



The Licensing Unit Manager.  
Bury Council.  
3 Knowsley Place  
Knowsley Street,  
Bury.  
BL9 0EJ.

**NOTICE OF OBJECTION TO AN APPLICATION TO TRANSFER PREMISES LICENCE**

**Section 42(7) Licensing Act 2003.**

Dear Sir,

This Objection Notice is given to the Licensing Authority on behalf of the Chief Constable of Greater Manchester Police (GMP) in relation to the following application to transfer the premises licence.

Notice giver:- Mr Khiyam ALAM

Premises :- 26 Price Street, Bury, Greater Manchester BL9 9EB

The Chief Constable is satisfied that allowing that transferring the licence to the applicant would undermine the crime and disorder objective for the following reasons:

**Crime & Disorder**

On 19<sup>th</sup> July 2018 I attended the above premises as part of a Multi-Agency Day of Action in a joint operation run by Greater Manchester Police(GMP) and Bury Council Trading Standards.

The Premises Licence Holder(PLH) and Designated Premises Supervisor(DPS) Mr Raja Naveed AIJAZ was not present and one male was stood behind the counter at the till point. He identified himself as Mr Ali Umair aged 18 years, an Italian passport holder, who was residing in the UK to study at Bury College. He stated that the owner is "Alam Khiyam". Mr Umair added that he himself did not actually work there and was helping his uncle out who he confirmed as Mr Arshad MAHMOOD. Mr Umair was unable to make contact with the owner however made contact with Mr MAHMOOD who declined to speak to myself. Mail found behind the counter was addressed to a number of different individuals including the PLH who Mr Umair advised did not work there anymore.

During the visit Kelly Halligan from Trading Standards accessed the rear of the shop counter and discovered a quantity of illicit tobacco which was seized for testing and confirmed as being counterfeit. Also discovered was a half consumed bottle of vodka and a large quantity of small snap bags commonly associated with drug supply. Although GMP acknowledges it is not an offence to own or sell these, I would question whether the premise is promoting the crime and disorderly licensing objective by having these and in such quantity.

On 20<sup>th</sup> July an application to transfer the premises was received into this office from Mr ALAM. I understand that the applicant attended Bury Council Licensing Office in company



with Mr AIJAZ, the former PLH, who intends to remain as DPS. Details of this visit are detailed in the evidence provided by Kelly Halligan.

According to Companies House two companies are registered to the premises. Killon St Convenience Ltd which was incorporated on 7<sup>th</sup> November 2017, and the sole director shown as Nazima NAVEED. Killon St Superstore Ltd was incorporated on 12<sup>th</sup> April 2018 and shows Amreen ALAM as sole director. It is believed that the latter is a relative of the applicant, and would indicate that Mr ALAM has been involved in the business since April this year.

In relation to the applicant's conviction history I can confirm that Mr ALAM was arrested on 3<sup>rd</sup> August 2017 for driving whilst over the prescribed alcohol limit. The circumstances are that he was seen driving his motor vehicle erratically along Bury New Road, Whitefield, and when stopped a can of alcohol was found in the foot well. He subsequently provided a sample of breath measuring 46ug; the legal limit being 35ug. Mr ALAM was bailed to appear at Manchester Magistrates Court on the 17<sup>th</sup> August 2017, however failed to appear and a warrant was issued for his arrest. He was further arrested on 21<sup>st</sup> August and taken to court where he received a 14 month driving disqualification and associated costs.

These are exceptional circumstances and it is conclusion of the Chief Constable that Mr ALAM will not be an appropriate person to hold a premises licence certificate. The applicant has already demonstrated that he is unlikely to support the Crime and Disorder Licensing Objective by his recent alcohol related conviction and failure to surrender to justice. It is our belief that he has been involved in the business for some time and either he or Mr AIJAZ must still account for the illicit tobacco found on the premises. I would suggest that a poor management structure already demonstrated, and highlighted in the evidence provided, would also undermine the Licensing Objectives.

Yours faithfully

A handwritten signature in black ink, appearing to be "John Caulfield".

Pc 14501 John Caulfield  
Licensing Officer.  
Bury Police Station



**STATEMENT OF WITNESS**  
**C.J.A. Statement**

*(Criminal Procedure Rules, r 27.1(1); Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s. 5B)*

**STATEMENT OF: Kelly Halligan**

**Age of Witness Over 18**

*(True age to be shown where witness is a juvenile or person involved in serious crime enquiry, otherwise "over 18" will suffice)*

**Occupation of Witness Senior Trading Standards Officer**

This statement, consisting of .....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 30<sup>th</sup> July.....day of.....JULY.....2018

Signed.....K Halligan.....

