



Coventry City Council

**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 Peter Thompson, Trading Standards Officer

(Insert name of applicant)

**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 Easy Shop 74b Walsgrave Road Coventry	
Post town Coventry	Post code (if known) CV2 4EB

Name of premises licence holder or club holding club premises certificate (if known) Mr. Rebuar Sharif
--

Number of premises licence or club premises certificate (if known) LN/216000395

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 Trading Standards Coventry City Council Floor 6 – Civic Centre 4 Much Park Street COVENTRY CV1 2PY
Telephone number (if any) 02476787254
E-mail address (optional) trading_standards@coventry.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 checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

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

Easy Shop situated at 74b Walsgrave Road Coventry applied for a Licence in August 2016 to sell alcohol. The licence was granted on 1st September 2016. The licence has a condition attached to it that states:

‘All alcohol and tobacco products must be purchased from legitimate traceable sources that provide receipts to confirm purchased items. Goods sold should not evade any duty or taxes and should be authentic goods, which comply with UK legislation. All receipts and records will be made available to officers at Coventry City Council for inspection when requested by that officer’.

Trading Standards made this condition a requirement of the licence; due to the previous history of the shop owner and the nominated Designated Premises Supervisor (DPS). The histories of both persons are explained later in this application.

Easy shop has been subjected to an inspection visit from the Trading Standards. During the inspection illegal cigarettes were found in the store room and seized. The grounds for this review are therefore based upon the illegal supply of tobacco products from this shop.

The supporting details of which this review relate to are as follows:

On 5th October 2016 a visit was made to Easy Shop. The reason for the visit was to follow up on a complaint that had been received which reported that this shop was supplying illegal cigarettes. The person who provided the information wishes to remain anonymous.

On walking up to the shop one male was standing outside. He was recognised because he worked at another shop some years ago called the European Mini Market situated on Clay Lane, Coventry. This shop is known to Trading Standards for supplying illegal tobacco. He also recognised your officers, and said hello as we entered the shop. He followed us into the shop and stood inside the door by the counter. Another male was inside the shop standing by the side of the counter.

Officers explained to both of them the reason for the visit and began to complete the appropriate paperwork.

Whilst the Trading Standards paperwork was being written out, it was noticed that the person we had seen before from the European Mini Market had walked outside. An officer walked outside to ask him for his details but he was nowhere to be seen.

Offices had commenced the inspection of the shop at this time, and one officer said that he had found a box in the rear store room that contained packets of illegal cigarettes. This box was seized, and in total 94 packets of various branded foreign labelled cigarettes and 9 packets of Counterfeit cigarettes were seized. The seized cigarettes are kept inside a secure room inside the Council House, and were given exhibit number PT/01. They are available for inspection upon request.

Paperwork found behind the counter provided a name for the owner as Mr Sharif. The shop worker gave his name as 'Ali'. Ali was asked where Sharif was, and he said he was outside and he went off to fetch him. Officers also walked outside with Ali, but no-one was outside. Ali was asked if Sharif was the person who was here when we first entered the shop and he replied 'yes'. The paperwork receipting this seizure was written out for Sharif, and a copy of it was left on the counter for his return. Please refer to Appendix 1 for a copy of the Officers Paperwork.

Business rates information for the premises was checked, and the person who was found to be liable for this shop was Mr Rebuar Sharif. He has been liable for this shop since February 2015.

On 19th October 2016 Sharif was invited to attend a Police and Criminal Evidence Act interview under caution. He failed to attend the interview. At no time has Sharif been in contact with Trading Standards in relation to this matter.

In relation to the illegal cigarettes:

They were found on a trade premises inside a store room that also contained other shop goods. This would suggest they are being sold from this shop. They were hidden inside a box away from the counter, whereas the legal UK branded cigarettes were behind the counter on open display, this suggests they knew they were illegal. Given the quantity found (103 packets) and given that there were 7 different brands, this would suggest they were not being used for personal consumption.

In relation to the Premises Licence Holder – Rebuar Sharif:

The application for a premises licence was made by Mr Rebuar Sharif who is the licence holder. Sharif was initially present at the time of this visit, but he decided not to stay during the course of it. Sharif also failed to attend a formal interview. His actions, given that he is the owner of the shop and premises licence holder, are irresponsible.

