

**Send completed application form to:**

Premises Licensing  
Manchester City Council  
Level 1 Town Hall Extension  
Albert Square  
PO Box 532, M60 2LA

**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 Devon Bennett on behalf of Licensing Out of Hours Compliance Team, Manchester City  
Council

.....  
**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**

European Mini Mart  
762 Stockport Road

**Post town** Manchester

**Postcode** M12 4DG

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

Ali Yelmaz Azadin

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

220607

**Part 2 - Applicant details**

I am Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below) **X**

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 ✓ yes

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**

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Name and address
Telephone number (if any)
E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address Devon Bennett Licensing Out of Hours Officer Manchester City Council PO BOX 532 Town Hall Manchester M60 2LA
Telephone number (if any) <b>0161 234 1220</b>
E-mail address (optional) devon.bennett@manchester.gov.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 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 2)

The undermining of the prevention of public nuisance objectives arising from:

- Illicit tobacco being held for sale at the premises
- Premises operating whilst the Designated Premises Supervisor is not in control of day-to-day running of the business
- Obstructive nature of being able to make contact with the licence holder

**Please provide as much information as possible to support the application** (please read guidance note 3)

The Licensing Out of Hours Team wish to submit evidence that the premises is undermining multiple licence objectives. European Mini Mart is located at 762 Stockport Road, Manchester. The surrounding area is heavily residential, whilst also being located on a main arterial route between Stockport and Manchester City Centre. The premises is operating under new owners and the existing licence holder/ designated premises supervisor is no longer financially involved or shares a business interest in the premises. Trading Standards officers have also attended the premises on multiple occasions. The first was whilst the licence holder was responsible for the premises and found illicit tobacco. The second occasion the premises was under the control of the new operators during the consultation period for the licence to be transferred. Again illicit tobacco was found on the premises. Both Trading Standards and I have attempted to contact the licence holder on numerous occasions. Mr Ali Yelmaz Azadin is the licence holder and Designated Premises Supervisor (DPS) and has made no attempt to respond to our communications, choosing to ignore us. We believe the licence holder to have complete disregard for the Licensing Act 2003, Manchester City Council, as the Licensing Authority, the management of the premises for which he holds a licence for, but most importantly the safety and welfare of residents of Manchester.

On the 4th December 2019, Manchester City Council Trading Standards officers attended European Mini-Mart. During the visit illicit tobacco was found on the premises. At the time of arrival a male was behind the counter who stated the responsible person was currently at ASDA. Mr Ali Azadin (Licence holder and DPS) then attended the premises. Mr Azadin denied knowledge of the tobacco stating he had only owned the shop for three days and had not been through it yet, despite the shop being open to the public. The investigating Trading Standards officer wrote to Mr Azadin on a number of occasions, including invitations for Police And Criminal Evidence interviews. However, he failed to respond or attend, raising serious concerns as to how Mr Azadin was fulfilling his obligations as the DPS.

The Licensing and Out of Hours Team (LOOH) have conducted an inspection at the premises, whilst this was in the control of Mr Azadin and found that the premises was in breach of multiple conditions on the licence. Further visits were scheduled to be conducted to check these breaches had been addressed. However, the visits were cancelled by Mr Azadin and LOOH officers met a male who identified himself as [REDACTED] who was working in the premises and believed to be the new proprietor. Officers attended on a later date to see if [REDACTED] had rectified the licence breaches, including holding a valid waste contract. On arrival it transpired that [REDACTED] real name was discovered as [REDACTED]. Officers asked why he gave a false name to which the male flippantly shrugged his shoulders and gave no answer. When officers requested to check the CCTV system it was found that the system had been deleted of all recordings with no explanation given.

Having been made aware that the premises was now being operated by a new owner I checked to ensure the licence reflected this but found that the licence was still listing Mr Azadin as licence holder and not [REDACTED]. On the 10th April 2020 at 17:45 I visited the premises and spoke with [REDACTED], he explained he was now the business operator. He explained that he and [REDACTED] were now in control of the premises and that Mr Azadin was no longer employed or had a financial interest in the business. I advised [REDACTED] that operating without a DPS was a Section 136 offence but I would allow him seven days to transfer the licence. I wrote to both [REDACTED] and [REDACTED] outlining the offences of operating without a DPS at the premises, which I witnessed during my visit.