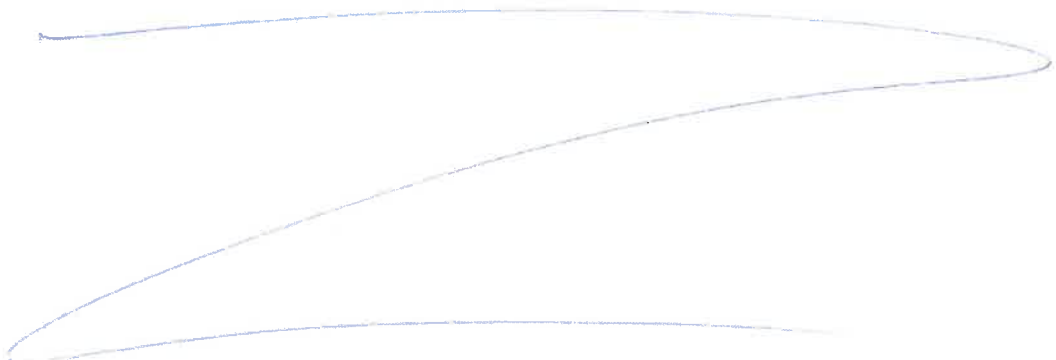
I am employed by Bury Metropolitan Borough Council, in the Department of Resources and Regulations, in the Trading Standards Section, as a Senior Trading Standards Officer and as such I am authorised for the purpose of the Trade Marks Act 1994 and the Tobacco and Related Products Regulations 2016. On the 19<sup>th</sup> July 2018 I was part of a multi-agency visit to the off licence known as Killon Street Off Licence, at 26 Price Street, Bury, BL99EB. Other officers present were from Bury Councils Environmental Health and Housing Departments, Greater Manchester Police, Greater Manchester Fire Service, Immigration and North West Electricity. We visited the premises as we had recently received a complaint that the premises was selling illicit cigarettes from under the counter. On arrival at the premises there was one person behind the counter who gave his name as Ali Umair. He stated he was working at the shop, but didn't work there regularly and knew very little about what went on, he also claimed he did not receive any payment. I went around the counter to

Signed.....K Halligan.....

have a look at the tobacco and vodka on display. I found under the counter, 19x20 super kings cigarettes (old packaging), some empty amber leaf packaging, 5 x 20 Marlboro gold (foreign labelling), 3 x 20 Richmond (old packaging), 5 x 20 pall mall (foreign labelling) and 4 x 50 amber leaf ( foreign labelling). There was also an open packed of Richmond containing 10 cigarettes and an open packet of Pall Mall with 15 in. Stood up on the floor below the shelf containing the cigarettes was a half full bottle of vodka, I produce a photograph of the vodka as exhibit KH/KS/1, signed and dated by me. I seized the cigarettes and tobacco found, I produce a copy of the receipt as exhibit KH/KS/2 and a copy of the powers notice as exhibit KH/KS/3, both signed and dated by me. I asked Mr Umair about who owned the shop, but he just said his dad was a friend of Arshad Mahmood and that's how he come to be in the shop. When asked about Naveed Aijaz, he said he sold the shop about 9 months ago, he thought the new boss was Khiyam Alam. He tried to ring various people to assist but he couldn't get any response. On Monday 23<sup>rd</sup> July I had in my inbox an email from Michael Bridge the Licensing Unit Manager, as Mr Aijaz and Mr Alam, had attended the office the previous Friday. I produce this email as exhibit KH/KS/4, signed and dated by me. On the 23<sup>rd</sup> of July I sent samples of the Richmond and Superking Cigarettes to the trade mark holder for examination. I re-visited the premises on the 23<sup>rd</sup> July with Laura Jones, deputy licensing officer. There was a strong smell of cannabis in the shop when we entered. There was one male behind the counter who gave his name as Shiraz Khan. I took a picture of the authorisation to sell alcohol that was on the wall, I produce this as exhibit KH/KS/5, signed and dated by me. I had on the multi - agency visit checked the alcohol display and had not seen this sign previously.

Signed.....*Khalid*.....

Whilst we were in the shop Laura Jones spoke to Mr Aijaz, and we left him a list of things to address including the pricing. On the 26<sup>th</sup> July I received a witness statement from Paul Green of Imperial Tobacco, confirming the samples sent were counterfeit. Also on the 26<sup>th</sup> July we re-visited the shop again, this time Michelle Street from the Housing Department accompanied us. Again Mr Khan was in the shop, he told us Mr Aijaz was at the cash and carry, and Mr Alam was on his way. Whilst waiting for Mr Alam, we checked the fridges, and found a packet of bacon 20 days beyond its use by date, 2 packets of meat in date, but the packaging was blown, various cheese beyond its best before date and a packed of cheese in date, but mouldy inside the packaging, there was also 2 boxes of eggs beyond their best before date on a separate shelf. I produce pictures of some of these items as exhibit KH/KS/6 signed and dated by me. On looking round there was other items beyond date, peanut butter, and chocolates, Mr Alam was told all products in the shop need checking. Mr Alam said that Mr Aijaz had been managing the shop since February as he didn't have the finances to complete the purchase. However neither of them had been there full time and only spot checks had been done. *K Halligan*



Signed.....*K Halligan*.....

BURY COUNCIL

I identify the exhibit described below as that referred to in the statement made and signed by me.

Signed *K. Kilian* Date *20/7/18*

Exhibit No: *KH/155/1*

in the case of *Kilian, S.T. off license*

Description of Exhibit: *photos of*

*half full vodka bottle*

Identifying Mark.....

Officer taking possession of item

.....

Signature Date

.....

I certify that I have seen the exhibit

Signed..... Date.....

Signed..... Date.....

Signed..... Date.....



BURY COUNCIL

I identify the exhibit described below as that referred to in the statement made and signed by me.

Signed *K. M. ...* Date *20/2/18*

Exhibit No. *10111512*

in the case of *Killing St. off. license*

Description of Exhibit *copy of*

*receipt No 0304*

Identifying Mark.....

