

**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 Lancashire County Council Trading Standards Service

(Insert name of applicant)

apply for the review of a premises licence under section 51 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 Europa 94 Barkerhouse Road	
Post town Nelson	Post code (if known) BB9 9EU

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

Number of premises licence or club premises certificate (if known) (PEN A) 0431

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 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

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	
N McNamara Lancashire County Council Trading Standards Service County Hall Preston Lancashire PR1 0LD	
Telephone number (if any)	01772 533592
E-mail address (optional)	nick.mcnamara@lancashire.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 1)

The Prevention of Crime and Disorder

The application for review is submitted by Lancashire County Council Trading Standards Service on the grounds that the licensing objective relating to the Prevention of Crime and Disorder is not being observed at this premise.

- Europa has an extensive history of trading in smuggled tobacco, with seven test purchases/seizures being made over 15 months from 22 April 2015 to 20 July 2016;
- Supplying tobacco products that do not display compliant health warnings, in English, is an offence contrary to the Tobacco Products (Manufacture, Presentation and Sale) (Safety) Regulations 2002 (if committed before 20 May 2016), or The Tobacco and Related Products Regulations 2016 (if committed since);
- The sale of smuggled, non-duty paid tobacco products is an offence contrary to the Tobacco Products Duty Act 1979;
- Knowingly acquiring, harbouring, keeping or concealing non-duty-paid tobacco is an offence contrary to the Customs and Excise Management Act 1979;
- The sale of counterfeit tobacco bearing unauthorised registered trademarks is an offence contrary to the Trade Marks Act 1994;

- Para. 11.27 of Guidance published under s182 of the Licensing Act states that, in the context of review proceedings, use of licensed premises for the sale or storage of smuggled tobacco and alcohol should be treated particularly seriously.

- Para. 11.28 of the Guidance states:

a) It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

During the past 18 months this premise has brazenly ignored its responsibilities to observe the crime prevention objective in relation to the storage and sale of smuggled tobacco. Inquiries looking at persons associated with running and managing Europa give rise to serious concerns that this premise is part of a network of shops trading in contraband tobacco and there is every reason to believe that offences will continue to be committed at this premise unless affirmative action is taken.

Application

The Licensing Authority is encouraged to review the relevant premises licence and to exercise such of its powers as it considers appropriate for promotion of the crime prevention objective at Europa, including revocation of its premises licence.

Please provide as much information as possible to support the application
(please read guidance note 2)

PREVENTION OF CRIME AND DISORDER
(See appended statement of Dawn Robinson)

- 24 February 2015: 16x packs of smuggled cigarettes seized from Europa by Trading Standards. The assistant, MAGDALE ZIELINSKA, identified the owner as AZHAR IQBAL.
- 29 February 2016: test purchase of 3x packs of smuggled cigarettes;
- 3 March 2016: 122x packs of smuggled and counterfeit tobacco products seized from a hidden compartment built into shelving. The assistant, ANITA SZYMONIAK, said she knew her boss as 'SAL' but had no contact details for him. Licence details on the wall gave names TASLEEM BALESARIA and AZHAR IQBAL but SZYMONIAK said she had never heard of either person.
- 4 March 2016: A man who spelt his name out as QUAYIM RAJA rang TSO Michael Craig to complain about the breaking open of the hidden compartment at the shop. He gave his address as 'above the shop'. He said that he only sold Polish labelled cigarettes to his Polish customers, and therefore did not believe he was breaking the law.
- 5 April 2016: SHAHZAD AHMED (listed with Non Domestic Rates for this shop) told officers that he handed the keys back to the landlord in 2015 and had no current connection with the shop. The landlord said he was paid rent occasionally by a man called SAL, for whom he had no contact details.
- 25 April 2016: During a phone call to TSO Craig, QUAYIM RAJA identified himself as RAJA QAYYUM UDDIN. Experian checks were carried out on both of RAJA/UDDIN'S names with the date of birth given, but no records have been found. RAJA/UDDIN repeated that he lived above the shop but refused to tell officers when he would be there. He was not present when officers twice visited the shop looking for him.
- 21 June 2016: DPS: TASLEEM BALESARIA told officers she had had no involvement with Europa since late August/early September 2015. PLH AZHAR IQBAL did not return Trading Standards calls.
- 22 June 2016: Test purchase of 3x smuggled cigarettes. An employee was seen to scan packs as "news and magazines".
- 20 July 2016: Officers witnessed assistant OLGA JANKOVSKA selling smuggled tobacco products leading to the seizure of 140x smuggled and counterfeit packs. During the course of the inspection JANKOVSKA'S phone rang. The caller's number was shown as SAMIR, and JANKOVSKA confirmed that this was her boss.
- 22 July 2016: A male called from SAMIR's number. TSO Craig recognised the caller's voice as the male who had previously called himself RAJA/UDDIN. The man refused to give his address, and demanded his cigarettes were returned to the shop.
- 2 August 2016: TSO Craig witnessed a male collect the takings from Europa at 21.30 hours. The male's Hyundai vehicle was registered to SALIM BALESARIA at

