

GREATER MANCHESTER POLICE - REPRESENTATION

About You

Name	PC Alan Isherwood
Address including postcode	Manchester Town Hall Extension Lloyd Street Manchester
Contact Email Address	alan.isherwood@gmp.police.uk
Contact Telephone Number	0161 856 6017

About the Premises

Application Reference No.	LPR 263545
Name of the Premises	Euro Market
Address of the premises including postcode	402, Cheetham Hill Road, Manchester M8 9LE

Your Representation

Please accept this representation as formal notification of Greater Manchester Police's support for the above Premises Licence Review.

The grounds for this representation are the undermining of all 4 of the Licensing Objectives.

On Wednesday 25th August 2021 I attended at Euro Market, 402 Cheetham Hill Road, Manchester in company with Mr Devon Bennett from Manchester City Council Trading Standards and Ms Claire Cunningham from Manchester City Council Licensing and Out of Hours Team to conduct a licensing inspection.

I spoke to the DPS Hassan Darvishi and went through the conditions of his premises licence with him and it was found that he was in breach of the following conditions:

The DPS was the only member of staff present at the premises and he could not operate the CCTV, a breach of condition 1 Annex 3.

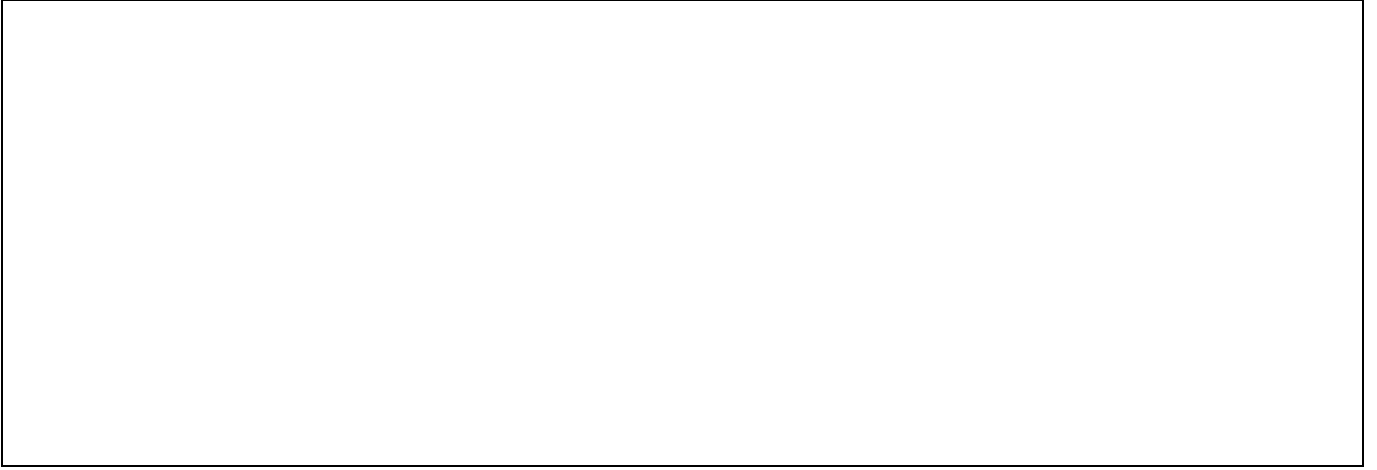
There was no incident log at the premises, a breach of Condition 2, Annex 3

There was no written notice of authority to sell alcohol being at the premises, a breach of Condition 3, Annex 3

There were no records of any staff training on the premises which is breach of Condition 6, Annex 3

During my conversation with the DPS I pointed out that as DPS he was responsible for ensuring that all the conditions on his licence were being adhered to but he seemed indifferent, and when I told him that if a review was brought against the premises I would be supporting it he said " So What ". I found this to be a concerning attitude to the complete lack of compliance that had been discovered.

Therefore GMP are in agreement with the Manchester City Council Trading Standards officers that action needs to be taken against the premises by way of a Premises Licence Review and we would ask for the Premises Licence to be revoked.



REPRESENTATIONS FOR LOCAL EURO MARKET LTD AS A RESPONSE TO THE APPLICATION BY DEVON BENNETT OF THE TRADING STANDARD SERVICE, MANCHESTER CITY COUNCIL RELATING TO THE REVIEW OF PREMISES LICENCE UNDER S51 / APPLY FOR THE REVIEW OF A CLUB PREMISES CERTIFICATE UNDER S87 OF THE LICENSING ACT 2003 FOR THE PREMISES 404 CHEETHAM HILL ROAD, MANCHESTER M8 9LE.

Mr Hassan Darvishi, addressed as the Designated Premises Supervisor by Manchester City Council, was appointed as a Director as he took over Local Euro Market LTD in June 2020. He resigned 2 weeks later as a Director due to personal reasons. In December 2020, he reappointed himself as a Director of Local Euro Market LTD. In October 2021, he resigned as a Director due to personal reasons. At present he is not a Director and was not a Designated Premises Supervisor.