Officer taking possession of item

.....

Signature Date

.....

I certify that I have seen the exhibit

Signed..... Date.....

Signed..... Date.....

Signed..... Date.....



# BURY COUNCIL

Department of Communities & Neighbourhoods  
Trading Standards  
3 Knowsley Place  
Duke Street  
Bury  
BL9 0EJ

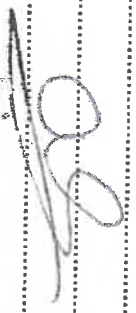
0304

Tel: 0161 253 5353  
Email: tradingstandards@bury.gov.uk

Name Killon St Off licence Date 19/7/18 Time 14.35  
Address 26 Price St

Trade Marks Act 1994 / CPRs

19 x 20 Super Kings  
Amber leaf packages  
5 x 20 Marlboro Gold  
3 x 20 Richmond (+ 10 per packet 10 in)  
5 x 20 Paul Mall (+ 10 per packet 15 in)  
4 x 50g Amber leaf  
10g NGK K900060



K Hallinan  
Trading Standards Officer/Enforcement Officer

BURY COUNCIL

I identify the exhibit described below as that referred to in the statement made and signed by me.

Signed *K. Halligan* Date *30/7/18*

Exhibit No: *K41613*

in the case of *Killon St off licence*

Description of Exhibit *copy of*

*papers notice*

Identifying Mark

Officer taking possession of item

Signature

Date

I certify that I have seen the exhibit

Signed

Date

Signed

Date

Signed

Date

144



Trading Standards

0161 253 5353

tradingstandards@bury.gov.uk

Notice of powers and rights to occupier

To Kullan St Off licence EA ref .....

Address 26 Price St, Bury .....

Date 19/7/18 Time in 14:35 Time out 15:30

Officer(s) Khalilgan, L Jones, EN, GMP, F.S, NW Elected

Person seen Ali Umar Position\* Assistant

\* if you are an employee you should pass this notice to the business owner(s) or the relevant manager or company director etc.

Code of Practice – Powers of Entry (Section 48 (1)(a) of the Protection of Freedoms Act 2012) Police and Criminal Evidence Act 1984 (PACE) Code B

Visit conducted  Without warrant  Under warrant

This notice is issued in accordance with paragraph 7.1 of the above Code, or PACE Code B (if you are suspected of committing an offence and/or entry is under warrant).

It informs you about your rights when an authorised officer who has powers of entry wishes to exercise those powers. It also explains officers' associated powers and any compensation or complaints procedures.

Reason for visit  Routine inspection  Enquiry / complaint investigation  Campaign / project  Revisit

Officers powers

Authorised officers have a legal right to enter and inspect business premises when they are open for business or at any reasonable time. They may visit by appointment if appropriate but often will not, as to do so may defeat the purpose of the inspection or not be practicable. You should ask to see an officer's official credentials or identification before allowing them to proceed. It is good practice to do so as criminals do sometimes pose as bogus officials.

Powers do vary depending on the legislation but in most cases officers will have powers to;

- enter and inspect all parts of the premises
- observe the operation of the business
- interview staff during the inspection
- seize and retain any food, goods, computers or documents that may be required as evidence
- break open containers or vending machines
- make test purchases, take samples and photographs
- inspect and test any goods, equipment or installations
- seize items that are liable to forfeiture
- require the production and take copies of recordings (including computer records), documents and video recordings associated with the business
- access electronic devices to obtain or access information

Where entry is under a warrant any type of premises may be entered - with reasonable force if necessary.

Powers exercised are contained in statutory instruments enforced by this Service including those listed below

Consumer Rights Act 2015 <input checked="" type="checkbox"/>	General Product Safety Regulations 2005 <input type="checkbox"/>	Prices Act 1974 <input type="checkbox"/>
Consumer Protection from Unfair Trading Regulations 2008 <input checked="" type="checkbox"/>	Trade Descriptions Act 1968 <input type="checkbox"/>	Weights and Measures Act 1985 <input type="checkbox"/>
Business Protection from Misleading Marketing Regulations 2008 <input type="checkbox"/>	Copyright Designs and Patents Act 1988 <input type="checkbox"/>	Consumer Protection Act 1987 <input checked="" type="checkbox"/>
Hallmarking Act 1973 <input type="checkbox"/>	Trade Marks Act 1994 <input checked="" type="checkbox"/>	Food Safety Act 1990 <input checked="" type="checkbox"/>
Tobacco Advertising and Promotion Act 2002 <input type="checkbox"/>	Licensing Act 2003 <input checked="" type="checkbox"/>	Other <input type="checkbox"/> (insert detail)

Product specific safety regulations  (insert detail)

Obstruction of officers or failure to provide assistance

It may be an offence to obstruct, fail to comply with a requirement imposed, or fail to give any assistance or information reasonably required by the officer, or to give false or misleading information (this includes providing access to locked or secure areas). On conviction the offence is punishable by fine and/or imprisonment.

Consent of landowner or occupier (paragraph 8.1 of the Code\*) or PACE Code B

Consent obtained  Consent not requested  Consent requested but not obtained

This section is to confirm that the occupier has been notified about the purpose of the visit and, for exercising powers of entry and associated powers, what these powers are and how they will be used.

\*Reasonable effort should also be made to obtain the consent of the landowner or occupier, unless obtaining consent would frustrate the purpose of the visit, for example by causing undue delay. Further information overleaf.