43 Lammack Road, Blackburn BB1 8JW, which is the address of the DPS Mrs TASLEEM BALESARIA.

- 18 August 2016: JANKOVSKA serving behind the counter. She confirmed that ARSHAD JAVED was the new DPS but did not know how to contact him. She identified Europa's owner as TARIQ ZAMAN but could provide no contact details for him other than a dead phone number. Three empty packets of illicit cigarettes were found together with a current United Utilities bill addressed to MR ABDUL QAYYUM at the shop address.

Later that day officers spoke to ARSHAD JAVED who denied that he was the new DPS for Europa. He said he had never heard of ABDUL QAYYUM, TARIQ ZAMAN or EURO FOODS (NELSON) LTD, and that his details were being used fraudulently in the application.

- 25 August 2016: A warrant was executed at 43 Lammack Road, Blackburn when SALIM AND TASLEEM BALESARIA were present. 171x smuggled packs seized from the Hyundai seen at Europa on 2 August. A mobile phone was labelled with the same number as JANKOVSKA gave for 'SAMIR' on 20 July.

Documents were found connecting SALIM BALESARIA with Europa, Eurosta, and Sklep Euro*. Multiple licensing related documents were also found indicating that licensing applications made in third party names were actually being managed or overseen by SALIM BALESARIA. A car key seized at the house was found to open a Nissan parked behind Europa containing 23x smuggled packs.

£6910 in cash was seized from the kitchen at 43 Lammack Road.

(*Trading Standards have made recent seizures of smuggled tobacco products from both Eurosta, 37 Railway Street, Nelson BB9 9SG (34x packs on 13 July 2016) and Sklep Euro, 38 Whalley Road, Accrington BB5 1AA (106x packs on 17 August 2016). In the first shop, a young Polish female said her main boss was SAL.)

SUMMARY

- Contraventions: (sales/seizures) occurring on 5x occasions (3x seizures, 2x test purchases) during a 15-month period between 22/04/15 – 20/07/16;
- Employees consistently unable to identify/contact owner(s)/DPS-es;
- TASLEEM BALESARIA, the DPS throughout the period in question, claims to have had no responsibility for the business since 1 August 2015;
- AZHAR IQBAL, the premises licence holder throughout the period in question is not at the address (3 Leyland Rd, Burnley) given to Nelson Borough Council Licensing and Trading Standards' efforts to trace him have not proved successful;
- Sophisticated efforts to evade duty and frustrate enforcement including:
 - providing false/alias names and addresses to trading standards officers;
 - concealing packs in hidden compartments, in cars parked nearby, and on high shelves;
 - fraudulent attempt to register ARSHAD JAVED as a DPS;
 - running packs through the tills as "news and magazines".