The Application by Devon Bennett addresses the following factors, which Local Euro

Market LTD will respond as follows:

1. **JANUARY 2020** – The illegal 4,600 cigarettes and 0.7kg of hand rolling tobacco. Mr Darvishi was not a Director of at the time. He was not involved or linked with the

business or the premises. The premises was trading as M.Euro Market LTD as Ranj Latify was the Director. Companies House can verify the same;

2. **13th MARCH 2021** – Mr Darvishi has no knowledge or information relating to such illegal cigarettes sold at Local Euro Market LTD. He was not present at the premises. At the time, there was a female Eastern European staff member employed on a casual basis who sold such cigarettes. This can be verified by The Test Purchase Officer;

3. **13 JUNE 2021** – It is alleged that there was illegal cigarettes and hand rolling tobacco stored at the above flat premises which was transferred through a chute system to the below shop premises. Mr Darvishi has no knowledge or information relating to the same. The terms of the business lease agreement prevent him from using the above flat premises accordingly. He denies such a chute system in the shop premises or storing such illegal cigarettes and hand rolling tobacco in the above flat premises;

4. **1st AUGUST 2021** - Mr Darvishi has no knowledge of the illegal Richmond Cigarettes as alleged.

5. **11th AUGUST 2021** – The illegal 17,000 cigarettes and 2.75kg of hand rolling tobacco.

Mr Darvishi denies with no knowledge at all of such illegal cigarettes and hand rolling tobacco at the above flat premises. As explained above, Mr Darvishi does not have any access to the above flat premises. He denies any chute or communication system at the flat to the shop premises. The only communication system installed at the shop premises is the bell system which operates at the time when a customer enters the shop premises to alert the staff of the entrance of a customer;

The above flat premises has no link or affiliation with Mr Darvishi or Euro Local Market LTD. The illegal cigarettes or hand rolling tobacco stored at the flat premises are not sold or distributed by Euro Local Market LTD or Mr Darvishi. The above flat premises is accessed by the Landlord of the premises, prohibiting any storage of stock items by Euro Local Market LTD. The terms of the business lease agreement stipulate the same terms. Euro Local Market LTD pays a rental premium of £1,700.00 p.c.m. for the shop premises to the managing agents located on Cheetham Hill Road, Manchester. Further details of the managing agents can be documented if required;

6. **11TH AUGUST 2021** – Mr Darvishi fully accepts possession of the 80 illegal cigarettes.

He states that an Eastern European customer visited the shop premises and asked for Mr Darvishi to sell the illegal 80 cigarettes to which the profit would be divided between them. The illegal cigarettes were purchased in a rush to sell the illegal cigarettes urgently.

Mr Darvishi had no knowledge or understanding that the cigarettes he was handling were illegal. He has very limited understanding or pronunciation of the English language, thus requiring a Farsi/Kurdish interpreter. He simply could not read the fact that the labelling or packaging of the cigarettes were not of a legal standing. He apologises with immense remorse for purchasing and handling such illegal cigarettes.

7. **FACE MASKS** – This was supplied by a customer who asked for the face masks to be sold by Euro Local Market LTD. They were purchased by a staff member at the time. It was agreed to divide the profits with the customer and Euro Local Market LTD. Mr Darvishi did not purchase, handle or supply such face masks. He had very little

understanding or information of the trademark requirement, due to his limitation
and knowledge of the English language.

PREMISES LICENCE COMPLIANCE

- 1. CCTV** – Mr Darvishi denies any breach of Condition 1 Annex 3. The CCTV system is linked to his mobile phone. There is a TV, box and the CCTV camera installed that is functional. Mr Darvishi denies that he was unable to show the CCTV;

- 2. INCIDENT LOG BOOK AT THE PREMISES** – Mr Darvishi accepts breach of Condition 2 Annex 3. He explains that he was unaware of such requirements of the licensing terms as he had taken over the business with some obstacles and traded for the very first time. He is apologetic and remorseful;

- 3. NOTICE OF AUTHORITY TO SELL ALCOHOL AT THE PREMISES** – Mr Darvashi denies any breach of Condition 3 Annex 3. He explains that there is a visible notice displayed in the shop front window and the alcohol shelving;

- 4. RECORD OF STAFF TRAINING HELD AT THE PREMISES** -- Mr Darvishi accepts breach of Condition 6 Annex 3. He explains that he was unaware of such requirements of

the licensing terms as he had taken over the business with some obstacles and traded for the very first time. He is apologetic and remorseful;

In light of the above representations, Mr Darvashi, whilst a Director of Euro Local Market LTD had limited involvement of the business operation. He employed 1-2 casual staff members who would undertake the running of the business. He was unaware that such illegal cigarettes were purchased and sold at the shop premises.

He accepts possession and purchase from a customer of the 80 illegal cigarettes in the shop premises, to which he denies any knowledge of the authenticity of the cigarettes due to the sensitive matters as discussed above.

He is fully unaware of the illegal cigarettes and hand rolling tobacco stock that was stored at the above flat premises. He denies and involvement, storage, management, sale or purchase of the same.

He further denies any chute connection system from the above flat premises to the shop premises for the sale of the illegal stock stored at the above flat premises.

It is a respectful submission for Devon Bennett to constructively consider the above representations by Local Euro Market LTD whilst reviewing the S51 Licence.

LOCAL EURO MARKET LTD

5TH October 2021