Declaration of landowner or occupier

I confirm receipt of this notice. I understand that I am not obliged to consent and may withdraw consent at any time. I understand if I refuse or withdraw consent officers can still exercise lawful authority to enter and exercise powers. I also understand the consequences or penalty for obstructing officers when exercising their powers.

I hereby consent to officers entering the premises for the stated purposes - Yes  No  Not requested

Name of person signing Ali Umar Signature

Bury Council Trading Standards – 3 Knowsley Place, Duke Street, Bury, BL9 0EJ

Website – www.bury.gov.uk\_email – tradingstandards@bury.gov.uk

BURY COUNCIL

I identify the exhibit described below as that referred to in the statement made and signed by me.

Signed..... *K. Halligan* ..... Date..... *30/7/18* .....

Exhibit No.: *K.M.I.K.S.I.4* .....

in the case of *Killian St. Off. Licence*

Description of Exhibit... *Engraving from*

..... *M. Budge dated 2017/18* .....

Identifying Mark.....

Officer taking possession of item

.....

Signature

Date

.....

I certify that I have seen the exhibit

Signed..... Date.....

Signed..... Date.....

Signed..... Date.....

## **Jones, Laura J (Licensing)**

---

**From:** Bridge, Michael  
**Sent:** 20 July 2018 15:11  
**To:** Jones, Laura J (Licensing); Halligan, Kelly J  
**Cc:** Stansfield, David  
**Subject:** Killon Street

**Importance:** High

Laura/ Kelly,

I have just been requested to attend the licensing reception in respect of the above premises, both Mr Raja Naveed Aijaz and Mr Khiyam Alam were present. They as directed by yourselves trying to transfer the premises licence to Mr Alam. Dave and I went into the interview room to discuss the issue.

They informed me that Arshad Mahmood is Mr Aijaz's employee. However he is out of the country at the moment.

Ali Umair knows Mr Mahmood very well but Mr Aijaz and Mr Alam did not appear to know his name.

Mr Aijaz admitted that he had not been at the premises since 4th February 2018 as this was when Mr Alam took over the business. I asked if money had changed hands for the business to which they both replied that it hadn't but Mr Alam had paid for the photocopier. I advised that did not mean he had bought the business as a going concern. No legal matters have been addressed.

Mr Aijaz told me that he has access to the CCTV at the shop on his mobile phone. I was informed that the electrics have been sorted out by MAR Electrical today 20/7/18.

The landlord of the building is a lady called Rukshana Kauser on 07908156112. I was also shown a Valuation that had been done by a David A Abraham for the business £14,057.

Mr Aijaz said that he a given written authorisation for Mr Mahmood but not Mr Ali Umair. And this was on display on the expensive wine rack display.

I explained to both individuals the seriousness of this issue and reminded Mr Aijaz of his responsibilities as both a PLH and DPS. I also indicated this subject to the outcome of your investigation it may have implications on Mr Aijaz's taxi badge.

No application was made to transfer at the time as they did not have copies of the application form for the police, so were advised by Dave that they would have to return by 4.00pm. Came back in

I agreed subject to above that the shop could open but may get checked by GMP and that Mr Aijaz would have to ensure that written authorisation would have to be done for Mr Alam to sell alcohol in his absence. Mr Alam said that he will be there over the weekend.

Mr Alam is going to contact me or Laura on Monday with the date of his personal licence course and confirmation of it. He has been given an application pack for a personal licence as he lives in Bury.

BURY COUNCIL

I identify the exhibit described below as that referred to in the statement made and signed by me.

Signed *Khalifa* Date *30/7/18*.....

Exhibit No: *KM/KS/5*.....

in the case of *Killon St Off licence*.....

Description of Exhibit *Photo of*.....

*Authorisation letter*.....

Identifying Mark.....

Officer taking possession of item

.....

Signature Date

.....

I certify that I have seen the exhibit

Signed..... Date.....

Signed..... Date.....

Signed..... Date.....

ATMOSPHERION (SERV)

on 02/18

I found Dos Ray named Agent Advisor  
- owner of car to work & take  
responsibility of the PREMISES

1 Normal Partnership (~~franchise~~)

2 Company

3 UNDER MANAGED (ASSISTANT MANAGER)

4 SPECIAL AGENT (MANAGER)

5 COMPANY ALL

6 ALL EQUIPMENT

7

8

BURY COUNCIL

I identify the exhibit described below as that referred to in the statement made and signed by me.

Signed *K. Nallagan* Date *30/7/18*

Exhibit No: *KH/CS/6*

in the case of *Killon St Off licence*

Description of Exhibit *Photo's of food out of date*

Identifying Mark.....

Officer taking possession of item

.....

Signature Date

.....

I certify that I have seen the exhibit

Signed..... Date.....

Signed..... Date.....

Signed..... Date.....



