

NOT PROTECTIVELY MARKED



**WEST YORKSHIRE
POLICE**

Leeds District Licensing Department

Licensing Department

Millgarth Police Station
Millgarth Street
Leeds
LS2 7HX

Tel: 0113 241 3057

Fax: 0113 241 3123

Email:

catherine.sanderson@westyorkshire.pnn.police.uk

Our ref: cs/licensingofficer/reviewrauth

20th September 2013

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

PRIVATE & CONFIDENTIAL

RE: APPLICATION FOR REVIEW OF PREMISES LICENCE

PREMISES:

**HYDE PARK NEWSAGENTS
7 HYDE PARK ROAD
WOODHOUSE
LEEDS
LS6 1PY**

In accordance with Section 51 Licensing Act 2003, I hereby serve the application on the following:

PREMISES LICENCE HOLDER:

**MR MOHEBULLAH NOORI
13 WETHERBY PLACE
BURLEY
LEEDS
LS4 2JG**

EACH RESPONSIBLE AUTHORITY – please take note:

Supplied to each Responsible Authority at this stage is the Review application only!

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Yours faithfully

**Cat Sanderson
Leeds District Licensing Officer
West Yorkshire Police**

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In accordance with Section 51 Licensing Act 2003, I hereby serve the application on the following:

PREMISES LICENCE HOLDER:

**MR MOHAMMED NOORI
13 WETHERBY PLACE
BURLEY
LEEDS
LS4 2JG**

EACH RESPONSIBLE AUTHORITY – please take note:

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Yours faithfully

**Cat Sanderson
Leeds District Licensing Officer
West Yorkshire Police**

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**Application for the 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 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,

Catherine Sanderson, North West Leeds Licensing Officer for West Yorkshire Police

Apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

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

Hyde Park Newsagents
7 Hyde Park Road
Woodhouse

Post town

LEEDS

Post code (if known)

LS6 1PY

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

Mr Mohebullah Noori and Mr Mohammed Akbar Noori

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

PREM/02598

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 Police Leeds District Licensing Department Millgarth Police Station Millgarth Street LEEDS LS2 7HX
Telephone number (if any) 0113 2413057
E-mail address (optional) catherine.sanderson@westyorkshire.pnn.police.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 | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

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

The premises have recently come to the attention of West Yorkshire Police via an application to extend the licensable activities. Upon receipt of the application checks were carried out with various agencies to ensure that there were no issues which had not been highlighted previously.

Information was received from HM Revenue & Customs investigators that there had been seizures made from these premises over the last 3 consecutive years, of counterfeit products and goods which had not had UK duty paid.

The Premises Licence Holder, Mr Mohammed Noori, is also a Premises Licence Holder for an off licence at 14 Eldon Terrace. Within the statement received from HM Revenue & Customs, those premises are also shown to have a number of seizures, again over the last 3 consecutive years, for products which are either counterfeit or have not had the UK duty paid. An application for review has also been submitted for the Premises Licence relating to this address.

Evidence shows there is a persistent and clear intention by the Premises Licence Holder to trade fraudulently at the premises, which undermines the Crime and Disorder licensing objective. These activities cannot be allowed to continue.

Counterfeit products with unclear manufacturing provenance are at risk of causing serious harm to the health of the general public; most consumers are not even aware that the items which have been sold to them are not genuine products; the bona fide varieties of which have undergone the appropriate testing procedures. It has been documented that counterfeit tobacco contains higher levels of nicotine and produce more carbon monoxide. They could also incorporate a seriously unhealthy mix of cancer-causing chemicals including arsenic, cadmium, benzene and formaldehyde – far greater than genuine cigarettes. It has also been

documented that illicit alcohol has been known to contain chemicals used in antifreeze within their manufacture, and can cause health issues ranging from nausea to blindness or even coma and death.

These premises are situated in a densely populated student area. The operators are exploiting the students' financial circumstances by selling the cheaper but unsafe products knowing that the customer base will want to buy them rather than question the origin of the cheaper items.

Duty evasion is a serious issue and undermines the UK's financial stability; on average the economy loses £2.2 billion from tobacco and £1.2 billion from alcohol per year. The penalties imposed for duty evasion can be an unlimited fine and/or up to 7 years imprisonment. In relation to the counterfeit products, there are unlimited financial penalties and /or up to 10 years imprisonment.

West Yorkshire Police support HM Revenue & Customs in jointly taking action in respect to these serious offences and upholding the licensing objectives.

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

Please tick yes

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

If yes please state the date of that application **N/A**

If you have made representations before relating to these 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 – Signature (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: 20th September 2013

Capacity: Divisional Licensing Officer, North West Leeds

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Mr. Bob Patterson	Cat Sanderson
Leeds District Licensing Dept	Leeds District Licensing Dept
Millgarth Police Station	Millgarth Police Station
Millgarth Street	Millgarth Street
Leeds	Leeds
LS2 7HX	LS2 7HX

Post town LEEDS

Post Code LS2 7HX

Telephone number (if any) 0113 241 4023/ 0113 241 3057

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) Robert.Patterson@westyorkshire.pnn.police.uk/
catherine.sanderson@westyorkshire.pnn.police.uk

Notes for Guidance

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

WITNESS STATEMENT

ENGLAND AND WALES ONLY

(Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B)

Statement of: Jai Vantoch-Wood

Age if under 18: over 18 (If over 18 insert 'over 18')

Occupation: Officer of HM Revenue & Customs

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.

Signature: Date: 27th August 2013

I am a Criminal Investigations officer for HM Revenue and Customs. I was attached to an Inland Operations team which conducted visits to retail premises within Yorkshire. I have recently been contacted by PC Catherine Sanderson from Leeds District Licensing Office, Milgarth Police Station, Leeds. PC Sanderson has asked me to research any dealings HMRC may have had with the below premises:

News and Booze, 14 Eldon Terrace Leeds LS2 9AB
Hyde Park News, 7 Hyde Park Road Leeds LS6 1PY

I have noted the dates and seizure amounts below for your information which I have taken from our Inland Detection Seizure file. These are not all seizures of goods I have been involved in personally:-

Goods seized from News And Booze, 14 Eldon Terrace Leeds LS2 9AB

Date	Goods Seized and circumstances
12/10/2011	190.5 litres Non UK duty paid mixed wines.
05/10/2012	15.4 litres counterfeit vodka.
31/05/2013	50g counterfeit Golden Virginia hand rolling tobacco.

Goods seized from Hyde Park News, 7 Hyde Park Road Leeds LS6 1PY

Date	Goods Seized
12/10/2011	46.5 litres Non UK duty paid mixed wines.
21/10/2011	200g counterfeit hand rolling tobacco.
10/07/2012	500 Non UK duty paid cigarettes, 0.5kg counterfeit hand rolling tobacco.
05/10/2012	800 Non UK duty paid cigarettes, 1.05kg counterfeit hand rolling tobacco, and 8.4 litres counterfeit vodka. Goods found behind kickboards under shelving
31/05/2013	60 Non UK duty paid cigarettes, 400g counterfeit hand rolling tobacco. Tobacco found in a concealment inside a live fuse box.

On each occasion, goods have been seized under section 139 of the Customs and Excise Management Act 1979 as not having UK Duty paid upon them. A warning letter has also been issued on each occurrence explaining the reason for seizure and that it is an offence to sell non UK duty paid goods.

Date: 27th AUGUST 2013Signature: 

(signature of witness)

Signature: _____

(signature witnessed by)

STATEMENT OF WITNESS: ENGLAND AND WALES ONLY