

THE LICENSING ACT 2003 - REPRESENTATION FROM RESPONSIBLE AUTHORITY

LANCASHIRE COUNTY COUNCIL TRADING STANDARDS SERVICE

I am Jason Middleton, Principal Officer, employed by Lancashire County Council Trading Standards Service in the Alcohol & Tobacco team.

I have delegated authority to exercise the County Council's powers and duties under relevant Trading Standards related Acts of Parliament and in this capacity to provide written and oral representations on behalf of the Lancashire County Council Head of Service for Trading Standards.

I make this statement using facts and matters within my own knowledge. Any facts and matters that are not within my own knowledge are true to the best of my knowledge and belief.

Lancashire County Council Trading Standards Service wishes to make representations objecting to the application for a premises licence at Lancaster Mini Market, 71 Bowerham Road, Lancaster LA1 4AQ and for a proposal to make Mr Hawbash Shorsh HAMZA the Designated Premises Supervisor.

On 24th July 2024 Lancashire Trading Standards attended Lancaster Mini Market, 71 Bowerham Road, Lancaster LA1 4AQ together with Lancashire Police, Immigration Enforcement, and an officer from Lancaster City Council Licensing department.

Trading Standards carried out an inspection of the premises and discovered 129 non-compliant vapes under the counter and 67 non-compliant vapes in a box in the storeroom. 31 packs of illegal tobacco and cigarettes were also found under the counter. These items were seized under the Consumer Rights Act 2015.

Relevant information:

The seized cigarettes/tobacco breached one or more of the following:

- **The Tobacco and Related Products Regulations 2016** – these Regulations create offences for supplying (including possessing for supply) tobacco products that do not display compliant health warnings,
- **The Standardised Packaging of Tobacco Products Regulations 2015** – Supplying (including possessing for supply) tobacco products which are not in plain packaging is an offence,
- **The Trade Marks Act 1994** – Supplying (including possessing for supply) counterfeit tobacco products bearing trademarks without the consent of the proprietor of the mark is an offence under this Act.
- The seized vapes breached the requirements of the **Tobacco and Related Products Regulations 2016**. The requirements include a 2ml limit on the quantity of nicotine-containing liquid contained in the product.

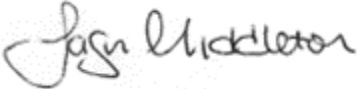
It's our understanding that the male working in the shop was found to be working illegally, and he was dealt with by the attending Immigration Officers.

The premises licence was also found to be in the name of the previous limited company operating at the address, which was dissolved on 2nd January 2024. The Licensing Officer from Lancaster City Council advised the owner over the phone that the premises did not have a valid premises licence and could not currently sell alcohol.

Due to the reasons stated above, it is the opinion of Lancashire Trading Standards that the prevention of crime and disorder licensing objective would be undermined if the licence was granted.

I reserve the right to bring further evidence to any hearing, should any arise between now and then.

I believe the contents of this statement to be true.

Signed: 

Date: 21/08/2024

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