£1.99



**SUNNYDALE**  
PRODUCTS LTD

**MATURE CHEDDAR**

BEST BEFORE

18.JUL.13

WEIGHT KG

0.205

BATCH CODE

83099 3

PRICE

2.150



5 060178 720365

PACKED FOR SUNNYDALE PRODUCTS LTD. BY SKATOPY  
FROM THE SET, DORSET - ARL, BERNINGHAM ENGL

KEEP REFRIGERATED  
STORE AT 1°C - 5°C  
SELECTED QUALITY



£1.7

£1.29



SUNNYDALE  
PRODUCTS LTD

RED LEICESTER

18.03.18 0.145 B3 056 k



PRICE  
£1.29

NET WEIGHT 145g  
BEST BEFORE DATE 18/03/18



£1.69

6 RASHERS

Smoked Rashers

DANISH

Sizzlings

Back Bacon

with added smoke



SERVING SUGGESTION

SMOKED RASHERS

USE BY 6 JUL 18 142 19C

NET WEIGHT 400g (14.1oz)





DIRECT TABLE  
**Sizzling**

**Back Bacon**

with added water



**Smoked Rashers**

**6**

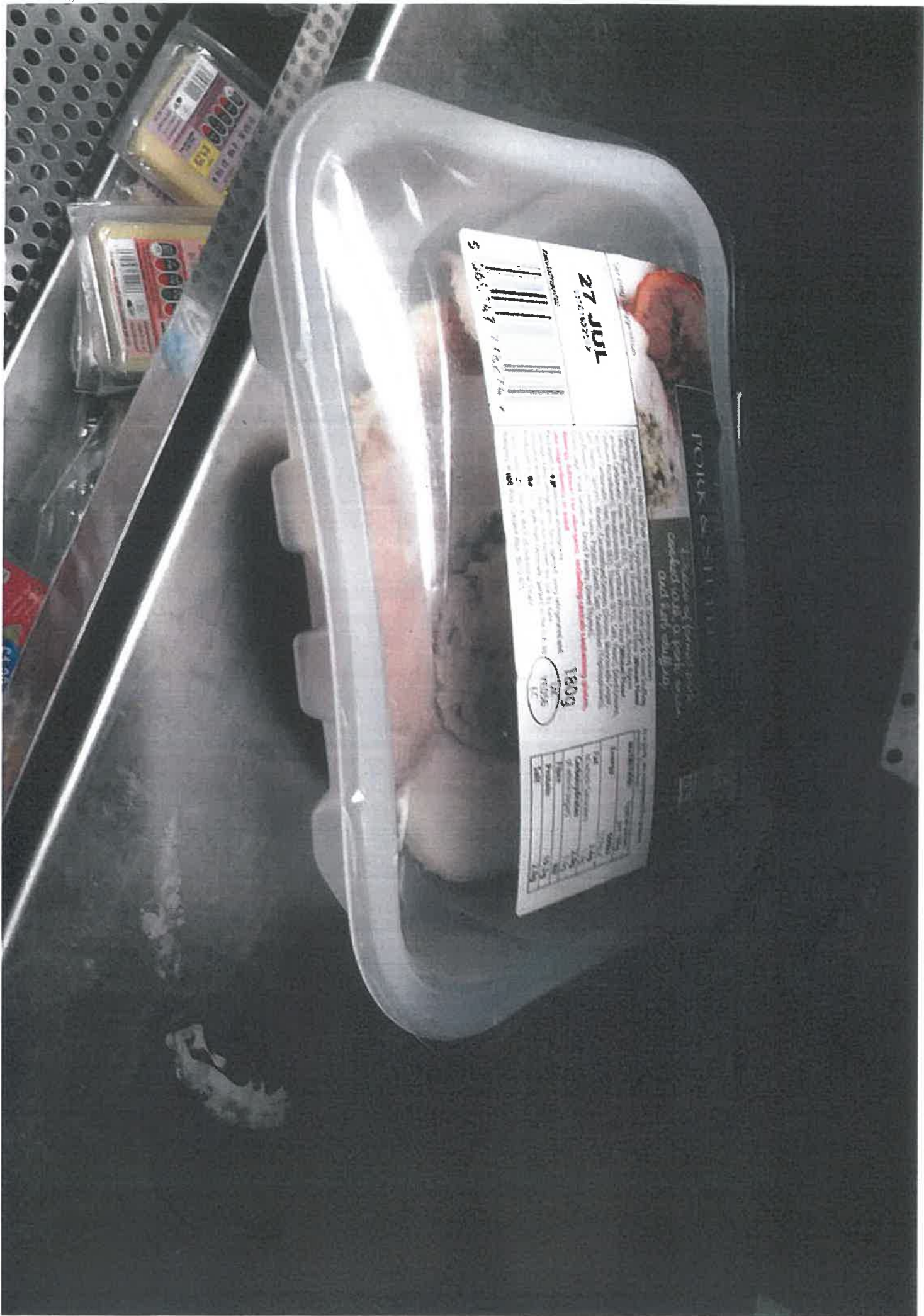
average

USE BY 6 JUL  
18 142 13C



Serving Suggestion  
Scanable from within  
if not frozen

PLEASE KEEP REFRIGERATED

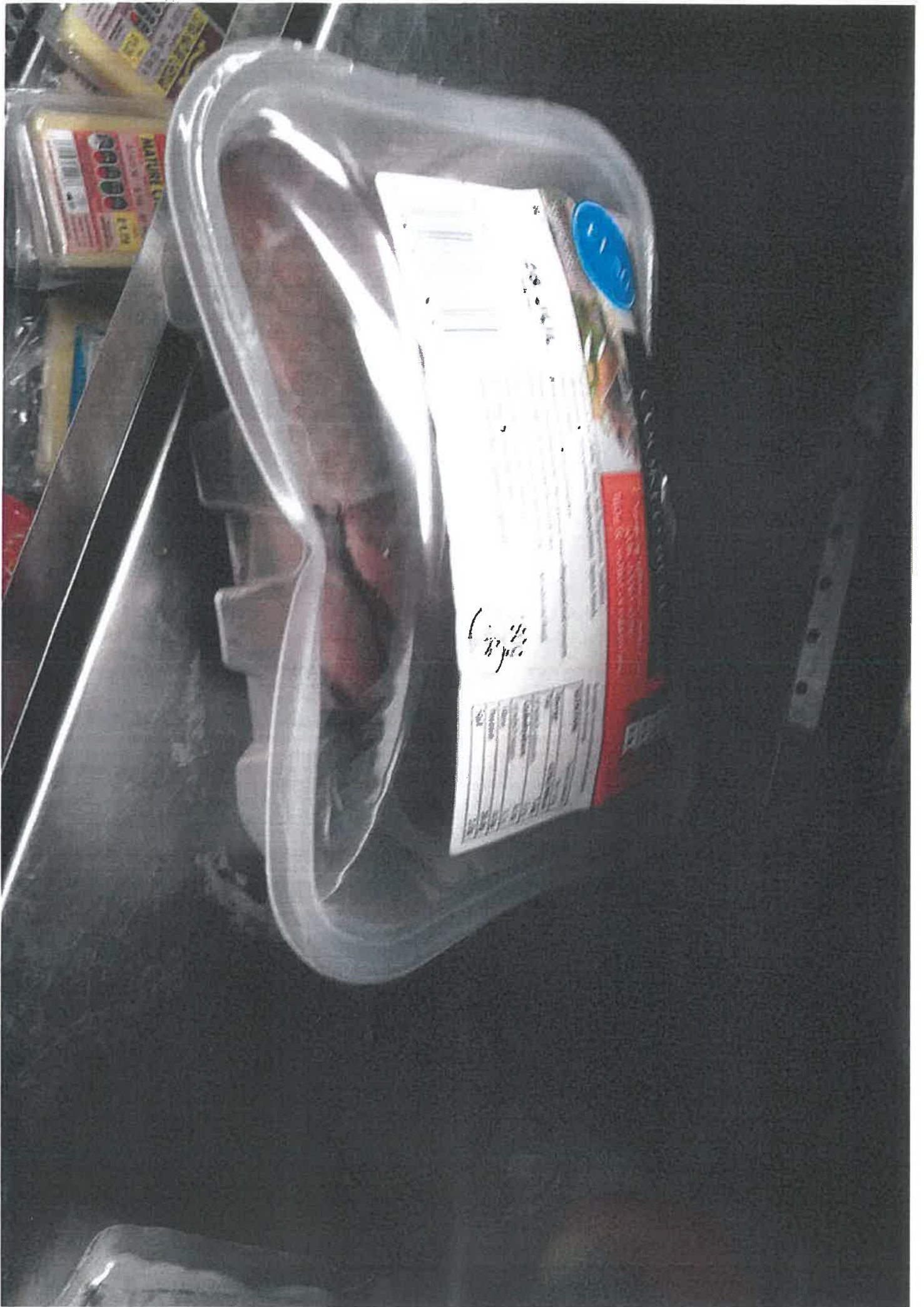


**27 JUL**  
2015

5 505 47 1 15 17 16 1

**180g**  
NET WT

PER 100g	
Energy	1200 kJ
Total Fat	12.0g
Saturated Fat	4.0g
Cholesterol	100mg
Sodium	100mg
Protein	20.0g
Fiber	0.0g
Sugar	0.0g



£ 1.29



SUNNYDALE  
PRODUCTS LTD

RED LEICESTER

BEST BEFORE	WEIGHT KG	BATCH CODE
22.JUN.18	0.145	BJ 068 K



2 10252461001299

PRICE

£ 1.29

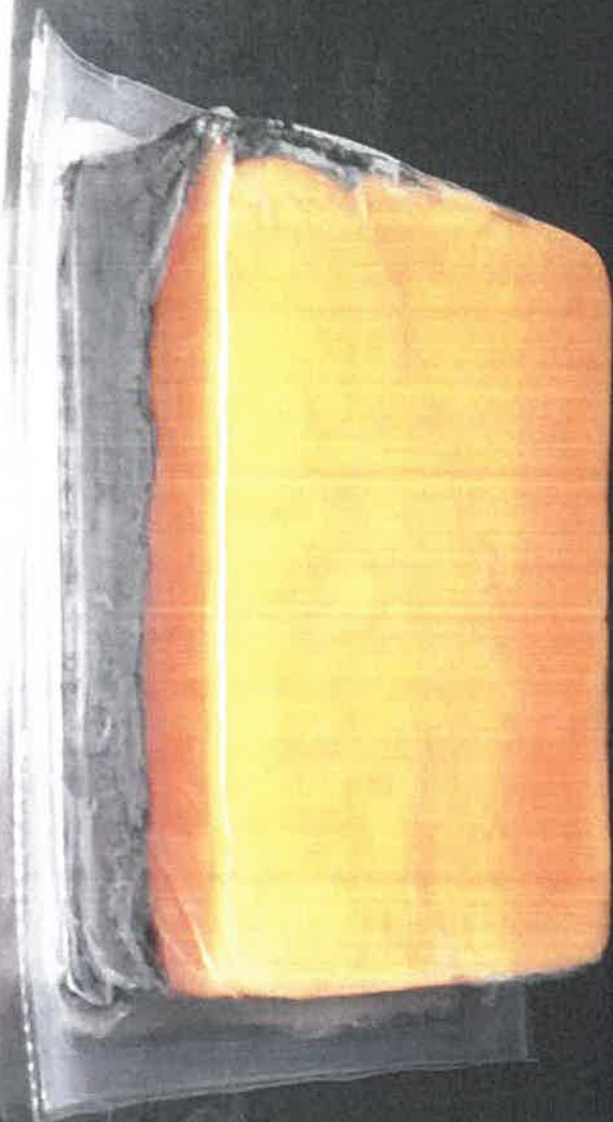
KEEP REFRIGERATED  
STORE AT 1°C - 5°C  
SELECTED QUALITY



