

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 Strover 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	
Mama Mia Convenience Store 274 Harehills Lane	
Post town Leeds	Post code (if known) LS9 7BD
Name of premises licence holder or club holding club premises certificate (if known)	
Mama Mia Convenience Store Ltd	
Number of premises licence or club premises certificate (if known)	
PREM/02846/008	

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 (WYTSS)

PO Box 5

Nepshaw Lane South

Morley

Leeds

LS27 7JQ

(Applicant : David Strover - Trading Standards Manager)

Telephone number (if any)

[REDACTED]

E-mail address (optional)

[REDACTED]

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 type="checkbox"/> |

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

The grounds for this application under s51 are as follows:

The retail premises, **Mama Mia Convenience Store, 274 Harehills Lane, Leeds, LS9 7BD** came to the attention of West Yorkshire Trading Standards Service (WYTSS) as Intelligence received indicated that the business was dealing in illegal tobacco. The business is a limited company, Mama Mia Convenience Store Ltd, with 2 directors, Mr Ali Mohamad and Mr Aram Ahmed Mohammedie. The limited company is the premises licence holder.

On 24th June 2020, two Police Community Support Officers were walking past the store when they looked inside and witnessed the sale of illegal tobacco. They went inside and were joined by police officers who carried out an inspection. Illegal tobacco was recovered from behind the counter and an upstairs room. The total amount seized was 2,757 x 20 packets of cigarettes and 496 x 50g pouches of hand rolling tobacco. Mr Mohammedie was present

at the store.

On 23rd November 2020, a Trading Standards Officer in plain clothes attended the store to make a test purchase. A Counterfeit packet of 20 Richmond cigarettes was purchased for £5.00. The cigarettes were fetched from the rear store room to be sold. The normal price for this item is over £10, over £6.00 of which is Excise Duty.

On 27th November 2020, Trading Standards Officers conducted an inspection visit at the store. Working behind the counter was the other company director, Mr Ali Mohamad. In the shop there were bags of illegal tobacco hung off the back of the counter in front of him. More illegal tobacco was recovered from bags in the rear store room and at the base of the stairs leading to the first floor. Illegal tobacco was hidden in a concealment in the rear store room wall and a concealment in the first floor ceiling behind a ceiling light. Total amount seized was 1,230 x 20 packets of cigarettes and 167 x 50g pouches of hand rolling tobacco. A large quantity of cash (approximately £33,000.00) was recovered from a bag in a room on the second floor. Every floor at the shop is stacked high with imported high strength lager and vodka so HMRC officers were notified and attended. They seized over 970 litres of non-UK duty paid vodka which has an estimated duty plus VAT evaded of £15,000.00.

On 25th February 2021, Trading Standards Officers conducted an inspection visit at the store. Mr Mohammedie was working at the store and in the process of making an illegal sale as officers entered. Illegal tobacco was recovered from boxes on top of display shelving. Total amount seized was 191 x 20 packets of cigarettes and 150 x 50g pouches of hand rolling tobacco.

The Designated Premises Supervisor, Sakar Khoshnaw, was not present at the store on any of the occasions it was visited. West Yorkshire Trading Standards have written to him at the contact address he provided, he has not responded. West Yorkshire Trading Standards have also tried to contact him via the email and telephone number he provided, again with no response.

When interviewed the 2 company directors answered no comment to questions put to them about their running of the business and the illegal tobacco/alcohol found on their premises. Mr Mohamad stated the cash recovered was from a bounce back loan withdrawn in cash to pay bills. He then stated a male he does not know left the illegal tobacco in the store saying he would come back for it and he never has.

The tobacco products recovered on each of the three times the store has been visited were are not labelled with the statutory health warnings required by the Tobacco and Related Products Regulations 2016 and did not have the plain packaging as required by the Standardised Packaging of Tobacco Products Regulations 2015. Other alleged offences being committed include ones under the Trade Marks Act 1994, Companies Act 2006 and Customs and Excise Management Act 1979. By committing these offences the licence holder is clearly failing to uphold the licencing objective to prevent crime and disorder.

The statutory health warnings which are absent on these tobacco products include "Smoking Kills" and "Smoking seriously harms you and others around you". These warnings were implemented in an effort to enhance the public's knowledge about the dangers and risks of using such tobacco products

All cigarettes pose a major health risk and contain hundreds of poisons, including dozens of cancer-causing chemicals. Over half of long term smokers die early of smoking related diseases.

The supply of cheap and illicit tobacco significantly undermines the government's policy of using tax to maintain the high price of tobacco and help reduce smoking.

