or
 - (c) a temporary event notice in respect of which the conditions of section 92(2) to (4) are satisfied.

Summary of other offences (Licensing Act 2003) (not exhaustive):

Unauthorised licensable activities

- section 137 Exposing alcohol for unauthorised sale
- section 138 Keeping alcohol on premises for unauthorised sale etc.

Drunkenness and disorderly conduct

- section 140 Allowing disorderly conduct on licensed premises etc.
- section 141 Sale of alcohol to a person who is drunk
- section 142 Obtaining alcohol for a person who is drunk
- section 143 Failure to leave licensed premises etc.

Smuggled goods

- section 144 Keeping of smuggled goods

Children and alcohol

- section 145 Unaccompanied children prohibited from certain premises
- section 146 Sale of alcohol to children
- section 147 Allowing the sale of alcohol to children
- section 147A Persistently selling alcohol to children
- section 147B Order suspending a licence in respect of offence under section 147A
- section 149 Purchase of alcohol by or on behalf of children
- section 150 Consumption of alcohol by children
- section 151 Delivering alcohol to children
- section 152 Sending a child to obtain alcohol
- section 153 Prohibition of unsupervised sales by children
- section 154 Enforcement role for weights and measures authorities

Confiscation of alcohol

- section 155 Confiscation of sealed containers of alcohol

False statements relating to licensing etc

- section 158 False statements made for the purposes of this Act

Powers of Entry

- section 179 Rights of entry to investigate licensable activities (available to a constable or authorised person).

WITNESS STATEMENT

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

Statement of Carmel Brennand

Age/Date of Birth – Over 21 Occupation – Senior Liaison & Enforcement Officer

This statement (consisting of 2 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 for prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Dated 02/03/2023

Signature :

I am employed full - time as a Senior Liaison and Enforcement Officer with Leeds City Council's Entertainment Licensing Section. I have been employed in this role since 1st March 2006.

On 10th November 2022 I took part in a joint visit to **BK Stores**, 78 Harehills Road, Harehills, Leeds, LS8 5NU. During this visit I noted a substantial amount of beers and lagers where the ingredients were not in English. Shortly after the visit I contacted West Yorkshire Joint Services and informed them as to my observations.

On 17th November I was contacted by [REDACTED] Trading Standards Officer with West Yorkshire Trading Standards and discussed my observations.

On 30th November, under the supervision of the authorised Trading Standards Officer [REDACTED] [REDACTED] of West Yorkshire Joint Services I once more visited **BK Stores**. The purpose of the visit was to carry out an inspection of the premises to identify any incorrectly labelled beers and lagers and to conduct a general inspection of the premises including a routine food standards inspection. During the inspection [REDACTED] and I identified 47 items of food past the use by date which were being displayed for retail across two chilled refrigeration units. Collectively the 47 items of food added up to 2,772 days past the use by date. I identify a list of items found and procured past their use-by date as exhibit MM/1.

The following items of food past the durability use by date were:

- 3 x 'Ynoor Sliced Chicken' – use by date 3 November 2022
- 5 x 'Ynoor Sliced Chicken' – use by date 18 August 2022
- 9 x 'Ynoor Sliced Chicken' – use by date 1 September 2022
- 3 x 'Istanbul Sliced Chicken Tandoori' – use by date 30 September 2022
- 3 x 'Istanbul Sliced Beef' – use by date 25 August 2022
- 4 x 'Sliced Turkey Rashers' – use by 1 September 2022
- 1 x 'Ynoor Sliced Chicken' – use by date 11 September 2022
- 1 x 'Chicken Tikka Pasta' – use by date 26 November 2022
- 6 x 'Assorted Scoffers Sandwiches' – use by date 29 November 2022
- 3 x 'Assorted Big Bite Sandwiches' – use by date 29 November 2022
- 1 x 'Big Bite Ham & Chicken Mayo Sandwich' – use by date 26 November 2022
- 5 x 'Ynoor Sliced Turkey' – use by date 8 September 2022
- 2 x 'Snappy Snacks Chicken Tandoori Sandwich' – use by date 27 November 2022
- 1 x 'Rustlers Sausage Muffin' – use by date 21 November 2022

The items identified past their use by date were subsequently removed and procured by

[REDACTED]

Signature :

[REDACTED]

LEEDS SHOPKEEPER IN COURT

On Monday 4th September 2023 at Leeds Magistrates Court, Aamir Masood of BK Stores of Harehills was fined £3840, ordered to pay a contribution towards the prosecution costs of £1888.02 and a £1536 victim surcharge having pleaded guilty to offences under the Food Safety and Hygiene (England) Regulations 2013.

Officers from West Yorkshire Trading Standards conducted a routine inspection at BK Stores, 78 Harehills Road, Harehills, Leeds on 30th November 2022, and discovered 47 items of food past the use by date. The items of food collectively were 2,772 days past the use by date. The food items consisted of five packs of sliced chicken that were each 104 days past the use by date, a further nine packs of sliced chicken each 90 days past the use by date, three packs of sliced beef that were each 97 days past the use by date, 4 packs of turkey rashers that were each 90 days past the use by date and five packs of sliced turkey that were each 83 days past the use by date.

Mr Masood responded to an interview under caution by letter by Trading Standards where he outlined that his suppliers had failed to come and replace his out-of-date food and that date code checks were carried out once a week.

██████████ Trading Standards Manager - Business Services Team said "Businesses must ensure that they undertake regular date checks on items bearing use by dates, they must invest in appropriate staff training and recording methods to ensure these checks are performed. It is the responsibility of food retailers to ensure such checks take place. Use by dates are placed on foods which are highly perishable from a microbiological view and are therefore likely, after a short period, to constitute an immediate danger to human health. Trading Standards will continue to take action against any businesses flouting the law."

██████████ Member of the West Yorkshire Joint Services Committee which oversees the work of Trading Standards said, "The work of Trading Standards plays an important role in Food Standards. Food past the use by date cannot lawfully be sold, and retailers should make checks to ensure they do not offer for sale out of date food that is marked with a use by date. In this case, the items were significantly out of date and clearly should not have been offered for sale by the food business operator."

Consumers can report the sale of out-of-date "use by" foods to Trading Standards, by calling the Citizens Advice Consumer Helpline on 0808 223 1133.

Notes to Editors:

Images of the out of date food can be obtained from ██████████ or ██████████