Please tick yes

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

If yes please state the date of that application

Day	Month	Year

If you have made representations before relating to this premises please state what they were and when you made them
N/A

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 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature 

Date: 19 September 2016

Capacity: Principal Officer (Legal)

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Post town	Postcode
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. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Lancashire County Council

Statement of Witness
(Criminal Procedure Rules, r27.1(1);
Criminal Justice Act 1967, s9, Magistrates' Courts Act 1980, s5B)

STATEMENT OF (name of witness) DAWN ROBINSON

Age of witness (if over [18] enter over [18]): OVER 18

Occupation of witness: TRADING STANDARDS OFFICER

This statement (consisting of eight pages each signed by me,) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the ^{9th} ~~5th~~ day of ^{September} ~~August~~, 2016

(Signed)



I am a Trading Standards Officer employed by Lancashire County Council Trading Standards Service, currently based at County Hall, Preston. Some of the following information is from Trading Standards records, and some from my own personal knowledge. Our records show that on 24 February 2015, an officer from Trading Standards seized 17 packs of illicit cigarettes bearing Polish health warnings from Europa, 94 Barkerhouse Road, Nelson. These comprised 9 packs of NZ SLIMS, 4 packs of PRESIDENT, 3 packs of MNHCK, and 1 pack of WINSTON. The only member of staff on the premises was a woman giving the name **MAGDALENA CIELINSKA**. When asked for details of the owner of the shop Ms Cielinska gave the name **AZHAR IQBAL**. Following this, on 20 July 2015, we received an anonymous complaint that the shop Europa was supplying illicit tobacco products. Our records then show that on 29 February 2016, a test purchaser working for this service purchased two packets of L&M cigarettes and one packet of NZ GOLD cigarettes, all bearing incorrect health warnings, from a woman in her 20s of Polish appearance working at Europa, 94 Barkerhouse Road, Nelson. The amount charged was £4 for the L & Ms and £3.50 for the NZ Gold cigarettes. Our records also show that on 3 March 2016, three officers from Trading Standards conducted an inspection at Europa. The only member of staff present was a female standing behind the shop counter. She gave her name as **ANITA SZYMONIAK**, and her employer's name as **SAL**. She said she did not know his full name. The alcohol licence on the wall indicated that the DPS was a

Signature: _____



Lancashire County Council

Statement of Witness
(Criminal Procedure Rules, r27.1(1);
Criminal Justice Act 1967, s9, Magistrates' Courts Act 1980, s5B)

Continued statement of: DAWN ROBINSON

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TASLEEM BALESARIA, and the premises licensee was an AZHAR IQBAL. Ms Szymoniak informed our officers that she did not know who either of these people were. The following 122 packs of incorrectly labelled tobacco products were then seized from a hidden compartment built into the metal shelving on the shop floor: 20x AMBER LEAF rolling tobacco; 22x MARLBORO GOLD cigarettes; 16x L&M BLUE; 55x L&M RED; 3x EMAIL; 2x MARLBORO; and 4x NZ. The packs stored in this compartment were noted to be clean, dry and fresh looking. Ms Szymoniak denied any knowledge of the tobacco products. At around 12.30 hours on Friday 4 March 2016 a colleague transferred a phone call to me. The man on the other end identified himself as QUAYIM RAJA. He said that he was calling to complain that damage had been caused by trading standards staff to shelving in the business he owned at Europa, 94 Barkerhouse Road, Nelson. I double-checked by asking him if that shop was his business, and he said yes. He gave me his date of birth as 01/07/1972, and his mobile number as 07514 716588, and said that he lived above the shop. He informed me that he wanted to know how to claim for compensation for the damage. I explained that authorised officers had the right to break open containers where reasonable. MR RAJA said that the cigarettes seized by my colleagues bore Polish health warnings and he only sold them to Polish people, so therefore he could not be committing offences. I explained the legislation covering tobacco labelling to him, and confirmed that if any tobacco products bearing incorrect health warnings were in the shop for the purpose of sale, then he had committed offences, regardless of the nationality of the purchasers. He said that his supplier had assured him that the products were legal for sale in his shop. I asked for details of this supplier but Mr Raja said that he did not have them to hand. He then said that the cigarettes were in fact for his pregnant Polish partner, and were not for sale. We spoke for around five minutes in total. I advised MR RAJA that the investigating officer would be contacting him at some point. He then asked for information