By selling non packaging compliant cigarettes at less than half the normal

retail price, reducing the incentive for smokers to cut down and quit smoking, the premises licence holder is failing in its licencing objective to protect public safety.

Dealers in cheap and illicit tobacco products reap the financial benefits of supplying cheap cigarettes and tobacco at the expense of legitimate retailers by providing unfair competition to shops selling the genuine tax paid products. This may lead to honest retailers closing down and causing local economies to suffer.

The supply of illicit and counterfeit tobacco products costs the taxpayer over £2.5 billion per year in lost revenue.

The current Home Office Guidance issued under section 182 of the Licensing Act 2003 states:-

11.27 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 certain stated activity and includes:

- *for the sale or storage of smuggled tobacco and alcohol.*

11.28 It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) 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.

In conclusion:

The premises licence holder and owners of this store have continued to supply illegal tobacco products and trade illegally after numerous enforcement

interventions thereby showing a blatant disregard for the law and the prevention of crime and disorder licencing objective. West Yorkshire Trading Standards, as a Responsible Authority, considers the matters outlined above to be extremely serious as illegal contraband tobacco has been found at this premises and seized on three occasions.

In this context, WYTSS is making an application to the licensing authority for the revocation of the licence held by Mama Mia Convenience Store Ltd of Harehills, Leeds.

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:

Harry Chatband

Robin Fossett

Jason Bethell

Abigail Holroyd

Jai Vantoch-Wood

Plus Photographs of Seized Tobacco

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

21/9/21

Capacity

Trading Standards Manager

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

David Strover: Head of Trading Standards
Nepshaw Lane South
Morley

Post town
Leeds

Post Code
LS27 7JQ

Telephone number (if any)

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

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 16.2; 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 TWO 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: ¹ [REDACTED]

Date: 23/04/2021

Indicate if witness evidence is visually recorded² No (If YES, see guidance)

3

On 27th November 2020 at 13:50 I attended Mama Mia at 274 Harehills Lane Leeds LS9 7BD with other officers from HM Revenue and Customs under Section 112 of the Customs and Excise Management Act 1979 (CEMA). Already on the premises were officers from West Yorkshire Trading Standards and West Yorkshire Police who had requested the presence of HM Revenue and Customs. A large quantity of illicit cigarettes and cash had already been discovered by Trading Standards and the West Yorkshire Police.

Upon entry I spoke to a male who identified himself as Ali **AHMED**. Mr **AHMED** stated he has lived above the shop and worked there for 2 months. He stated he did not have any identification as the owner had taken it from him. Also working in the shop was a female who identified herself as [REDACTED]. She stated she had worked in the shop for 3-4 years. I was advised by Trading Standards officers that the owner was Aran Ahmed **MOHAMMEDIE**, However [REDACTED] stated the owner was called Aram **MOHAMAD**.

On display by the counter was Premises License **PREM/02846/008** in the name of Sakar **KHOSHNAW**. [REDACTED] advised me that this was an old license and that **KHOSHNAW** did not work at the shop.

Date: 23/04/2021

Signature: Jai Vantoch-Wood
(Signature of witness)

Signature: Enter Name
(Signature witnessed by)

Statement of: **Jai Vantoch-Wood**

Suspected non-UK duty paid alcohol was identified in the basement, the shop, the first floor and second floors of the premises. None of the spirits suspected of being non-UK duty paid displayed the correct UK duty stamps.

At 15:40 I advised Mr **AHMED** and [REDACTED] that I was seizing the following goods under section 139 of CEMA as I suspected no UK duty had been paid:

Item	Quantity
Vodka (37.5%abv)	160.8 litres
Vodka (30%abv)	74.1 litres
Vodka (38%abv)	4.2 litres
Vodka (40%abv)	734.1 litres
Whiskey (40%abv)	1.85 litres
Rum (35%abv)	0.7 litres
Smirnoff Ice (4%abv)	4.2 litres

In total, **979.9 litres** of non-UK duty paid alcohol were seized from the premises. The estimated duty plus VAT evaded was **£15,017.36**.

At 16:10 HMRC officers left the premises.

No paperwork was left in the shop by HMRC officers, but a letter of seizure was sent to Mr **MOHAMMEDIE** on 3rd December 2020. I now produce a copy of the notice of seizure as Exhibit **JVW0001**.

