

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

1 Harrowby Drive

Post town Manchester

Postcode M40 8LP

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

Yaser Mehmood

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

143346

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)

██████████

E-mail address (optional)

██

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes
X

Please state the ground(s) for review (please read guidance note 2)

The lack of regard to the prevention of crime and disorder:

- 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
- Sale of single cigarettes
- Sale of illegal vapes

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

Collyhurst Village Store is an Off Licence and Convenience store at 1 Harrowby Drive, Manchester, M40 8LP. The Premises Licence was granted in May 2012. The Premises Licence Holder (PLH) is Yaser Mehmood who is also the Designated Premises Supervisor (DPS).

The Trading Standards Service carried out a visit to the premises on 26th February 2016 following a complaint that illicit tobacco was being supplied. An inspection was carried out at the premises utilising a tobacco search dog and 200 cigarettes & 400g hand rolling tobacco were found hidden under the counter and in a gilet on a chair behind the counter, The tobacco was seized. The shop assistant at the time; [REDACTED] advised officers that the owner, PLH and DPS was Mr Yaser Mehmood, who was not present at the time.

In total 200 cigarettes and 400g 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.

Following this seizure, a Licence Action Plan meeting was carried out with Mr Yaser Mehmood. During the meeting he stated that the tobacco belonged to [REDACTED] and he had brought it to the shop to sell. He said [REDACTED] no longer had any dealings with the business. As a result, a written warning was given, and the tobacco signed over for destruction.

The Trading Standards Service carried out a further visit to the premises on 30th November 2018 following a complaint that illicit tobacco was being supplied. An inspection was carried out at the premises utilising a tobacco search dog and 140 cigarettes & 100g hand rolling tobacco were seized. The shop assistant present was again [REDACTED] and he advised officers that the owner was Mr Yaser Mehmood, who was not present at the time.

During the course of this investigation, the Trading Standards Service received further intelligence that illicit tobacco was still being supplied. A follow up visit was made to the premises on 14th February 2019 and an inspection carried out utilising a tobacco search dog. The shop assistant present on this occasion was [REDACTED]. 180 cigarettes were seized on this occasion. Again, Mr Yaser Mehmood was not present.

In total 320 cigarettes and 100g 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 320 cigarettes being counterfeit, an offence under the Trade Marks Act 1994.

Following these two seizures, Mr Yaser Mehmood was interviewed in accordance with PACE, under caution. He said he did not have any idea about the illicit tobacco on his premises and blamed it on [REDACTED] and [REDACTED]. Following the interview, a further Licence Action Plan meeting was carried out with Mr Yaser Mehmood. During the meeting he stated that the tobacco on the premises belonged to his employees and that it was for their personal use. He said that since the visits by Trading Standards, he had warned the staff members concerned not to bring their own products into the shop whilst working. He was warned that if he was found in possession of similar goods in the future then legal proceedings may be instituted and Trading Standards may consider a review of his licence.

On 26th February 2021, following a complaint about the sale of single cigarettes to minors, a test purchase was carried out at the premises, where a Trading Standards officer was sold a single cigarette for £1. This constitutes an offence under the Children and Young Persons (Protection from Tobacco) Act 1991. Mr Yaser Mehmood was not present at the time.

A written warning was later sent to Mr Yaser Mehmood.

The Trading Standards Service carried out a visit to the premises on 22nd January 2023 following complaints that illicit tobacco was being supplied. Prior to this visit, an independent test purchaser attended the premises and purchased a pack of Richmond cigarettes which he noted were concealed behind a clock above the tobacco gantry, for which he was charged £5. An inspection was then carried out at the premises utilising a tobacco search dog. Cigarettes were found concealed in a space above the tobacco gantry behind a clock. The dog also detected further cigarettes in a rear stock room accessed behind the till. 256 Illegal vapes were also found on display which were in breach of the Tobacco and Related Product Regulations 2016 due having a capacity in excess of 2ml. The tobacco and vapes were seized.

The shop assistant present; [REDACTED], advised that the owner was Mr Yaser Mehmood, who was not present at the time.

In total 1280 cigarettes 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 1280 cigarettes being counterfeit, an offence under the Trade Marks Act 1994.

A letter was sent to 'The Owner' of the premises on the 3rd March 2023 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 23rd March 2023, a further letter was sent to the listed Business Rates payer; Mr Yaser Mehmood, again to attend an interview under caution. On the 29th March, a telephone call was received from Mr Mehmood requesting a postal interview. The same day, a written PACE interview was sent to Mr Mehmood.

As no response was received, a follow up PACE interview letter was sent to Mr Mehmood on the 14th April 2023.

On the 20th April 2023, Mr Mehmood returned the written interview by post. He indicated the business was a Limited Company. He did not provide any answers to the questions posed, confirming only his name and the business details.

A further letter was then sent to the Limited Company at both the shop address and the Registered Office address. Mr Mehmood replied on behalf of the Limited Company on the 9th May 2023. Again, he did not answer the questions posed, confirming only his name and the business details.

During the course of Trading Standards investigations, it has become clear that the Premises Licence Holder / Designated Premises Supervisor; Mr Mehmood, is either not in control of the business or has no regard for his responsibilities as a Premises Licence Holder and Designated Premises Supervisor.

It has also been clear during the various visits that the Premises Licence Holder / Designated Premises Supervisor is no longer in control of the business and the premises is operating without authorisation.

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.

Two action plan meetings have been held with Mr Mehmood in 2016 and 2019, however, illegal activity has continued for a number of years.

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 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 and we would ask for the full revocation of the Premises Licence.

Please tick yes

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

If yes please state the date of that application

Da

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 **15th June 2023**
.....

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.