In February 2015 a Police Officer witnessed a van unloading boxes into a Vauxhall Insignia car. The Police suspecting this was suspicious checked what was inside the boxes. They contained 1000's of illegal cigarettes. The van's details were checked by the Police Officer and the keeper of the van was Rebuar Sharif.

In relation to the Designated Premises Supervisor – Hardi Hussain Amin:

The nominated DPS is Mr Hardi Hussain Amin of 273 Harnall Lane East, Coventry. This is the address for a shop called 'Shop and Save'. Amin was also the Premises Licence Holder, and the DPS, for Shop and Save when the licence to sell alcohol from that shop was suspended for 3 months in November 2012. The reasons why Amin had his licence suspended was due to the multiple seizures of illegal tobacco products taken from his shop during 2011 & 2012. Please refer to the licence review application in Appendix 2 and hearing decision in Appendix 3.

Amin also received a warning letter on 17th November 2011 for having in his possession for sale 203 illegal tobacco products. The associated premises was 'Shop and Save' 273 Harnall Lane East, Coventry. This warning letter can be seen in Appendix 4.

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

In 2014 Trading Standards were contacted by an Officer from the Counter Terrorism Team (CTU) based in Birmingham. They advised that Customs Officers from Birmingham Airport had stopped a Mr Hardi Hussain Amin who was leaving the country with a significant quantity of cash (£34,550.00) This was seized from him, and he was questioned. Trading Standards was asked to provide a statement to CTU, of which we did; on Amin's previous history with regard to his involvement with illegal cigarettes.

Based on the information Trading Standards had provided, we were informed by CTU Financial Investigations Team that they were now applying to the Crown Court to confiscate this money under the Proceeds of Crime Act. On 8th December 2015 Trading Standards received the following email from the CTU Officer dealing with this case:

'The Judge found in our favour that, upon the balance of probabilities, the full sum of £34,550 was forfeited on the basis that it was associated to Amin's sales of illegal and counterfeit tobacco, and the potential subsequent laundering of the money back through the business – shop and save'.

Conclusion:

Although Easy Shop has only been visited on one occasion by Trading Standards, and on that 1st occasion illegal goods have been found, there is, as outlined within this application, bad character evidence to consider.

Therefore it is the opinion of your officer that Sharif and Amin may continue to sell illegal cigarettes from this shop, unless they are given a deterrent which may discourage them, or dissuade them altogether.

The officer requests the following action to be considered in this instance:

- 1 Revoke the Premise Licence, or
- 2 Suspend the Premise Licence for a period of three months, and/or
- 3 Terminate Hardi Hussain Amin's post as the DPS at this premises, and / or any other premises.

Please tick ✓ yes

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

If yes please state the date of that application

Day	Month	Year

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

.....

Capacity

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Peter Thompson
Trading Standards
Regulatory Services
Floor 6 – Civic Centre 4
Much Park Street
COVENTRY
CV1 2PY