[Handwritten signature]

[REDACTED]

23/03/21

Date: 23/04/2021

Signature: Jai Vantoch-Wood
(Signature of witness)

Signature: Enter Name
(Signature witnessed by)

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: Regulatory Compliance 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: 19/04/2021

Signature: 

I am a Regulatory Compliance 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 3rd July 2020, I was at West Yorkshire Joint Services, Morley when I met PC FOSSETT and took from him possession of a large quantity of tobacco items. The total amount was 2,757 x 20 packets of cigarettes and 496 x 50g pouches of hand rolling tobacco. A Record of Property Seized was completed, which I exhibit as JLB/1, which detailed the items I took possession of. All the tobacco items were placed in secure storage at West Yorkshire Joint Services.

WITNESS STATEMENT

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

On 27th November 2020, I was in uniform with colleagues and police officers when I conducted an inspection visit at Mama Mia Convenience Store, 274 Harehills lane, Leeds LS9 7BD. Working behind the sales counter at the store was one of the company directors, Ali MOHAMAD who was served with a Notice of Powers and Rights. MOHAMAD indicated he did not understand English and could not write his name. He identified himself as what sounded like Ali AHMED, which was noted on the paperwork. There was a female stood waiting at the sales counter so I asked MOHAMAD to serve her so she could leave. MOHAMAD opened the till, took out £30.00 and handed it to the female who took it and left the store. I went to the side of the counter and looked behind it. I could see blue plastic bags hung off a hook at the back of the counter right in front of MOHAMAD which contained illegal packets of cigarettes, with different coloured packaging in breach of the plain packaging regulations.

A search of the store was conducted and further illegal packets of cigarettes and hand rolling tobacco were recovered from bin sacks on the rear store room floor, shopping bags on the floor at the base of the stairs, a hidden concealment in the rear store room wall and a concealment in the first floor ceiling behind a ceiling light. All the tobacco was photographed in situ, Exhibit JLB/2, prior to being recovered. I visually examined the tobacco products and 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

WITNESS STATEMENT

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

from the foreign excise stamps present on others it was clear to me the cigarettes were a mix of counterfeit and smuggled items. The total amount seized was 1,230 x 20 packets of cigarettes and 167 x 50g of hand rolling tobacco. A large quantity of cash was found in a room above the shop which was also photographed in situ, Exhibit JLB/3, before being recovered by the police. I looked behind the counter in the shop and saw a Lloyds Bank statement for Mama Mia Convenience Store Ltd business account showing the balance on 01/09/2020 to be in credit by £224,837,01. Also present behind the counter was a withdrawal slip for a withdrawal of £60,000.00 in cash from the business account on 23/10/2020. I took a photograph of both these items, Exhibit JLB/4 and JLB/5. Prior to leaving the store a record of property seized document was completed, Exhibit JLB/6, a copy of which was left with Mr MOHAMAD.

The tobacco items were sealed in signed exhibit bags and transported to West Yorkshire Joint Services where they were placed in secure storage.

On 16th December 2020, I wrote to the leasehold owner of the building at 274 Harehills Lane, a [REDACTED] of that address, to enquire who the current tenant of the building was.

On 4th January 2021, I received a written response to the letter from [REDACTED], Exhibit JLB/7. In the letter he states the building is leased to him and that Mr Aram Ahmed MOHAMMEDIE and [REDACTED] who both work at the store are his employees. Also

WITNESS STATEMENT

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

enclosed with the letter was the front page of a lease agreement for 274 Harehills lane, Leeds, Exhibit JLB/8, dated 24th January 2018 between the landlord and the tenant.

On 25th February 2021, I was in uniform with colleagues and police community support officers when I conducted an inspection visit at Mama Mia Convenience Store, 274 Harehills Lane, Leeds LS9 7BD. As I entered the store, I saw that there was people waiting at the sales counter and the other company director, Mr Aram Ahmed MOHAMMEDIE, walking down the aisle towards the counter. I saw Mr MOHAMMEDIE had a packet of hand rolling tobacco in his hand. Mr MOHAMMEDIE saw one of my colleagues walking down the other aisle in the store, turned to face them and put the hand which was holding the tobacco behind his back. I then saw him slide the tobacco into the back pocket of the jeans he was wearing. I approached Mr MOHAMMEDIE and asked to see the tobacco he had just put in his back pocket. He initially denied he had any tobacco on him but when I stated I had just seen him hide it there, he reluctantly handed over the tobacco. The pouch of hand rolling tobacco was photographed, Exhibit JLB/9 and seized by myself.