On the 14th April 2020 a transfer application was received by the Premises Licensing unit for the transfer of the licence and the DPS. The transfer was for [REDACTED]. On the 20th April

2020 the Premises Licensing Team received an objection for the transfer of the licence and DPS from Greater Manchester Police. This was on the grounds of, ██████████ having previously been the licence holder and designated premises supervisor for a premises where Bolton Trading Standards found illicit tobacco at the premises. As a result a licence review was heard and the licence was revoked. ██████████ withdrew the application on receipt of the objection.

On the 23rd April 2020 the Premises Licensing team received a second transfer application. The application was to transfer both licence and DPS to ██████████. ██████████ listed his address as ██████████. Salford City Council has the premises listed to a ██████████ for both licence holder and DPS. We were highly concerned at this point as, given the number of months we had been liaising with the premises and its operators, we had never met or heard ██████████ name mentioned with regards to the operation of the business

On 28th April 2020 a proactive visit was conducted by LOOH, Trading Standards of Manchester City Council and a Licensing Police Constable from Greater Manchester Police to meet with ██████████. ██████████ was not present during the visit, only ██████████ and ██████████. ██████████ explained that he and ██████████ would be running the business day to day and that ██████████ was involved due to a financial agreement. During the visit Trading Standards found a large quantity of illicit tobacco in non-standard packaging in a box by the till. More illicit tobacco was found, hidden, above one of the fridges. When ██████████ was questioned as to why the illicit tobacco was present he acknowledged he knew it was there but showed no remorse for the illegal activity being undertaken.

Following the visit Greater Manchester Police submitted an objection to the transfer on the grounds that the proposed licence holder / designated premises supervisor was either aware of the illicit tobacco or he had not conducted his due diligence on the premises. On receipt of the objection the transfer application was withdrawn.

It currently stands that Mr Ali Yelmaz Azadin was (and is) still the Licence Holder and Designed Premises Supervisor after two failed attempts to transfer and evidence involving illicit tobacco has been secured on two occasions. The Licensing and Out of Hours team have established that Mr Ali Yelmaz Azadin is no longer involved in the premises and that the premises was now being operated by ██████████ and ██████████. LOOH are satisfied the premises were and are currently not operating otherwise in accordance with Section 136 of the Licensing Act 2003.

On the 29th April 2020 I delivered letters again to the premises explaining that as the Licence Holder and Designated Premises Supervisor was no longer at the premises. Licensable activity continuing would constitute an offence under Section 136 of the Licensing Act 2003. This was explained to ██████████ as, yet again, he was in control of the premises.

Even despite the two failed transfers for the Licence Holder and Designated Premises Supervisor it is clear, through the history of the operators and the visits where illicit tobacco was found, that the Licensing Objectives have been undermined and continue to be undermined at this premises. The fact that the licence holder absolutely refuses to engage with us despite our best attempts is extremely concerning and really underpins the lack of responsibility for anything that is occurring. On two separate occasions the Licence Holder has been invited in for an interview by Trading Standards and this has been ignored. Given the premises is operating without a proper and fit Licence Holder and Designated Premises Supervisor their complete refusal to engage with Manchester City Council and their obvious disdain for the Licensing Act 2003, laws and public safety relating to illicit tobacco we have no faith in those running the premises and their ability to uphold the licence objectives. Licensing Out of Hours request that the premises licence is revoked.

<b>Please tick ✓ yes</b>	
Have you made an application for review relating to the premises before?	<input type="checkbox"/>
If yes please state the date of that application	Da <input type="checkbox"/>

**If you have made representations before relating to the 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 4)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature  .....

Date **01/05/2020** .....

Capacity **Licensing Out of Hours Officer** .....

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 6)	
<b>Post town</b>	<b>Post Code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your email address (optional)</b>	

**Notes for Guidance**

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