Post town
Coventry

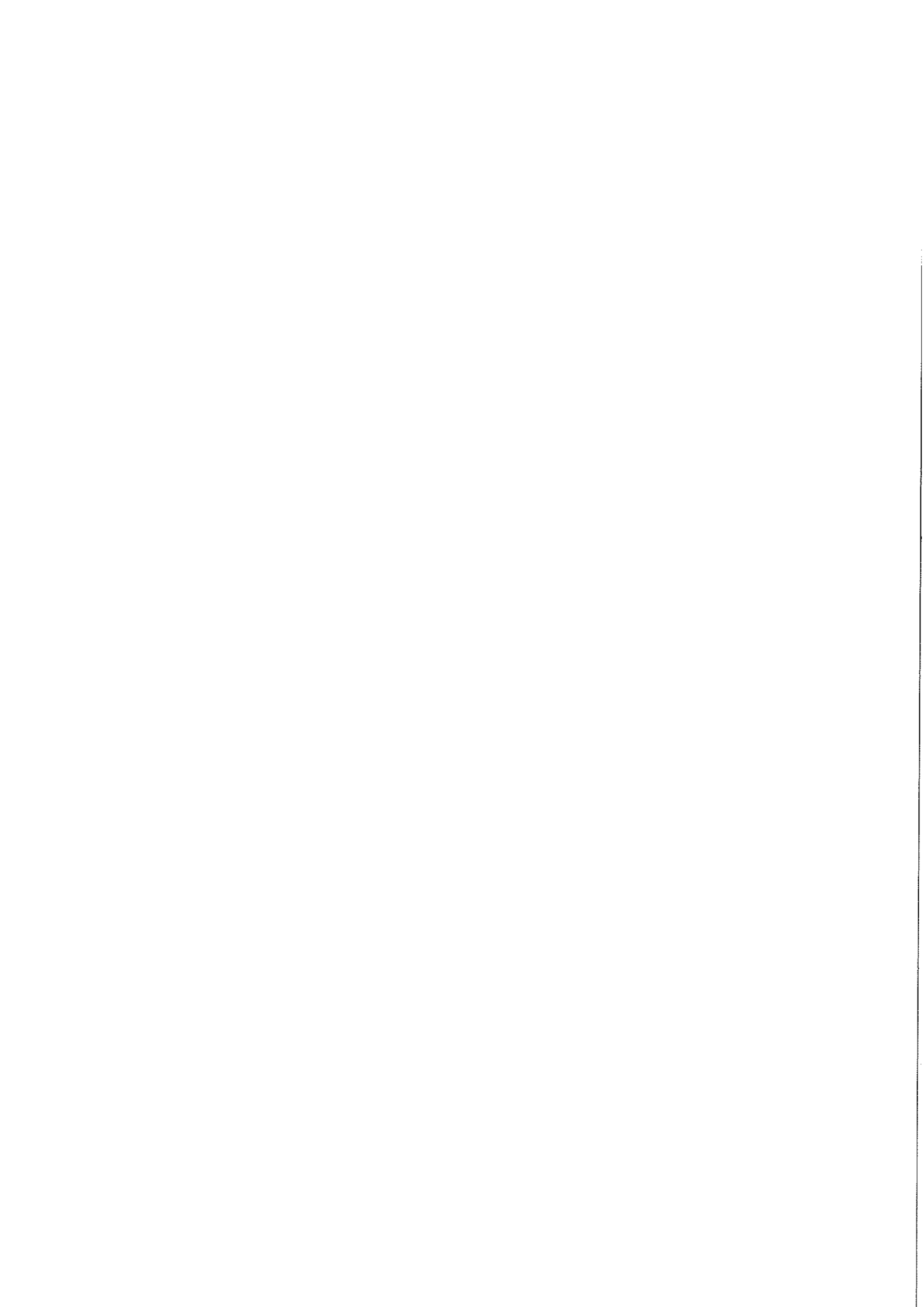
Post Code
CV1 2PY

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) peter.thompson@coventry.gov.uk

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.





REGULATORY SERVICES

Coventry City Council NOTICE OF POWERS AND RIGHTS (officer's copy)

INFORMATION FOR THE OCCUPIER

This notice explains the reasons why officers are seeking to enter your premises. Officers must tell you that they are either;

A - providing you with details of the legal rights they have to enter your premises where they do not have to give advance notice.

B - seeking to obtain your permission to enter your premises as the law does not automatically give them the right to do so, or

C - providing you with details of the legal rights they have to enter your premises and they have already given at least 48 hours advance notice of their intention to visit, or

If at any time during the visit, the officer has reason to suspect that an offence may have been committed, then certain additional powers will apply. The officer will advise you of this change should it occur.

Authority to enter premises - option used by officer (tick one option below):

A B C

MR. SHARIF.

Premises name and address

Easy Shop and Butcher, 74 Walsgrave Road.

Name / position of person receiving the notice

P. HAMPSON

Lead Officer

Other Officers present

DR. AD. P.B.

Date of visit / Intended visit

5/10/16

Time arrived

2:00pm

Time left

2:30pm

Reason for visit

Search for illegal goods.

Reason Advance Notice was not given:

Goods would be removed

A - Entry with consent - You do not have to consent to this visit and you may withdraw your consent at any time before it is concluded.

With your permission, I wish to enter the premises identified for the purpose of carrying out an inspection, may make use of any equipment, and / or examine certain goods or documents. You are not obliged to give consent and you must understand that any information produced that indicates an offence has taken place may be used in any legal proceedings.

I HAVE READ AND UNDERSTOOD THE ABOVE INFORMATION AND HEREBY *GIVE CONSENT / *DO NOT GIVE CONSENT (*delete as appropriate).