A search of the store was conducted and further illegal packets of cigarettes and hand rolling tobacco were recovered from boxes on top of display shelving towards the back of the store. This was the same area Mr MOHAMMEDIE was coming from when we entered the store and some of the illegal tobacco items in the boxes were the same as the one he was in possession of. Samples of this item have been confirmed to be counterfeit by the Trade Mark Holder. The tobacco items were photographed in situ, Exhibit JLB/10, prior to being recovered. I visually examined the tobacco products and could see they were not in

WITNESS STATEMENT

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

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 total amount seized was 191 x 20 packets of cigarettes and 150 x 50g pouches of hand rolling tobacco. Prior to leaving the store a record of property seized document was completed, Exhibit JLB/11, a copy of which was left with Mr MOHAMMEDIE.

On 13th April 2021, I was in company with a colleague in a room at West Yorkshire Joint Services, also in company with Mr MOHAMAD, his solicitor and an interpreter. I then commenced a recorded interview. Mr MOHAMAD answered No Comment to all questions put to him about his involvement in the running of the Company and No comment to all the questions about the sale and possession for sale of illegal tobacco.

When asked about the cash seized, he stated the company was struggling so he took out a bounce back loan. This was withdrawn in cash as his suppliers prefer cash payment and after he had paid some debts, the £33,000.00 is what's left of the loan amount. It was put to him the company wasn't struggling as recently it had over £200,000.00 in its bank account. He replied that he had been away and the takings must have built up without his knowledge. He could not give details of when the money was withdrawn or what bills had been paid, blaming his poor mental health.

WITNESS STATEMENT

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

When again asked about the bags of illegal tobacco by the stairs which he would have to walk past to get to the money, he stated, a male he does not know came into the shop with them. He left them stating he would come back for them and he never has. Further comments about this were answered no comment. At the conclusion of the interview a copy of the recording was sealed with a signed exhibit label, Exhibit JLB/12, in Mr MOHAMAD's presence.

Also on this date I was in company with a colleague in a room at West Yorkshire Joint Services in company with Mr MOHAMMEDIE, his solicitor and an interpreter. I then commenced a recorded interview. Mr MOHAMMEDIE answered No Comment to all questions put to him about the company, his involvement in it, the illegal tobacco and cash seized. At the conclusion of the interview a copy of the recording was sealed with a signed exhibit label, Exhibit JLB/13, in Mr MOHAMMEDIE's presence.



WITNESS STATEMENT

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

Statement of: Abigail Holroyd

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

Occupation: Criminal Investigator

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: 23.04.2020

Signature: [Redacted]

I am a Criminal Investigator employed by the West Yorkshire Trading Standards Service. 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 the 23rd of November 2020, I attended at MAMA MIA CONVENIENCE STORE located at 274 HAREHILLS LANE, LEEDS, LS9 7BD in plain clothes for the purpose of carrying out a test purchase of illicit tobacco.

Once inside the shop, I approached the counter and said words to the effect of "HAVE YOU GOT ANY CHEAP CIGS?". I was served by an older male who was stood at the end of the counter. He had olive skin and was around 50-60 years of age. He was of an average build and height with black/grey hair. Following my request, he gestured to a younger female who was standing at the end of the aisles, she went to retrieve the



WITNESS STATEMENT

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

cigarettes through a door to the back of the shop. I would describe this female as around 20-30 years old, around 5ft7" in height, dyed blonde hair with dark roots and had a local accent. I lost sight of the female for a few seconds whilst she went through the door. When she came back she handed me the packet of cigarettes and I made payment for this. I purchased a packet of RICHMOND cigarettes for £5.00. These usually retail for over £10.00.

Also present in the shop was an Asian female, who I would describe as over 60 years of age, she had black hair and was of a large build. She remained seated behind the till during the whole time I was in the shop.

The cigarettes were sealed in a signed evidence bag and placed in secure storage at West Yorkshire Trading Standards. I can exhibit this as ALH01 for court purposes if necessary. Bag ref- M20081085.

WEST YORKSHIRE POLICE
OFFICIAL (when complete)

WITNESS STATEMENT

(Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B;
Criminal Procedure Rules, Rule 16.2)

NICHE Ref. No:	13200315722	URN:	
Statement of:	PCSO CS0326 HARRY CHATBAND		
Date of birth:	Over 18	Occupation:	Police Community Support 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 to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.			
Signature:	H.Chatband	Date:	17/03/2021
Time and date statement taken: 21:45 17/03/2021			

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

I am Police Community Support Officer 326 Harry CHATBAND and I'm employed by West Yorkshire Police to cover the EAST LEEDS of GIPTON and HAREHILLS.

I'm writing this statement in relation to an incident which occurred on 24th June 2020 following the request from Trading Standards to document what I had witnessed and dealt with.