PACKED FOR SUNNYDALE PRODUCTS LTD, 10 CENTURY  
PARK RD, EST., GARRISON LANE, BIRMINGHAM B3 4JZ.

MAURE CHEDDAR

£1.29



litree





**WITNESS STATEMENT**

*(Criminal Procedure Rules, r. 16.2;  
Criminal Justice Act 1967, s. 9)*  
Magistrates Courts Act 1980 S.5B.

Statement of (Individual)  
Paul Martin GREEN

Age of witness: over 18. B 10.4.48

Occupation of witness: Anti-Illicit Trade Executive

I am employed by Imperial Tobacco Ltd as a Regional AIT (Anti Illicit Trade) Executive. As part of my duties I am responsible for working with Trading Standards Officers and other Law Enforcement Agencies on the identification of counterfeit cigarettes and tobacco products

I have been employed by Imperial Tobacco Ltd since December 2000. I am authorised to make this declaration which I do so from my own knowledge unless otherwise indicated.

On Tuesday, 24<sup>th</sup>. July, 2018, I received from Miss Kelly HALLIGAN, Senior Trading Standards Officer with Bury Council the following sealed package –

Bag seal number K901381. Containing 1 X 20 pkt of Richmond King Size cigarettes and 1 X 20 pkt of Superkings Blue King Size cigarettes.

I examined these pkts.

I can now confirm that the print and materials used in the manufacture of the pkts of cigarettes was not consistent with Imperial Tobacco Ltd specifications.

Consequently, I can state that the pkts which I have examined were not made by Imperial Tobacco Ltd nor did Imperial Tobacco Ltd authorise their manufacture or sale.

They are in fact counterfeit.

I can confirm that Imperial Tobacco Ltd own the registered trade mark for Richmond and Superkings. I produce copy of the trade mark certificates in respect of these brands PMG 1 & PMG 2 refer.

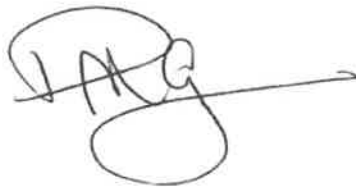
A handwritten signature in black ink, appearing to read "HALLIGAN" with a stylized flourish at the end.

Imperial Tobacco Limited's products are subject to Regulatory and Quality Control. I cannot say if similar criteria are applied in the production of counterfeit products.

I returned the samples, resealed under seal number K901320, to Miss HALLIGAN.

A handwritten signature in black ink, appearing to read 'HALLIGAN', with a long horizontal line extending to the right.

This statement, (consisting of ....2... 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 not believe to be true.

A handwritten signature in black ink, appearing to read 'HALLIGAN', with a long horizontal line extending to the right.

Date: 24<sup>th</sup>. July, 2018.

Pma 1

# TRADE MARKS REGISTRY



# REGISTRATION CERTIFICATE

Trade Marks Act 1994 of

Great Britain and Northern Ireland

The mark shown below has been registered under No. 2565547 as of the date 26 November 2010.



The mark has been registered in respect of:

**Class 34:**

Tobacco, whether manufactured or unmanufactured; tobacco products; tobacco substitutes, none being for medicinal or curative purposes; cigarettes; matches and smokers' articles; cigarette tubes; cigarette filters; cigarette papers.

In the name of Imperial Tobacco Limited

**The mark on this certificate was filed in colour and is reproduced here in colour. It has been scanned as accurately as our equipment allows but you should refer to the application form, which is available for public inspection, and any colour standard provided by the applicant to determine the exact colour(s).**

Signed this day at my direction

JOHN ALTY, Registrar of Trade Marks Intellectual Property Office

DATE 03 June 2011

Intellectual Property Office is an operating name of the Patent Office

PMG 2



OHMI - OFFICE FOR HARMONIZATION IN THE  
INTERNAL MARKET  
TRADE MARKS AND DESIGNS

**CERTIFICATE OF REGISTRATION**

This Certificate of Registration is hereby issued for the  
Community Trade Mark identified below. The  
corresponding entries have been recorded in the  
Register of Community Trade Marks.

OHMI - OFFICE DE L'HARMONISATION DANS LE  
MARCHÉ INTÉRIEUR  
MARQUES, DESSINS ET MODÈLES

**CERTIFICAT D'ENREGISTREMENT**

Le présent Certificat d'Enregistrement est délivré pour  
la marque communautaire identifiée ci-joint. Les  
renseignements et les renseignements qui s'y rapportent ont  
été inscrits au Register des Marques Communautaires.

