

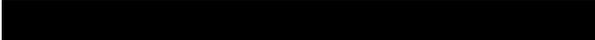
From: Stover, David  
Sent: 25 October 2021 15:50  
To: Nelson, Matthew  
Subject: Mama Mia of Harehills - Licence Review  
Attachments: L Riach Statement.doc; J Bethell Statement 2.doc; R Fossett Statement 3.docx; V Justice Statement.pdf; JLB14.1 Shop rear door.jpg; JLB15 Inside van 1.jpg

Good afternoon Matthew,

Please find attached additional new evidence from a visit to the above on 28th September 2021. Kindly add this to the evidence bundle for the forthcoming review hearing.

Thank you in advance,

David Stover | Trading Standards Manager

t: 

West Yorkshire Joint Services, Nepshaw Lane South, Morley Leeds, LS27 7JQ  
[www.wyjs.org.uk/trading-standards](http://www.wyjs.org.uk/trading-standards)

**Statement of:**

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

**Occupation:**

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:**  **Signature:**

I am a Regulatory Compliance Officer employed by 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 20<sup>th</sup> September 2021 I was in plain clothes when I attended at MAMA MIA CONVENIENCE STORE, 274 HAREHILLS LANE, LEEDS, LS9 7BD to carry out a test purchase for illegal tobacco. I entered the store, approached the counter and asked for a packet of "Richmond". The middle aged man behind the counter called to the younger female shop assistant who went down the aisle to the back of the shop and through a door. She returned a few seconds later carrying the cigarettes and brought them to the counter. The male charged me £5.00 for them and the money paid was placed in the till. The normal retail price for these cigarettes is over £10.00.

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

**WITNESS STATEMENT**

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

The Cigarettes were sealed in a signed evidence bag and placed in secure storage at West Yorkshire Trading Standards, Exhibit LR/1.

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**(Signed)**  .....

**Dated**.....4/10/2021..... **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:**

Regulatory Compliance 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:**

19/10/2021

**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 28<sup>th</sup> September 2021, I was in uniform with another Trading Standards Officer, Vanessa JUSTICE and PC Robin FOSSETT when I conducted another inspection visit at Mama Mia Convenience Store, 274 Harehills lane, Leeds LS9 7BD. I was aware of a test purchase conducted at the store on 20<sup>th</sup> September 2021 where the illegal tobacco was brought into the store through a rear door. I therefore parked the van I was driving at the end of the street and asked PC FOSSETT to go to the rear of the premises and secure any vehicles being used to store the illegal tobacco in.

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One side only of this paper should be used.*

**(Signed)**

**Dated.....19/10/2021..... Page 1 of 4  
010911**

**WITNESS STATEMENT**

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

I then attended at the front of Mama Mia and went inside. Working behind the sales counter was one of the company directors, Ali MOHAMAD who greeted me with "GOOD MORNING MATE, HOW ARE YOU?" I served Mr MOHAMAD with a Notice of Powers and Rights and he confirmed he still owned the business. I then joined PC FOSSETT at the rear of the shop. The rear door of the shop was wide open and parked on the road outside was a small white van with its side door open, directly opposite the open shop door with only the pavement width between them. I took some photographs of the van from inside the store, (Exhibit JLB/14). I saw the van was full of boxes and bags of illegal tobacco (Exhibit JLB/15). The box in the entrance to the van had all the different brands of tobacco stacked in lines for ease of selection when required (Exhibit JLB/16). Commercial waste bins with empty bread trays had been stacked across the pavement at the back of the van to block any view or access down the pavement between the van and the store (Exhibit JLB/17).

I moved the vehicle we had travelled in down the street and parked it in front of the open van at the rear of the shop. I then transferred all the illegal tobacco into the rear of our vehicle so it was secure. As I moved the bags and boxes of cigarettes and hand rolling tobacco, I visually examined them 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 from the foreign excise stamps present on others it was clear to me the cigarettes were a mix of counterfeit and smuggled items.

