

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 Louise Carter of the Trading Standards Service, 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
2 St Oswalds Road

Post town Manchester

Postcode M19 3DR

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

Amar Saleem

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

161292

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)

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

Name and address

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

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Louise Carter Citywide Support Team - Trading Standards The Neighbourhoods Service Neighbourhoods Directorate Manchester City Council 1 Hammerstone Road Gorton Manchester M18 8EQ
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 <input type="checkbox"/> |
| 1) the prevention of <i>crime and disorder</i> | X |
| 2) public safety | X |
| 3) the prevention of public nuisance | |
| 4) the protection of children from harm | |

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)

West Coast Wines is an Off Licence and Convenience store at 2 St Oswalds Road, Manchester, M19 3DR. The Premises Licence was granted in May 2014. The Premises Licence Holder (PLH) is Amer Saleem who is also the Designated Premises Supervisor (DPS)

The Trading Standards Service carried out a visit to the premises on 14th January 2020 following from a complaint made that illicit tobacco was being supplied from the premises. During the visit an inspection was carried out at the premises utilising a tobacco search dog. The dog quickly detected a bag behind the counter, an officer opened the bag and found it to contain illicit tobacco. Further illicit tobacco was found at the rear of the premises and concealed inside of a polystyrene box behind the counter and inside of a sweet tub behind the counter and finally more illicit tobacco was found behind a sliding door at the bottom of the till.

The shop assistant at the time advised that the owner was Ms Ladicova, who is not listed on the licence as a person in control.

In total 1820 cigarettes and 1kg of hand rolling tobacco failed to comply with packaging and health warning legislation resulting in offences under the Tobacco and Related Product Regulations 2016 and the Standardised Packaging of Tobacco Products Regulations 2015, with 1580 cigarettes and 1kg of hand rolling tobacco being counterfeit an offence under the Trade Marks Act 1994.

Due to the shop assistant stating the owner was different to that listed on the premises licence a letter was sent to 'The Owner' of the premises on the 17th March 2020 inviting them to attend an interview under caution to answer questions relating to the above offences. No response was received to this correspondence.

On the 9th June 2020 a further letter was sent to the listed business rates payer Mr Josef Balog, again to attend an interview under caution. No response was received to this correspondence.

Due to no response being received, two further letters were also sent to the Premises Licence Holder/ Designated Premises Supervisor to both the business address and the listed home address.

Due to no response being given a notice was served on the building owner to attempt to establish details of the occupiers, it became clear that the Premises Licence Holder/ Designated Premises Supervisor was either no longer in control of the business or had no regard for their responsibilities as a Premises Licence Holder and Designated Premises Supervisor.

No response was received with regards to the notice served and so a visit was made to the premises on the 18th March 2020. The result of the visit found further illicit tobacco being held at the premises. The tobacco failed to comply with the Tobacco and Related Product Regulations 2016 and the Standardised Packaging of Tobacco Products Regulations 2015, by failing to be in the correct packaging and display the correct warnings.

It was also clear during the visit that the Premises Licence Holder/ Designated Premises Supervisor was no longer in control of the business, and the premises was operating without authorisation.

Safety concerns were also highlighted with electrical bare wires protruding from the walls. Subsequently the premises was referred to Greater Manchester Fire and Rescue Service who attended and advised that some of the bare wires protruding from the wall were in fact live wires. Further concerns were also highlighted which has resulted in a full compliance visit being conducted by the fire service in the future.

In the Section 182 guidance point 11 27 states 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 the sale or storage of smuggled tobacco and alcohol Our proposed course of action was to hold an Action Plan meeting with Mr Amar Saleem in his capacity as PLH and DPS The purpose of the meeting, to discuss issues arising from the supply of illicit and counterfeit tobacco from the premises and determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective

Every effort was made by ourselves to contact the owner, Business Rates Payer and DPS/PLH Therefore the PLH and DPS has failed to work with us to address the serious problem of the supply of illicit and counterfeit tobacco from the premises and the failure to promote the Licensing objectives, we would ask for the revocation of the Premises Licence. We are concerned the business owner, DPS and PLH have no control over the business and there is an absence of any duty of care and disregard for promoting any of the licensing objectives.

Please tick yes

Have you made an application for review relating to the premises before?

If yes please state the date of that application

Date

If you have made representations before relating to the premises please state what they were and when you made them

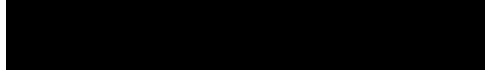
Please tick yes

- 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
- I understand that if I do not comply with the above requirements my application will be rejected

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 30/04/2021

Capacity Trading Standards Officer
.. ...

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

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