



Licensing

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Your ref. Premises licence number LIC072660

Our ref. 97 Great Horton Road

16th February 2021

Licensing Team
City of Bradford Metropolitan District Council
Britannia House
Bradford

Application to transfer of Premises Licence. Application to vary a premises licence to specify an individual as designated premises supervisor. Application to vary a premises licence (hours) under the Licensing Act 2003

97 Great Horton Road, Bradford

I refer to the above applications made by Mr Morad OMER aka Mr Kirmanj SALEH, in respect of the above premises, dated 4TH February 2021 and received by the police on the following date.

Notice is hereby given on behalf of the Chief Officer of Police for Bradford District that the exceptional circumstances of this case are such that they consider that the granting of these applications would undermine the Crime Prevention Licensing Objective.

The basis of this objection is:

On 2nd February 2021, Mr OMER aka SALEH, appeared at Bradford Magistrates Court after 13 summonses were laid against him following a Trading Standards and Police investigation. Seven offences were for trademark offences, four relating to non-compliant packaging of tobacco, one for missing shop signage and lastly one offence for fraudulent trading. The approximate value of the fraud in terms of non-payment of duty was £30,000.

Mr OMER aka SALEH pleaded guilty to all offences and will appear back at Court on 1st April 2021 for sentencing.

The offences laid were as follows:

Arrested on 18/11/19 for the following offences committed on bail:

1. *Offer or expose for sale goods bearing false trademarks on 16/10/19 contrary to the Trademarks Act 1994 S.92 (1) (b) + s.92(6)*

2. Possess goods with false trademark for sale or hire on 17/10/19, contrary to Trademarks Act 1994 s.92(1) © +s.92 (6)
3. Produce/supply a tobacco product with unit pack/container not carrying Reg 7 health warnings on 17/10/19 contrary to tobacco and related products regulations 2016 reg.7(1) +reg.48(a) (i) +reg.51
4. Possess or supply tobacco product in breach of packaging regulations on 17/10/19 contrary to standardised packaging of tobacco regulations 2015 reg. 15
5. Possess goods with false trademark for sale or hire on 18/11/19, contrary to Trademarks Act 1994 s.92(1)(c) +s.92 (6)
6. Possess goods with false trademark for sale or hire on 18/11/19, contrary to Trademarks Act 1994 s.92(1) (c) +s.92 (6)
7. Possess goods with false trademark for sale or hire on 18/11/19, contrary to Trademarks Act 1994 s.92(1) (c) +s.92 (6)
8. Possess goods with false trademark for sale or hire on 18/11/19, contrary to Trademarks Act 1994 s.92(1) (c) +s.92 (6)
9. Possess goods with false trademark for sale or hire on 18/11/19, contrary to Trademarks Act 1994 s.92(1) (c) +s.92 (6)
10. Produce/supply a tobacco product with unit pack/container not carrying Reg 7 health warnings on 18/11/19 contrary to tobacco and related products regulations 2016 reg.7(1) +reg.48(a) (i) +reg.51
11. Possess or supply tobacco product in breach of packaging regulations on 16/10/19 contrary to standardised packaging of tobacco regulations 2015 reg. 15.
12. Fail to display warning statement on 18/11/19 contrary to children and young persons (protection from tobacco) act 1991 s.4
13. Participate in fraudulent business carried on by sole trader on 20/08/19 contrary to the Fraud Act 2006 s.9.

Further seizures of illicit tobacco have taken place at the end of January 2021 when Mr OMER aka SALEH has been present, and these have been passed to Trading Standards for further investigation. **One of these seizures took place at 97 Great Horton Road on 27th January 2021.**

Section 11.27 of the S182 Guidance for the Licensing Act clearly states that *“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

The sale of illicit tobacco may seem a victimless crime, but the impact of tobacco smuggling costs the country over £2 billion in lost revenue each year. It undermines legitimate business and is dominated by internationally organised criminal groups often involved in other crimes such as drug smuggling and people trafficking. The Government continues to take action to reduce smoking and the harm it causes, but illicit tobacco is sold at 'pocket money prices', which encourages children to start smoking and does nothing to dissuade current smokers to quit.

Therefore, Bradford District Police feel that due to the circumstances of the investigation by Trading Standards and the subsequent guilty pleas by Mr OMER aka SALEH, it would be suffice to request that the Licensing Committee refuse all three of these applications under the prevention of crime and disorder licensing objective.

PC2730 Lord
Bradford District Licensing Officer
West Yorkshire Police