Name.....Signature.....
Position.....

B - Right to enter premises with advance notice, or

C - Right to enter premises without advance notice

Under an Entry Warrant (Copy attached) Without an Entry Warrant

Legislation: Consumer Rights Act 2015. Trade Marks Act 1994

Signed: [Signature]

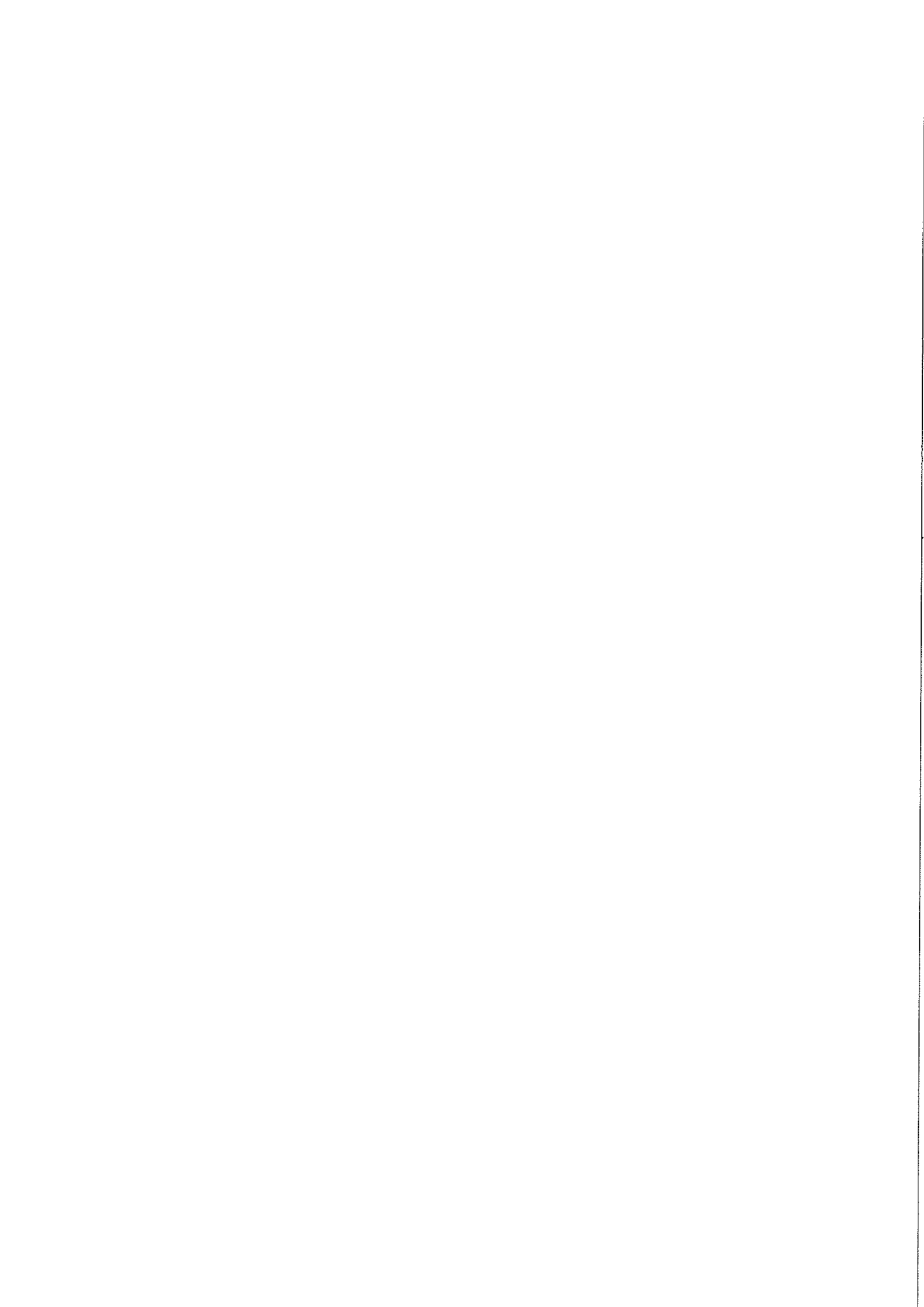
Print Name: MR. PERE

(Authorised officer)

Job Title: TSO

Telephone No: 02476 831376

* Box of illegal cigarettes seized from near store room.