Signature: _____



Lancashire County Council

Statement of Witness
(Criminal Procedure Rules, r27.1(1);
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Continued statement of: DAWN ROBINSON

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on the legislation and our powers. I advised him on the telephone, then put some information about our powers in the post to him on 8 March 2016. Our records then show that my colleague Michael Craig wrote to **MR RAJA** on 9 March requesting that he attend a formal interview at the Lancashire County Council offices. He failed to attend at the appointed time, so on 21 March 2016 Mr Craig sent him a list of written questions. I produce the written reply to these questions, received on 31 March 2016, signed by a '**Q RAJA**' as exhibit **DR1/1**. Our records show that Mr Craig then received a phone call from Mr Raja on 25 April 2016. During this conversation, Mr Raja identified himself as **RAJA QAYYUM UDDIN**. He said he lived above the shop at 94 Barkerhouse Road, and gave his DOB as 1/7/72. The notes say that he seemed angry for most of the conversation, saying that the trading standards investigations had placed his life in danger with his landlord. Mr Craig asked **MR UDDIN** what time he was usually at the shop, so that he could call and speak with him, but **MR UDDIN** refused to give an answer. Officers subsequently called at the shop on two occasions, but he was not present either time- the shop was staffed by a young Polish woman on both occasions. Mr Craig records that he made further checks into the possible ownership of Europa. On 5 April 2016 he spoke to the man listed on non-domestic rates for the shop at Pendle District Council. This man, **SHAHZAD AHMED**, explained that he handed the shop keys back to the landlord in 2015 and had no current connection with the shop. The landlord was also spoken to- he said he had no records but was paid rent occasionally by a man called **SAL**, who he had no contact details for. Our records then show that on 22 June 2016, a test purchaser for Trading Standards entered Europa and saw a female of Polish appearance in her late twenties or early thirties behind the counter, serving a female customer. The shop assistant got on to a box and took a number of boxes of red L&M cigarettes from a shelf behind some Knorr sauces, then went behind the counter and took money from the customer for the cigarettes. Our test purchaser

Signature: _____



LP/QR/32/02

Lancashire County Council

Statement of Witness
(Criminal Procedure Rules, r27.1(1);
Criminal Justice Act 1967, s9, Magistrates' Courts Act 1980, s5B)

Continued statement of: DAWN ROBINSON

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then went to the counter and asked the shop assistant for some packets of Polish cigarettes, she said she had red L&Ms and NZ Gold, which she said were slim cigarettes. When asked for 2 L&M's and a packet of NZ, she went back to the same place behind the sauces, and got a pack of L & M down from the shelf. The purchaser then told her that he wanted two packs not one. The assistant went to the back of the store where alcohol was being stored, and climbed onto a second box, taking down a second pack of red L&M cigarettes. At the counter she charged our purchaser £3.50 per pack. She put the transaction through as "news and mags" which message was visible on the consumer's side of the till screen. All cigarettes sold to the first customer and to our test purchaser bore incorrect health warnings. On 21 June 2016 I spoke to Licensing Officer Mick Armfield at Nelson District Council Licensing and obtained their contact telephone numbers for licensees **AZHAR IQBAL** (07742 452025) and **TASLEEM BALESARIA** (07762 037674). Using the numbers obtained, I left a message for **MS BALESARIA**, and a woman giving that name called me back later that day, stating that she had not had any connection with Europa since late August or early September 2015. She agreed that while there, she had acted as DPS, working for a man called **IQBAL AZHAR**, who took her on in April 2015 to set up a system and train his staff (despite the fact her name was displayed on the wall during the 3 March 2015 seizure). Over the summer she trained two girls named Domenica and Paulina. She handed her notice in to **MR AZHAR** in late summer 2015 because she got a job elsewhere. When she left, **MR AZHAR** was still in charge, and she has had no contact with him since. She said that she thought she had informed Trading Standards that she was no longer involved with the business (despite having no requirement to notify Trading Standards), and that she had advised the owner she would not be acting as the DPS from that date. I also left messages for **AZHAR IQBAL** asking for clarification about the ownership of the business, but received no response. Subsequently, on 20 July 2016,