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One side only of this paper should be used.*

(Signed) 

Dated.....19/10/2021..... Page 2 of 4  
010911

**WITNESS STATEMENT**

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

I then attended back at the front desk of the shop and TSO JUSTICE joined PC FOSSETT at our vehicle at the rear to sort all the tobacco items into brands and count them. I searched behind the counter in the shop and saw a diary which noted the hours worked each day by the 2 company directors. I took a photograph of the previous week, Exhibit JLB/18. The diary shows that on 20<sup>th</sup> September 2021 when the test purchase for illegal tobacco was conducted "Aram" and "Ali" both worked a 9am - 10pm shift.

I then searched the rest of the store and another small hide of illegal tobacco was located in the roof void of the shops rear extension. I photographed this in situ, Exhibit JLB/19, then recovered the tobacco and sealed it in a signed exhibit bag. I then attended at our vehicle and sealed all the seized illegal tobacco from the van in signed exhibit bags. The total amount seized was 1,232 x 20 packets of cigarettes and 79 x 50g pouches of hand rolling tobacco from the van and a further 21 x 20 packets of cigarettes from the shop roof void. A Record of Property Seized was completed, (Exhibit JLB/20) which Ali MOHAMMAD refused to sign stating "THAT VAN IS NOTHING TO DO WITH ME". A copy was left with him in the store.

The tobacco items were then transported to West Yorkshire Joint Services where they were placed in secure storage.

On 7<sup>th</sup> October 2021, I sent a PACE interview by letter to both company directors Ali MOHAMMAD and Aram Ahmed MOHAMMEDIE regarding the latest test purchase and seizure of illegal tobacco from their business (Exhibits JLB/21 and JLB/22). The letter

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(Signed) 

Dated.....19/10/2021..... Page 3 of 4  
010911

**WITNESS STATEMENT**

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

cautioned them and asked them to explain why they had continued to supply illegal tobacco and not stopped when they knew they were committing offences by doing so. I have not received a response from either director.

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(Signed) 

Dated.....19/10/2021..... Page 4 of 4  
010911

## 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: 21/10/2021

Time and date statement taken: 14:00 21/10/2021

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 28<sup>th</sup> September 2021, I was on duty in full uniform working on an operation alongside Trading Standards. At 11:30hrs I attended at MAMA MIA convenience Store, 274 HAREHILLS LANE, LEEDS, LS9 7BD with trading standards employee Jason BETHELL. I attended the rear of the store and I immediately recognised a female who works at the store due to attending previously with trading standards. The female [REDACTED] born [REDACTED] was stood looking into a vehicle parked directly in front of the rear back door to the store. The vehicle was a white Vauxhall combo van [REDACTED]. Located inside the vehicle were a large number of counterfeit cigarettes.

Located inside the store was a male I know to be;

Ali MOHAMAD, born [REDACTED]

Again, I have had previously dealing with MOHAMAD the shop owner.

The packaging of the cigarettes/tobacco located in the vehicle was not the correct colour to be sold legally in the UK and a lot of it had foreign writing on. A large number of cigarettes and hand rolling tobacco were found in the vehicle were seized by trading standards 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:

**STATEMENT OF WITNESS**

*(Criminal Procedure Rules 2015, r.16.2;  
Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B)*

**STATEMENT OF VANESSA JUSTICE**

**Age of witness (if over 18, enter "over 18"):** Over 18

**Occupation:** Apprentice Trading Standards Practitioner

**This statement** (consisting of 3 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 introduced in evidence, it would be an offence if I have wilfully stated in it anything which I know to be false, or do not believe to be true.**

**Signed:** .....  ..... (witness) **Date:** 06<sup>th</sup> October 2021

*(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:** ..... **Date:** ..... )

I am employed by North Lincolnshire Council as an Apprentice Trading Standards Practitioner, and I have been in post since June 2021. I am based at Church Square House, 30-40 High Street, Scunthorpe, North Lincolnshire, DN15 6NL.

Following a request from West Yorkshire Joint Services (WYJS) for assistance with a scheduled tobacco enforcement day within Leeds, West Yorkshire.

