

MEMORANDUM

To : RESPONSIBLE AUTHORITIES
From : LICENSING ASSISTANT

Tel : 01432 261761

My Ref : SE/PR01853

Date : 17th April 2019

Your Ref :

**LICENSING ACT 2003
APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE
RAZI MINI MARKET, 100 WIDEMARSH STREET, HEREFORD
HR4 9HG**

Having assessed the above application, I would like to make the following representation:

Representation	Industry Guidance
<p>PREVENTION OF CRIME & DISORDER</p> <p>As an authorised body under the Licensing Act 2003, Herefordshire Council Environmental Health and Trading Standards have received details of Barzan Shekzade's application and wish to make a representation.</p> <p>Trading Standards have the responsibility for enforcing the Licensing Act 2003 in respect of the licensing objectives.</p> <p>After having considered this application and associated evidence, Trading Standards OBJECT to this premises being granted a premises licence to sell or supply alcohol.</p> <p>It has been brought to our attention that the applicant Barzan Shekzade has a history of being involved in the sale and supply of illicit tobacco from shops he owns in the Sandwell area (premises license applicant of KNN Mini Market (shop 1) and premises licence holder of Gud Prajs (shop 2)).</p> <p>The evidence shows that we have reason to believe that Barzan Shekzade is not a fit and proper person to hold a premises licence or to uphold the licensing objectives, namely prevention of crime and disorder.</p> <p>On 19 January 2019, Sandwell Trading Standards objected to a premises licence application submitted by Patrick Burke acting as an agent for Barzan Shekzade. This objection is attached as exhibit LW1.</p> <p>Details:</p> <p>26.09.18 – Test purchase of counterfeit Golden Virginia hand rolling tobacco for £3.50 (A photo of the transaction shows Barzan Shekzade as the seller).</p> <p>16.01.19 – 329 packets of illegal tobacco found in concealed box behind counter and in a sports bag concealed on the top of a chiller unit. Criminal investigation is ongoing (shop 1) (Barzan Shekzade was present during the raid).</p>	

16.01.19 – Trading standard officer test purchased counterfeit Richmond cigarettes for £10 (shop 2).

04.01.19 – Trading standards officer test purchased 2 packs of counterfeit Richmond cigarettes for £6 (shop 1).

04.01.19 – Trading standards officer test purchased 2 packs of counterfeit Richmond cigarettes for £6 (shop 2).

This shows Barzan Shekzade is heavily involved with illegal tobacco. Further to the applicant receiving the representation (objection) by Sandwell Trading Standards, Patrick Burke withdrew the premises licence application. Therefore he is fully aware his client is heavily involved in the illegal tobacco trade.

Herefordshire Trading Standards therefore would request that no licence be granted for the named premises due to the evidence put forward and the on-going criminal investigation by Sandwell Trading Standards.

Kind regards

Herefordshire.gov.uk

Leah Wilson
Trading Standards Officer
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Economy, Communities and Corporate
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PUBLIC SAFETY	
PREVENTION OF PUBLIC NUISANCE	
PROTECTION OF CHILDREN FROM HARM	

REFERENCES

Please Reference the industry guidance from which your representation has been sourced.

**OFFICER
POSITION
AUTHORITY**

Licensing Act 2003

Representation form from interested parties

Are you a (tick as appropriate):

Responsible authority:	
Police	
Fire	
Environmental health	
Child protection	
Trading standards	X
Planning authority	

Or a

Resident or business operating in the vicinity of premises	
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Your name/organisation name/name of body you represent (see note 3)	Christopher Coxon Trading Standards Officer
Organisation name/name of body you represent (if appropriate) (see note 3)	Sandwell MBC Trading Standards Service
Postal and email address	4 th Floor Court House 335 - 337 High Street West Bromwich B70 8LU chris_coxon@sandwell.gov.uk

Contact telephone number	0121 569 6573
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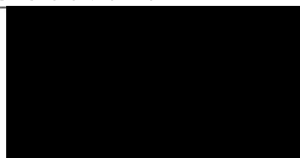
Name of premises you are making a representation about	KNN Mini Market
Address of the premises you are making a representation about	91 Waterloo Road Smethwick B66 4JS