Signature: _____



Lancashire County Council

Statement of Witness
(Criminal Procedure Rules, r27.1(1);
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Continued statement of: **DAWN ROBINSON**

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our records show that three officers from Trading Standards conducted an inspection at Europa. The only member of staff present was a female standing behind the shop counter, who was serving a customer with illicit tobacco products as the officers entered. She gave her name as **OLGA JANKOVSKA**. She said she only knew her boss as **SAMIR**, that his phone number was 07761 992896, and she did not know his full name. The following 140 packs of incorrectly labelled tobacco products were then seized from hiding places on high shelves and in the store room: 19 packs of **AMBER LEAF** rolling tobacco; 34 packs of **RUBY** cigarettes; 24 packs of **WINSTON**; 3 packs of **PECT RED**; 33 packs of **PECT BLUE**; 15 packs of **RICHMOND**; 7 packs of **MARLBORO**; and 5 packs of **L&M** cigarettes. The last three brands were counterfeit, while all the products had evaded duty and bore incorrect health warnings. The packs seized were noted to be clean, dry and fresh looking. Alcohol was also on open display in the shop despite the fact that the shop was not allowed to sell it on this date. During the course of the inspection **MS JANKOVSKA'S** phone rang. The caller was shown as **SAMIR**, and **MS JANKOVSKA** confirmed that this was her boss. My colleague Mr Craig records that when he answered the phone, the caller immediately hung up. When Mr Craig called **SAMIR** back the call went to voicemail. The man called him back on 22 July 2016. The caller refused to give his name, but Mr Craig recognised his voice as the same person he had spoken to on the phone on 25 April 2016, who had previously given the details **Mr RAJA QAYYUM UDDIN**. He said he was about to sell the business to **TARIQ ZAMAN** of **EURO FOODS NELSON LTD**; that the sale was due to complete on 1 August 2016; and that he wanted all of the cigarettes seized from Europa to be returned to him before he sold the store. When asked for his details, he said Trading Standards already had them, and that he lived above the shop. Mr Craig told him that he knew this was not true, but the caller repeatedly refused to give his address, saying he was worried that we would arrest him if we knew where to find him. On 2 August 2016 Michael Craig visited

Signature: _____



Lancashire County Council

Statement of Witness
(Criminal Procedure Rules, r27.1(1);
Criminal Justice Act 1967, s9, Magistrates' Courts Act 1980, s5B)

Continued statement of: **DAWN ROBINSON**

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Europa at 21.30 hours to see who came for the takings when **MS JANKOVSKA** locked the shop for the night (an assistant had previously stated that the boss came at that time). Mr Craig took the vehicle registration number of the man who arrived to meet **MS JANKOVSKA** and who walked away from the shop with her after it was locked up. This vehicle is registered to **MR SALIM BALESARIA** at 43 Lammack Road, Blackburn BB1 8JW. 43 Lammack Road, Blackburn is the address listed for DPS Mrs **TASLEEM BALESARIA** on District Council Licensing records, whose name was displayed inside Europa during the 3 March 2015 seizure. On 18 August 2016 I visited the shop to see if I could verify the owner's details, since I understood there may have been a recent change of owner. **MS OLGA JANKOVSKA** was once more serving behind the counter. She confirmed that **ARSHAD JAVED** was the new licensee but said that she did not know where he lived or have a contact telephone number for him. She informed me that the owner was **TARIQ ZAMAN**, and gave me his phone number as 07512 538791. This was listed on her phone contacts as **TARIQ S**, however this number was unavailable both when she tried it on her phone and I tried it on mine. When asked she could provide no further contact details for the owner, and did not know where he lived. I took three empty packets of illicit tobacco from the bins at **EUROPA**- two packets of **NZ** and one pack of counterfeit **L & M Reds**, all bearing incorrect health warnings, together with a United Utilities wastewater bill for the period 01 April 2016 to 31 March 2017, addressed to **MR ABDUL QAYYUM** at the shop address, which was on top of the alcohol gantry behind the counter. **MS JANKOVSKA** confirmed that a number of young Polish people lived upstairs in the flat above the shop. I then visited **LINDA'S OFF LICENCE**, 125 Barden Lane, Burnley, later that morning, since information from Pendle Licensing records showed that the licence holder **ARSHAD JAVED** from this shop was going to be appointed as the new DPS for **EUROPA**. While at Linda's I spoke to the owner, a man who gave his details as **ARSHAD**

