



 **West Yorkshire
Trading Standards**

Nepshaw Lane South, Morley, Leeds, LS27 7JQ
t 0113 253 0241



My Ref 019483

Date 2nd January 2018

Matter Dealt with by 

Tel 0113 393 9816

Leeds City Council
Entertainment Licensing
Civic Hall
Leeds
LS1 1UR

Dear Sirs

**Licensing Act 2003 Premises Licence Review
Krakow Mini Market, 35 Town Street, Armley, Leeds, LS12 1UX**

As a Responsible Authority under the Licensing Act 2003 West Yorkshire Trading Standards Service is seeking a review of the Premises Licence for the above premises

Details of the grounds for this application are set out in the attached documentation

Yours faithfully



Regulatory Compliance Officer

Encs



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 David Lodge acting on behalf of West Yorkshire Trading Standards Service

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, if none, ordnance survey map reference or description Krakow Mini Market, 35 Town Street,	
Post town Leeds	Post code (if known) LS12 1UX

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

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

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 7JQ (Case Officer David Clutterbrook)
Telephone number (if any) 0113 3939874
E-mail address (optional) david.clutterbrook@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 | <input type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

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

The facts of the case are as follows

The retail premises, **Krakow Mini Market, 35 Town Street, Leeds, LS12 1UX** was known to West Yorkshire Trading Standards Service (WYTSS) Intelligence received by WYTSS indicated that the business was dealing in illegal tobacco. This risks the health of many local citizens whilst subsequently depriving the exchequer of duty.

On 30/03/2017 officers from WYTSS carried out an inspection of the shop and found 3200 illegal cigarettes.

On 26/09/2017 an officer from WYTSS carried out a test purchase and was sold a 50g packet of Golden Virginia for £13 which was non-duty paid.

On 28/09/2017 officers from WYTSS carried out an inspection of the shop where 1220 illegal cigarettes were found concealed in the wall and in a bag in the bin outside the back of the shop.

All the tobacco products were examined, some were foreign labelled and non UK duty paid therefore it did not bear the statutory health warnings. Some were confirmed to be counterfeit in contravention to the Trade Marks Act.

1994

The street value of the total tobacco products seized is almost **£3,000** based on £13 a packet of tobacco product which is far lower than the recommended retail price

The proceeds of course all going to the trader with no duty being paid

The owner of this store has supplied illegal tobacco products and has shown a blatant disregard for the law. The supply of illegal tobacco causes genuine businesses to lose income which in turn affects the local economy as genuine businesses pay rent, rates, employ local people and buy products and services from other local businesses.

WYTSS, as a Responsible Authority, considers the matters outlined above to be extremely serious. In these circumstances WYTSS considers that they have no option other than to seek a review of the Premises Licence and would recommend a full revocation of the licence.

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

Please see attached package of papers to support this submission

Section 9 Statements from

Babul Hussain

Jason Bethell

Copy of seizure 30/03/2017

Copy of Code B Notice of Powers and Rights 30/03/2017

Copy of seizure 28/09/2017

Copy of Code B Notice of Powers and Rights 28/09/2017

Photographs of Seized Tobacco

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

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

Signature



Date

03-01-18

Capacity

HEAD OF SERVICE.

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

David Lodge Head of Trading Standards
Nepshaw Lane South
Morley

Post town
Leeds

Post Code
LS27 7JQ

Telephone number (if any) 0113 3939704

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) david.lodge@wyjs.org.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

