



**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 MELONY WOODS

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description

Go Local – Drinks Allowed
18 Castle Street
Edgeley

Post town
STOCKPORT

Post code (if known)
SK3 9AD

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

Mr Akshay Singh Ahuja

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

18/01726

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

Please tick ✓ yes

I am 18 years old or over

**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 MELONY WOODS OPERATIONS MANAGER – COMMERCIAL & TRADING STANDARDS PUBLIC PROTECTION STOCKPORT COUNCIL FRED PERRY HOUSE EDWARD STREET STOCKPORT SK1 3UR
Telephone number (if any) 0161 474 4241
E-mail address (optional) melony.woods@stockport.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 | ✓ |
| 2) public safety | ✓ |
| 3) the prevention of public nuisance | ✓ |
| 4) the protection of children from harm | <input type="checkbox"/> |
| | ✓ |

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

The grounds for seeking a review of the premises licence are that there is a failure to meet the licensing objectives of *'the prevention of crime and disorder'*, *'public safety'* and *'the protection of children from harm'*.

As part of the national illicit tobacco disruption initiative, Op CeCe, Trading Standards and Greater Manchester Police visited 18 Castle Street Street, Edgeley, SK3 9AT on Wednesday 25th August 2021. No items were found on the premises however once the team had moved on, GMP received reports that a male was putting tobacco into a vehicle at the rear of the premises. The team diverted to the vehicle at the rear of 18 Castle Street and a male who identified himself as Akshay Ahuja and, the owner of the shop and vehicle, came outside. Upon access to the vehicle, the team discovered and seized 400 illicit cigarettes, 2050g of illicit hand rolling tobacco and 230 illegal vapes with a street value of approximately £1,500 (and retail value of approximately £2,200). Please see the lead officer's statement at Appendix 1.

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

26th July 2018 – Premises licence issued to Mr Alan Race as both the Holder of the Premises Licence and Designated Premises Supervisor (DPS) for 18 Castle Street, Edgeley.

5th Jul 2019 – Mr Ahuja appointed sole director of Ahuja & Brothers (UK) (12087047) listed by Companies House at 18 Castle Street, Edgeley

1st Aug 2019 – Mr Ahuja issued with a Personal Licence by Stockport Council (19/02213) at 18 Castle Street, Stockport, SK3 9AD

24th Sep 2019 – Mr Ahuja was authorised as the new Holder of the Premises Licence (18/01726) for Drinks Allowed (known as Go Local), 18 Castle Street, Edgeley with Mr Alan Race remaining as the DPS

16th June 2020 - Mr Ahuja appointed sole director of Edgeley Local Limited (12675399) listed by Companies House at 18 Castle Street, Edgeley

26th June 2020 – Stockport Trading Standards receive notification from the national regulator the Office for Product and Safety Standards (OPSS) regarding a consignment of non-conforming facemasks detained by Border Force at Heathrow Airport, imported by Ahuja & Brothers (UK), 18 Castle Street, SK3 9AD. Company Director Mr Akshay Singh Ahuja, on behalf of the company, voluntarily surrendered the non-compliant packaging and signed an undertaking to only supply the products as facemasks and would not imply that they were Personal Protective Equipment (PPE) or provide protection against COVID-19.

4th Sep 2020 – Mr Ahuja authorised as the Designated Premises Supervisor of Edgeley Local, 41 Castle Street and one of his companies, Edgeley Local Limited, is the Premises Licence Holder (20/01358)

6th Feb 2021 – The enforcement team visited both 18 and 41 Castle Street as part of Op CeCe. Trading Standards had received a complaint earlier in the year via Crimestoppers about Ugly Duckling vodka sold from 41 Castle Street, smelling and tasting like antifreeze. The team enquired about this during their visit to number 41 and an employee advised that the owner was selling this at his other premises, 18 Castle Street. At number 18, officers found one open bottle on the counter that an employee said he had tried but it tasted ‘funny’.

31st March 2021 – Mr Ahuja registered 18 Castle Street as a food business with Stockport Environmental Health.

8th May 2021 - A 19-year-old test purchaser acting on Trading Standards behalf, and wearing a face covering due to public health COVID measures in place at the time, purchased alcohol without any age-verification checks being made. Under The Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place) (England) Regulations 2020) in force at the time, face

coverings could be removed for identification purposes but this did not happen and identification was not requested. A letter was sent to the DPS (Mr Alan Rice) and Premises Licence Holder (MR AHUJA) advising that the business was 'at risk' of making underage sales. See Appendices 2 and 3.

18th May 2021 – complaint received that alcohol is routinely sold to under 18s, is sold after 11pm (especially at weekends) and that cheap and fake tobacco is being sold to under 18s attracting minors from Hazel Grove, Gorton and other areas.