Signature: _____



LP/OR/32/02

Lancashire County Council

Statement of Witness
(Criminal Procedure Rules, r27.1(1);
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Continued statement of: **DAWN ROBINSON**

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JAVED. **MR JAVED** maintained that he had not been approached to be the DPS at Europa, that he had never heard of **TARIQ ZAMAN** or **EURO FOODS (NELSON) LTD**, and that his details were being used fraudulently by the applicant. I produce a Companies House record printed 9 September 2016 labelled **DR1/2** showing that **EURO FOODS (NELSON) LTD** was incorporated on 30 June 2016, and that its sole officer is **TARIQ ZAMAN**, who gives his date of birth as February 1980, and the shop address as his only contact address, despite apparently not living there.

Our records show that a warrant was executed at 43 Lammack Road, Blackburn on 25 August 2016. **SALIM AND TASLEEM BALESARIA** were both present, along with their two children. **BALESARIA** had to be woken up before the inspection commenced, but despite this he claimed not to live at this address. 171 illicit packs of tobacco products were seized from the Hyundai seen at Europa on 1 August, which was parked on the drive. A large amount of illicit cellophane packaging was observed in his garage. A phone, which was plugged in and fully charged, was seized. This phone was labelled 07761 992896 - the same number as provided by **MISS JANKOVSKA** for her boss 'SAMIR' during the inspection of Europa on 20 July 2016.

A number of documents were seized which connected **SALIM BALESARIA** with Europa, Eurosta, and Sklep Euro (as well as a number of other shops). These included the original Business Visit Report issued by Michael Craig at Sklep Euro on 17 August; the original interview letter for **MISS SYZMONIAK**, hand delivered by Michael Craig to Europa on 1 August; and stock lists dated 21 and 22 June 2016 for all three shops. Multiple licensing related documents were also found hidden at 43 Lammack Road, which indicated that licensing applications made in third party names were actually being managed or overseen by **BALESARIA**.

Signature: _____



LP/QR/32/02

Lancashire County Council

Statement of Witness
(Criminal Procedure Rules, r27.1(1);
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Continued statement of: DAWN ROBINSON

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It is worth noting that we have had recent seizures of illicit tobacco from both **Eurosta**, 37 Railway Street, Nelson BB9 9SG (34 packs on 13 July 2016) and **Sklep Euro**, 38 Whalley Road, Accrington BB5 1AA (106x packs of cigarettes hidden in a compartment built into the shop floor shelving on 17 August 2016). In the first shop, a young Polish female was behind the counter. Her account, and the circumstances around the inspection, were very similar to Eurostar. She did not know who the owner was; she had never met him, she took her wages from the till, and the owner came to the shop after hours. The tobacco was similar to that seized from Europa, and the type of goods sold in the shop were the same. She said she had two bosses, but she was not allowed to say who the main owner was. She was persuaded to give this information, and named him as SAL. In the second shop, the Polish girls behind the counter did not know who the boss was. One pointed at a Companies House letter pinned to the wall, which was marked Awais Pervez. She said she believed he was the boss. Despite him being a director of this company, Mr Pervez appears to be untraceable. **Sklep Euro** also failed an alcohol test purchasing attempt on 27 May 2016.

Further, a key for a Nissan was seized from 43 Lammack Road. Immediately after this inspection, officers took this key to Europa and were able to open the Nissan Micra parked in the alleyway behind the shop. 23 packs of illicit tobacco were seized from this vehicle.