On 24th June 2020, I was on high visibility patrols in full PPE uniform with PCSO 665 WHITWORTH along HAREHILLS LANE. It was near the end of our shift, so we were walking back to the THE COMPTON CENTRE when passed MAMA MIA, 274 HAREHILLS LANE. As we walked past MAMA MIA, my colleague PCSO 665 WHITWORTH had naturally glanced inside the store as something caught his attention. He asked me if I saw "that" to which I didn't know what he was referring to. He therefore elaborated and stated that he believes he saw the shop worker retract from giving a customer something and hide it under the payment countertop when sighting police. My colleague believed that it was potentially illegal cigarettes and that the shop worker didn't want us to see them.

At this point, we both entered the store and put our suspicion to the shop worker. I now know this worker to be

[REDACTED]

[REDACTED] denied any wrongdoing at first and stated she wasn't hiding anything but then said that she would call her boss, the owner of the store, to come down.

A male arrived at the store a few moments later and I now know this male to be

Aram Ahmad MOHAMMEDIE [REDACTED]

We also put our suspicion to MOHAMMEDIE and asked him questions about if the store was selling illegal cigarettes. He obviously denied this and in fact he became very obstructive to my colleague and I. MOHAMMEDIE stood blocking the access to behind the payment countertop reiterating that we could not take a look or that he was selling anything illegal.

I then noticed a blue carrier bag behind the countertop which I could see that it was filled with single packets of cigarettes. I therefore stated to MOHAMMEDIE that I could now see cigarettes that were

Signature: H.Chatband

Signature witnessed by:

NICHE Ref. No:	13200315722	URN:	
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Continuation Statement of HARRY CHATBAND

likely to be illegal so he may as well start telling the truth. However, MOHAMMEDIE continued to deny any wrongdoing.

We therefore used our radios to alert our control room to our suspected findings and to request the assistance of fellow PC colleagues.

Moments later PC 3210 FOSSETT and PC 4803 CHADWICK attended and began further questioning before searching the locus.

Multiple packets of illegal cigarettes and tobacco were found by the assisting officers and they took any further appropriate action from there.

They transported all seized goods to ELLAND ROAD STATION property stores before arranging to take them to a Trading Standards office at a later date.

Signature: H.Chatband

Signature Witnessed by:

WITNESS STATEMENT

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

NICHE Ref. No:

URN:

Statement of: PC 3210 FOSSETT

Date of birth: Over 18

Occupation: Police Constable

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: R.FOSSETT

Date: 07/03/2021

Time and date statement taken: 18:00 07/03/2021

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

I am a Police Constable, employed by West Yorkshire police and currently based at KILLINGBECK Police Station.

I am part of the Neighbourhood Policing Team and have been a ward manager, covering the area of Gipton and HAREHILLS since April 2020. Part of my role involves, patrolling the above areas, dealing with complaints and incidents, monitoring community tensions and working in collaboration with external agencies with the overall aim to improve the areas by reducing crime and anti-social behaviour.

On 24th June 2020, I was on duty in full uniform in company with PC4803 CHADWICK when as a result of a radio message we attended at MAMA MIA convenience Store, 274 HAREHILLS LANE, LEEDS, LS9 7BD. Upon arrival, I spoke with PCSO's WHITWORTH and CHATBAND who advised me they had witnessed the sale of an illegal packet of cigarettes by the store. The store is licenced to sell alcohol so I then commenced an inspection of the store under the powers granted me by the Licencing Act 2003. Working at the store was a female, I know now to be:

[REDACTED]

The female stated she would ring the boss and made a phone call. A short time later a male, I know now to be:

Aram Ahmed MOHAMMEDIE, born [REDACTED]

attended store and confirmed he was one of the owners of the business.

A large amount of cigarettes and hand rolling tobacco was found in bags behind the counter, large bags, and a suitcase in an upstairs room. The packaging of the cigarettes/tobacco was not the correct colour to be sold legally in the UK and a lot of it had foreign writing on. As a result, the items were seized, sealed transported to Elland Road police station and placed in the property store. A total of 2,757 x 20 packets of cigarettes and 496 x 50g pouches of hand rolling tobacco were recovered. On 3rd July 2020 I was on duty when I obtained all the cigarettes/tobacco from the property store and transported them to West Yorkshire Trading Standards at Morley. The trading standards officer, Jason Bethell, took possession of them and they were placed in their property store.

Signature: R.FOSSETT

Signature witnessed by:



25/02/2021 16:31

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