Your representation must relate to one of the four Licensing Objectives (see note 4)

Licensing Objective	Yes or no	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder	Yes	See separate sheets
Public safety	No	
To prevent public nuisance	No	
To protect children from harm	No	

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account	Sandwell Trading Standards request that the Licensing Committee refuse to grant a premise licence.
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Signed:



Date: 16/01/2019

Notes

Date: 16th January 2019

To: The Licensing Committee

From: Christopher Coxon – Sandwell Trading Standards

Subject: **APPLICATION FOR PREMISES LICENCE – KNN Mini Market, 91 Waterloo Road, Smethwick, B66 4JS**

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I am writing on behalf of Sandwell Trading Standards, a responsible authority as listed under section 13(4) of the Licensing Act 2003, and I wish to make representations in respect of an application for a premises licence at 91 Waterloo Road, Smethwick, B66 4JS. This representation is made regarding the licensing objective - the prevention of crime.

It is of great concern to Trading Standards that this premise is involved in the sale and supply of illicit tobacco therefore undermining the prevention of crime objective. The history is as follows:

1. On 16th January 2019, Trading Standards visited the premises and found 329 packets of illegal tobacco (321 cigarettes and 8 hand rolling tobacco) in a box concealed behind the counter and a sports bag concealed on top of a chiller unit. The licence applicant, Barzan SHEKZADE, was present at the time. Paperwork was found behind the counter that indicated the amounts of illegal tobacco brands sold. Before the seizure was made, the applicant stated that he had used to sell illegal tobacco from the shop, but stopped doing so after he was arrested by the police, when stolen tobacco was found on the premises. During the course of the visit the applicant lied to officers about the whereabouts of the CCTV and initially stated that the CCTV recorder had been taken by the police, when in fact it was still on the premises and was presumably recording the sales of illegal tobacco. The CCTV will be sent away for forensic examination. A criminal investigation by Trading Standards is ongoing.
2. On 16th January 2019, an undercover Trading Standards Officer was sold 3 packs of counterfeit Richmond cigarettes for £10, from a licensed premise called Gud Prajs, Unit 7, 183 Great Bridge Street, West Bromwich, where the applicant is both the premise licence holder and designated premises supervisor.
3. On 4th January 2019, an undercover Trading Standards Officer was sold 2 packs of counterfeit Richmond cigarettes for £6 from KNN Mini Market.


4. On 4th January 2019, an undercover Trading Standards Officer was sold 2 packs of counterfeit Richmond cigarettes from Gud Prajs, Unit 7, 183 Great Bridge Street, West Bromwich.
5. On 26th September 2018, a test purchase was carried out on behalf of trading standards at KNN Mini Market. A pouch of counterfeit Golden Virginia hand rolling tobacco was sold for £3.50. The product was retrieved from under the counter. A photograph of the transaction shows that the applicant to be the seller.
6. Limited Information was received from the police that suggested that a shop on the corner of a road in Smethwick was selling illegal tobacco. Analysis of this information tended to suggest that the shop in question may be KNN Mini Market and so it was included in a planned test purchasing operation.

Illegal tobacco, commonly referred to as illicit tobacco consists of cigarettes and hand rolling tobacco (HRT), that are either counterfeit, fail to comply with the standardised packaging regulations or fail to display the prescribed safety warning markings. Criminal offences are committed under the Trade Marks Act 1994, The Tobacco and Related Products Regulations 2016, The Standardised Packaging of Tobacco Products Regulations 2015.

The sale of illegal tobacco is having a very serious impact on the local economy. Legitimate retailers are struggling to compete with the dishonest traders who operate within the shadow economy. These dishonest traders are making large profits by selling cheap counterfeit products, or evading duty on genuine products. Using the Intelligence Operating Model, the sale and supply of illicit tobacco has been identified as one of Sandwell Trading Standards main priorities to tackle.

Trading Standards believe the applicant is involved in the systematic supply of illegal tobacco in Sandwell. Based on the above, I would kindly ask that this application for a premises licence is rejected by the panel.

Regards


Christopher Coxon
Senior Trading Standards Officer (On behalf of Sandwell Trading Standards)