£6910 in cash was seized from the kitchen at the house by AFI Glen Phoenix.

SALIM BALESARIA has been previously prosecuted for similar offences in Blackpool. Blackpool Trading Standards brought a related Proceeds of Crime Act action against him and have recovered around £50,000.



Signature: _____

DRI/1

All questions asked in writing on 21 March 2016 by Michael Craig, Senior Trading Standards Service Officer, Lancashire County Council.

1. Please state your full name, home address, date of birth, place of birth, nationality, and national insurance number. You must provide with your replies a copy of either an up to date drivers licence or personal bank statement showing your current home address.

NO COMMENT
YOU HAVE IDENTIFIED ME IN YOUR COVER LETTER

2. Please confirm that on 3 March 2016 you were the sole owner of the business trading as Europa, of 94 Barkerhouse Road, Nelson.

NO COMMENT
YOU HAVE IDENTIFIED ME AS BUSINESS OWNER

3. On 3 March 2016 an inspection of the above store resulted in the seizure of 122 packs of improperly labelled tobacco products. As such, offences under the Consumer Protection Act 1987 may have been committed. Who owned these packs?

PRODUCTS ARE OWNED BY THE SUPPLIER
THEY ARE ON SALE OR RETURN

4. Were the products for sale, and if so, what were the pack prices?

YES THEY WERE SALE OR RETURN
PRICE VARY

5. Who did you buy these packs from? (Please provide a copy of you receipt)

EUROPEAN SUPPLIER HAS RECEIPT

Signed

→ DRI

Date

27 3 2016

6. How many packs/sleeves did you buy, and how many packs have you already sold?

SUPPLIER LEFT ALL SLEEVES SALE OR RETURN
I DON'T BUY ANY
I SOLD ZERO YOU CAN ASK MY SUPPLIER

7. Why were these packs hidden amongst your shop stock?

MY SUPPLIER SAID IT IS ILLEGAL TO DISPLAY
R SUPPLIER SUPPLIED THE CIGARETTE UNIT

8. Are you familiar with the current tobacco labelling laws, and did you know that these packs did not comply with the relevant regulations?

I WAS NOT FAMILIAR AT THE TIME.
R AFTER I CALLED YOU I REALISE THAT MY POST CODE
EU
DOES NOT MEAN I WAS ALLOWED TO SELL TO EU CUSTOMERS

9. Anita Szymoniak was present in the shop during the inspection of 3 March 2016. Has she ever been instructed by you to sell these packs?

NO

10. Would you like to say anything further?

OK
NO THINGS

Signed  D. J. O.

Date 27 3 2016

DRI/2

<https://beta.companieshouse.gov.uk/company/10259081>

EURO FOODS (NELSON) LTD

Company number **10259081**

- [File for this company](#)

- **Company Overview for EURO FOODS (NELSON) LTD (10259081)**

- [Filing history for EURO FOODS \(NELSON\) LTD \(10259081\)](#)
- [People for EURO FOODS \(NELSON\) LTD \(10259081\)](#)

Registered office address

94 Barkerhouse Road, Nelson, Lancashire, England, BB9 9EU

Company status

Active

Company type

Private limited Company

Incorporated on

30 June 2016

Accounts

First accounts made up to **30 June 2017**
due by **31 March 2018**

Confirmation statement

First statement date **29 June 2017**
due by **13 July 2017**

Nature of business (SIC)

- 82990 - Other business support service activities not elsewhere classified

EURO FOODS (NELSON) LTD

Company number **10259081**

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- [Filing history for EURO FOODS \(NELSON\) LTD \(10259081\)](#)

• **People for EURO FOODS (NELSON)
LTD (10259081)**

- Officers
- Persons with significant control

Filter officers

Current officers

1 current officer / 0 resignations

ZAMAN, Tariq

Correspondence address

94 Barkerhouse Road, Nelson, Lancashire, England, BB9 9EU

Role Active

Director

Date of birth

February 1980

Appointed on

30 June 2016

Nationality

British

Country of residence

England

Occupation

Director