Coventry City Council

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I Peter Thompson, Trading Standards Officer

(Insert name of applicant)

**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 Shop and Save. 273 Harnall Lane East, Coventry, CV1 5AX.	
Post town Coventry	Post code (if known) CV1 5AX

Name of premises licence holder or club holding club premises certificate (if known) Mr. Hardi Hussain Amin

Number of premises licence or club premises certificate (if known) LN/210000477

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 Trading Standards Section Coventry City Council Room 311 Broadgate House Coventry CV1 1NH
Telephone number (if any) X
E-mail address (optional) X

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

- Please tick one or more boxes ✓
- 1) the prevention of crime and disorder
 - 2) public safety
 - 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)

Shop and Save situated at 273 Harnall Lane Coventry has been subject to a number of inspection visits from the Trading Standards Fraud and Financial Investigations team. During these visits illegal cigarettes and tobacco products have been found and seized. The grounds for this review are therefore based upon the illegal supply of tobacco products from this premise.

The supporting details of which this review relate to are as follows:

On 6th September 2011 Trading Standards Officers where in the vicinity of Harnall Lane when they noticed that a new business called Shop and Save had opened. Officers therefore decided to carryout an initial inspection of this shop, and obtain the new business ownership details. This inspection resulted in 200 illegal cigarettes and 9 bottles of illegal alcohol being seized from behind the counter. An Officer provided verbal advice on this matter as this was a first time offence. The Officer then wrote out the relevant paperwork whereby Ms Andrea Rafaeloua signed it as a 'part-time worker'

The Licence holder at this time was: Rekan Zrar Gafoor

The Designated Premise Supervisor at this time was: Rekan Zrar Gafoor

Please refer to appendices 1 for copies of the Officers Paperwork.

On 28th October 2011 Officer's re-visited Shop and Save to see if they had heeded the advice given to them on the previous visit not to sell illegal cigarettes. During the inspection a secret compartment which had been purposely built into the shops counter was found. Screws had to be undone to reveal a drop down compartment which contained 3920 illegal cigarettes and 7 packets of illegal tobacco pouches. Mr. Hardi Hussain Amin was behind the counter when this seizure took place. He signed the Officer's paperwork as the 'owner' of the business.

The Licence holder at this time was: Rekan Zrar Gafoor

The Designated Premise Supervisor at this time was: Rekan Zrar Gafoor

Please refer to appendices 2 for copies of the Officers Paperwork.

On the 17th November 2011 both Hardi Hussain Amin, and Rekan Zrar Gafoor, received written warnings from Trading Standards regarding the seizure made on the 28th October. The warnings informed both individuals that they could face formal action if illegal goods were found on their premises again.

Please refer to appendices 3 & 4 for copies of the warning letters.

On 26th July 2012 two Officers from Trading Standards accompanied West Midlands Police to execute a Police search warrant at Shop and Save. The search warrant also included the flat above the shop.

Whilst Police Officer's search the upstairs flat, Trading Standards Officer's inspected the shop. On the counter was a till, Officer's looked inside this till and found 300 illegal cigarettes hidden under bank notes. These were seized. A Police Officer then informed Trading Standards that more illegal cigarettes have been found in the flat upstairs. The Police Officer seized these and then handed possession of them over for Trading Standards to deal with. In total 2980 illegal cigarettes were seized from the flat.

There were three males in the flat, one being Hardi Hussain Amin. He signed the Officers paperwork as the 'owner' of the business.

The Licence holder at this time was: Hardi Hussain Amin

The Designated Premise Supervisor at this time was: Hardi Hussain Amin

Please refer to appendices 5 for copies of the Officers Paperwork.

On the 11th September 2012 Hardi Hussain Amin was formally interviewed by Trading Standards.

In relation to the illegal cigarettes found on the 28th October he said he did not know that they were hidden in the counter. He said he had only been working in the shop 2 days and that it must have been another employee who put them there.

In relation to the illegal cigarettes being found on the 26th July in the shop, and in the flat upstairs where he was living, he again blamed an employee. He said the cigarettes in the flat were not his, and that his employee must have also put them in the till to be sold without his knowledge. He said he was rarely in the shop and did not know what was going on when he was not there.