WYJS confirmed my participation would be part of a support team for WYJS lead officers consisting of WYJS Trading Standards Officers, colleagues from West Yorkshire Services, partner Local Authority colleagues, West Yorkshire Police officers, British Gas officers and Wagtail officers.

Tuesday 28<sup>th</sup> September 2021

I travelled to WYJS offices located at Nepshaw Lane South, Leeds for briefing at 10:00hrs. Babul Hussain (WYJS lead officer) lead the briefing, I was grouped with Jason Bethell (leading officer WYJS Trading Standards) and PC Robin 3210.

Our premise was confirmed as Mama Mia 274 Harehills Lane, Leeds. This premise was known to WYJS and was of continued interest.

At 11:15hrs we prepared to travel in convoy to Harehills Lane and Harehills Road, Leeds. I was to be transported in a hire van along with J.Bethell (driver)

**Signed:**  **Date:** 06<sup>th</sup> October 2021

and PC Robin. Upon arrival we parked to the rear of Mama Mia in a public parking bay.

PC Robin agreed to secure the rear of the premise whilst myself and J.Bethell made our way on foot to the front of the premise. We entered through an open automatic sliding door; this door remained open following entry.

There were several customers around the store, J.Bethell stood by the counter and spoke with a male (medium height and build, very short brown hair, and light brown complexion) who was stood behind the counter next to the cash register.

Following direction from J.Bethell, I secured the front of the store by standing in the front doorway (with my back to the street).

Inside the store there was activity with shoppers and J.Bethell supervised the serving of customers and once served the customers left the store.

J.Bethell continued speaking to the male behind the counter whilst I confirmed with female 1 (shoulder length blonde hair, tall, medium build) that she worked in the store. A second female store assistant was also present in the store, female 2 (tall, slim build, short blonde hair).

I continued to stand in the doorway to offer discouragement to any potential customer trying to enter the store. I remained in place until the key fob for the roller shutters was provided and the shutters closed.

At our time of entry, Mama Mia was receiving a delivery of general goods through the rear door and both female store attendants continued to unpack the delivery, this delivery was supervised by PC Robin.

Once J.Bethell was satisfied that general business was concluded and the store secured I saw him search behind the counter and the front store and shelving. Then I saw him leave through a door in the rear left of the shop floor which was followed by footsteps going upstairs.

I remained standing in the entrance of the store, with the main store shelving in front of me and the counter to my left and fridges to my right. As instructed the male behind the counter was in my eyeline.

At 12:07 J.Bethell instructed me to assist PC Robin at the rear of the store. I exited the store to the rear and directly outside the rear door I saw a white Vauxhall van registration [REDACTED] parked on-street in a parking bay.

PC Robin opened the Vauxhall passenger side cargo door to reveal boxes and bags containing packs of cigarettes and pouches of hand rolling tobacco. The first box clearly visible was a large cardboard box situated close to the door opening that contained packs of cigarettes with cardboard sections organised into rows.

At 12:35 J.Bethell instructed me to assist PC Robin in categorising all seized tobacco products from Mama Mia store into matching brands; the seizures consisted of cigarettes and hand rolling tobacco. To ensure this was done effectively and securely we used the back of the hire vehicle which provided adequate space.

**Signed:** [REDACTED]

**Date:** 06<sup>th</sup> October 2021

When we had completed categorising, B.Hussain arrived to complete a catalogue record sheet.

I counted the individual brands for B.Hussain to enter into the record sheet then placed each brand into a large white bag. This bag was sealed by J.Bethell with seal number 03066520.

J.Bethell requested my assistance in bagging a small quantity of cigarette packs into evidence bag number N00275208.

All associated seizures for Mama Mia remained in the rear of the hire van for transportation.

By 14:13hrs all tasks associated with Mama Mia was concluded and I awaited further instructions.

Once all premises were concluded all parties were instructed to regroup and return to WYJS offices. At 15:34hrs I returned to the offices in the hire van and assisted in moving all seizures into the secure store, this activity concluded my participation in the action day, and I had no further involvement.

Signed: 

Date: 06<sup>th</sup> October 2021