6th August 2021 – complaint received from the parent of a 15-year-old sold a lighter and vodka from the shop on two occasions. The young person was not asked to prove their age and the complainant advised that 18 Castle Street is known as 'the shop to go to' amongst youngsters to purchase alcohol and cigarettes.

25th August 2021 - Illicit cigarettes, hand rolling tobacco and vapes seized from Mr Ahuja's vehicle at the rear of 18 Castle Street during disruption activities.

26th August 2021 – complaint received that 18 Castle Street is serving single cigarettes, alcohol and 'cheap fake' tobacco to children.

1st September 2021 – complaint received via an MP that 18 Castle Street is selling 'fake' cigarettes to children and operating outside of the hours of operation on the licence.

7th September 2021 – complaint received via GMP that 18 Castle Street are selling alcohol and vapes to children.

Criminality

The supply of smuggled or fake tobacco products is a criminal offence under various legislation including the Tobacco Products Duties Act 1979, the Trade Marks Act 1994, the Standardised Packaging of Tobacco Regulations 2015 and the Tobacco and Related Products Regulations 2016. It is also an offence under section 144 of the Licensing Act 2003 for a person* to knowingly keep or allow to be kept, on any relevant premises, any goods which have been imported without payment of duty or which have otherwise been unlawfully imported (keeping of smuggled goods).

* a 'person' is any person who works at the premises in a capacity, whether paid or unpaid, which gives him authority to prevent the keeping of goods on the premises. In the case of a licensed premise, a 'person' is the premises licence holder and the Designated Premises Supervisor under that licence.

Organised Crime 'Gangs'

Large-scale organised crime groups or 'gangs' are often behind illegal tobacco products supply. This supply funds wider criminality such as the drugs trade, human trafficking, loan sharking, alcohol smuggling and money laundering. Those engaged in the sale of illicit tobacco may be more likely to

extend their criminality into selling illicit tobacco to minors, which is also an offence and causes serious harm to children. Often, victims of human trafficking find themselves forced to sell these illegal products in order to pay off debts or fearing harm to themselves or their families. It also brings criminals into local neighbourhoods to supply local sellers and business, who operate compliantly by selling genuine duty paid tobacco products, see their trade affected (of both tobacco and other products).

Personal Harm

Smoking is the single biggest lifestyle cause of ill health. All cigarettes (including those sold legally) are harmful, but some illegal tobacco (e.g. counterfeit cigarettes) is made of poor quality ingredients, which can make it even more dangerous to a person's health. Smokers who buy cheap product may think they are getting a bargain but the availability of cheap tobacco products is likely to be harming attempts to quit.

Eleanor Bannister, Lead for Public Health Intelligence and Early Intervention and Prevention in Stockport, reports that *'the current smoking estimate for adults for Stockport is 13.4%, but this masks significant inequalities'* and *'the rates are more than double this in the most deprived quintile of Stockport, for Edgeley and Cheadle Heath ward the estimated smoking rate is 19%.'* An estimated 5% of 15 year olds in Stockport are regular smokers.

Behaviour Change Lead for Public Health in Stockport, Alison Leigh, advises that *'illegal tobacco can impact on children and young people especially – it is cheaper and more accessible'*. Alison also tells us that *'higher prices / taxation is proven to be an effective way of reducing smoking'*. Attempts to quit are *'likely to disproportionately affect those with less money and who are more likely to suffer ill health in the long term'*. Further, *'illegal tobacco often does not carry the health warnings that are required on cigarettes sold legally in the UK.'*

Tax Evasion

The trade in illicit cigarettes and tobacco contributes to an underground economy worth billions of pounds. Not only is it illegal, the trade adversely affects public funds. Tobacco duty makes an important contribution to public finances. Evasion of tobacco duty both denies the Exchequer of revenues and blunts the effectiveness of tobacco duty as a tool to reduce smoking.

Summary

Stockport Trading Standards have received repeated complaints about illicit tobacco and underage sales of both alcohol and tobacco. The unchecked sale to our young person in May and seizure of illegal products in August would support these allegations.

There are underage drinking problems in the area and the continuance of this premises licence is highly likely to contribute to the issue. The premises licence has a Challenge 25 policy condition however; a sale of alcohol was made to our young test purchaser wearing a face covering, without any attempt to ascertain their age.

The items discovered in Mr Ahuja's vehicle had been deliberately moved and hidden by him in an attempt to evade seizure by the enforcement team. These actions clearly suggest that Mr Ahuja is aware that the possession and supply of these items is illegal.

Motivated by money and with little care for the impact on communities and the UK economy, the licence holder is failing to fulfil the Licensing Objectives. Mr Ahuja is also sole Director of the Company operating Go Local at 18 Castle Street, Edgeley and demonstrates complete disregard for the law.

Recommendation to the Licensing Committee

Revocation of the Premises Licence held by Mr Akshay Ahuja.

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

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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 12TH January 2022

Capacity Operations Manager – Commercial and Trading Standards

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 e-mail 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.