Officers believe he is not telling the truth, and he is only blaming others who work in his shop because he cannot provide any other plausible reason as to why illegal cigarettes keep being found in the shop.

The fact that he was present during two of only three visits, suggests to your Officers, that he is in fact working in the shop more frequently than he would like us to believe. The fact that illegal cigarettes were found in the till, a till he must regularly operate as a shopkeeper, also leads officers to believe that he must of known they were there. This is because if we are to believe what he says; that an employee was doing this behind his back, then surely that employee would never have placed them in the till for fear of being caught.

Additionally, the illegal cigarettes found in the flat upstairs were not hidden from view. They were in the main living room where Hardi was sitting. He would have seen them, and the fact these illegal cigarettes match the ones found in the till downstairs, leads Officers to also believe they were being stored in the flat for the purpose of eventually being sold in the shop.

Conclusion:

In conclusion, and considering the facts here, Officers believe Hardi Hussain Amin was not only complicit in the sale of illegal cigarettes from his premise, but had continued to sell them even though he had been given a warning from Trading Standards not to do so. The fact that he was

present on two separate occasions when illegal cigarettes were seized, shows that he has not taken any measure to prevent the re-occurrence of illegal goods being sold from his shop. Additionally this lack of remedial action proves that his business is being operated and managed with total disregard for the law, and without regard to any consequences.

It is therefore the opinion of your Officer that Hardi Hussain Amin will continue to sell illegal cigarettes from his shop, unless he is given a deterrent which may discourage him, or dissuade him altogether, from continuing with this illegal trade.

The officer therefore requests the following action to be considered in this instance:

- 1) Revoke the Premise Licence, or
- 2) Suspend the Premise Licence for a period of three months, and when the licence is reinstated attach the following condition to the licence:

'All alcoholic and tobacco products should be purchased from legitimate traceable sources that provide receipts to confirm purchased items. Goods sold should not evade any duty or taxes and should be authentic goods which comply with UK legislation. All receipts and records will be made available to officers of Coventry City Council for inspection when requested by that officer.'

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

The premise is a small mini-market situated in a highly populated residential area. It has a large selection of Alcoholic drinks on sale. The store room contains predominately alcohol products, which suggest alcohol sales are a significant part of this businesses sales / profit.

The premise has been visited 3 times, and on every occasion illegal goods have been found.

In total:

7,400 x illegal cigarettes (370 packets) have been seized.

The street value of this haul would be approximately £1280.00 (£4 per pack). If the cigarettes were legitimate then the value would be approximately £2479.00 (£6.70 per pack).

The cigarettes seized are illegal because they have evaded tax duty, are counterfeit, or do not comply with UK legislation in relation to the health warning requirements.

7 x illegal tobacco pouches (50g) have been seized.

The street value of this haul would be approximately £49 (£7 per pack). If the tobacco were legitimate then the value would be approximately £88.90 (£12.70 per pack).

They are illegal because they have evaded tax duty and do not comply with UK legislation in relation to the health warning requirements.

9 x illegal Vodka bottles have been seized.

The value of this haul would be approximately £90.00 (£10 per bottle). Because they were purchased illegally there are no receipts to consult, therefore Officers are not sure how much Hardi Hussain Amin would have paid for them.

The 9 bottles of Vodka seized were from behind the counter. They did not have a UK Duty stamp applied to them. Therefore these were handed over to HMRC for their interest because duty had been evaded on these bottles.

It is the opinion of your Officer that the owner & licensee of the business has taken no measures to prevent the continued supply of illegal goods. And considering the profits that can be made from this illegal business, he should receive a penalty that would not only have an impact upon his business, but also on his future activities.

Please tick ✓ yes

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

If yes please state the date of that application

Day		Month		Year			
1	1	1	1	1	1	1	1

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

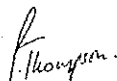
Please tick ✓ yes

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- 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 **24th September 2012**

Capacity **Trading Standards Officer**

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6) Peter Thompson Trading Standards Section Coventry City Council Room 311 Broadgate House Coventry CV1 1NH	
Post town Coventry	Post Code CV1 1NH
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) peter.thompson@coventry.gov.uk	

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.
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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.

**Finance and Legal
Services Directorate**

Mr P. Thompson
(Via email)

Christine Forde
Council Solicitor
and Assistant Director
4th Floor, Christchurch House
Greyfriars Lane
Coventry CV1 2QL

Your reference:
Our reference: L/MS/0000-00042

Telephone 024 7683 3002
DX 18868 COVENTRY 2

20th November 2012

Please contact: Mark Smith
Direct line 024 7683 3037
Fax 024 7683 3004
mark.smith@coventry.gov.uk

Dear Sir,

Licensing Act 2003 – Notice of Determination

Application

Application to review the Premises Licence relating to Shop N Save, 273 Harnall Lane East, Coventry (S.51 Licensing Act 2003).

Date of Hearing

16th November 2012.

Decision

The Premises Licence is suspended for 3 months.

The following condition is added to the Premises Licence: -

"All alcoholic and tobacco products should be purchased from legitimate traceable sources that provide receipts to confirm purchased items. Goods sold should not evade any duty or taxes and should be authentic goods, which comply with UK legislation. All receipts and records will be made available to officers at Coventry City Council for inspection when requested by that officer."

Reasons

The Sub-committee considered the written review application and the oral submissions from Trading Standards and the Licensee's representative. In accordance with Section 4 of the Act, it also had regard to Part 11 of the Secretary of State's Guidance to licensing authorities concerning reviews.

The Sub-committee accepted the evidence presented by Trading Standards as being true on the balance of probabilities. It heard evidence that counterfeit products are easily identifiable and that advice had previously been given to the licensee on this issue. It found the



Chris West
Director of Finance and
Legal Services Directorate

explanations given on behalf of the licensee to be implausible and evasive and noted a partial admission that illegal products had been sold from the premises. It had serious concerns about the possible health implications for the community through selling counterfeit products whose origin and content are unknown.

In view of previous warnings having been apparently ignored it saw no point in issuing a further warning. Having regard to Part 11.20 of the Secretary of State's Guidance, it felt that the appropriate and proportionate sanction in this case was to impose the above condition and to suspend alcohol sales for 3 months with the aim of deterring the supply of any further illegal goods from the premises.

Date Decision Takes Effect

The decision takes effect at the end of the period allowed for lodging an appeal to Coventry Magistrates' Court (i.e. on **12th December 2012** being 21 clear days from the deemed date of receipt of this notice) or if such an appeal is lodged, from the date that the appeal is disposed of.

Right of Appeal

The Act provides for the Licensee and Trading Standards to appeal this decision. Any such appeal must be lodged in writing at Coventry Magistrates' Court within 21 days from the date of receipt of this notice.

Yours faithfully

Mark Smith
Senior Solicitor
Commercial Team

Cc Licensee, Police.



Coventry City Council

Private and Confidential
Mr Hardi Hussain Amin
1 Green Lane
Handsworth
Birmingham
B21 0DE

Our reference WK/211026903
17 November 2011

Dear Mr Amin

**Consumer Protection Act 1987
Tobacco Products (Manufacture, Presentation and Sale) (Safety) Regulations 2002**

I write with reference to the visit made by officers from this service to your store, 'Shop n Save', Coventry on the 28.10.2011. During the visit, officers found you to be in possession of 196 packets of illegal cigarettes and 7 packets of tobacco hidden on the premises.

I have considered the circumstances of the investigation reported to me and I am satisfied that you have committed offences under the Consumer Protection Act 1987 by possessing tobacco items that do not satisfy the labelling and warning requirements of the above regulations, for which you may be prosecuted.

I have, however, decided it is not in the public interest to commence legal proceedings against you on this occasion but to issue you with a written warning by way of this letter instead.

No further action will be taken in relation to this investigation but details of this matter will be kept on file and will be referred to in the event of any further offences being reported to me. You are strongly advised not to buy such products again as further checks will be made in the future and legal action will be considered if you are found to continue selling.

Yours sincerely

Hamish Simmonds
Trading Standards Manager

Community Services
Public Safety & Housing

Trading Standards
Coventry City Council
Broadgate House
Broadgate
Coventry
CV1 1NH

Telephone 024 7683 1871
Fax 024 7683 1831

Please contact Hamish Simmonds
Direct line 024 7683 1871

Director of Community Services
Brian Walsh
Head of Service
Sara Roach
Assistant Director - Public Safety & Housing