Registered / Enregistré 20/04/2004

Nc 003036894



The President / Le Président

Wubbo de Boer



450 20/06/2004  
210 003036894  
220 03/02/2003  
151 21/04/2004  
186 03/02/2013  
442 01/09/2003  
546



591 ES - Azul oscuro, dorado y rojo.  
DA - Mørkeblå, guld og rød.  
DE - Dunkelblau, gold und rot.  
EL - Σκούρο μπλε, χρυσό και κόκκινο.  
EN - Dark blue, gold and red.  
FR - Le bleu foncé, doré et rouge.  
IT - Blu scuro, oro e rosso.  
NL - Donkerblauw, goud en rood.  
PT - Azul escuro, ouro e vermelho.  
FI - Tummanenäinen, kulta ja punainen.  
SV - Mörkblått, guld och rött.

531 3.1.22  
24.1.3  
24.1.90  
25.1.6  
25.1.10  
25.7.21  
26.11.7

732 Imperial Tobacco Limited  
Upton Road  
Southwile, Bristol BS99 7UJ  
GB

740 STEVENS HEWLETT & PERKINS  
1 St Augustine's Place  
Bristol BS1 4UD  
GB

270 EN FR

511 ES - 34  
Tabaco elaborado o en bruto; productos a base de tabaco; cigarrillos, puros; sucedáneos del tabaco, ninguno para fines medicinales o curativos; artículos para fumadores y cerillas.

DA - 34  
Behandlet eller ubehandlet tobak; tobaksprodukter; cigaretter, cigarer; tobaksersatninger, ikke med medicinske eller holtredende formål; artikler for rygere og lændstikker.

DE - 34  
Tabak, verarbeitet oder unverarbeitet; Tabakerzeugnisse; Zigaretten, Zigarren; Tabakersatzstoffe, nicht für medizinische oder Heilzwecke; Raucherartikel und Streichhölzer.

EL - 34  
Κατεργασμένος και μη κατεργασμένος καπνός, προϊόντα καπνού, τσιγάρα, πούρα, υποκατάστατα καπνού, μη προοριζόμενα για φαρμακευτικούς ή θεραπευτικούς σκοπούς, είδη για καπνιστές και σιγάρα.

EN - 34  
Tobacco whether manufactured or unmanufactured; tobacco products; cigarettes, cigars; tobacco substitutes, none being for medicinal or curative purposes; smokers' articles and matches.

FR - 34  
Tabac à l'état brut ou traité; produits du tabac; Cigarettes, cigares; substituts du tabac, à usage non médical ou curatif; articles pour fumeurs et allumettes.

IT - 34  
Tabacco grezzo o lavorato; prodotti a base di tabacco; Sigarette, sigari; succedanei del tabacco non per uso medicinale o curativo; articoli per fumatori e fiammiferi.

NL - 34  
Bewerkt of onbewerkt tabak; tabaksproducten; sigaretten, sigaren; tabakssurrogaten, niet voor medicinale of heilkundige doeleinden; artikelen voor rokers en lucifers.

PT - 34  
Tabaco, manufacturado o não manufacturado; produtos do tabaco; cigarros, charutos; sucedáneos do tabaco que não sejam para fins medicinais ou curativos; artigos para fumadores e fósforos.

FI - 34  
Käsitelly tai käsittelemätön tupakka; tupakkatuotteet; savukkeet, siikarit; tupakkorvikkeet, mikäään oiväl ole lääkinnällisiin tai hoitokäyttöisiin; tupakkoinnitarvikkeet ja allitikut.

SV - 34  
Tobak, bearbetad eller obearbetad; tobaksprodukter; cigaretter, cigarer; tobaksersättningar, ingen för medicinska eller kurativa ändamål; artiklar för rökare och ländsticker.



## STATEMENT OF WITNESS

*(Criminal Procedure Rules, r. 16.2;  
Criminal Justice Act 1967, s. 9)*

STATEMENT OF **Laura Jane Jones**

Age of witness (if over 18, enter "over 18"): **OVER 18**

**This statement (consisting of 4 pages) 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.**

Signed: .....  ..... (witness)

Date: .....26 July 2018.....

**I am employed by Bury Council as the Deputy Licensing Officer based at 3 Knowsley Place, Duke Street, Bury. I am authorised for the purpose of the Licensing Act 2003 and have permission to access the Licensing Service's database of records known as LALPAC.**

**On the 19<sup>th</sup> July 2018 I was part of a multi agency visit to the off licence known as Killon Street Off Licence, 26 Price Street, Bury, BL9 7EB. Other officers in attendance were from Bury Councils Trading Standards, Environmental Health and Housing Departments, Greater Manchester Police, Greater Manchester Fire Service, Immigration and the Electricity Board.**

**On 9<sup>th</sup> July 2018 I had received a complaint from a resident of Price Steet that Killon Street Off Licence was opening beyond its licensed hours and that there was suspicious behaviour around the shop.**

Signed by.....  .....



**From the records held on LALPAC I can say that the Premises Licence Holder and Designated Premises Supervisor was Raja Naveed Aijaz of 29 Cardigan Drive, Bury. Mr Aijaz has held the licence since 18<sup>th</sup> August 2015 when it was transferred to him.**

**On arrival at the premises there was one member of staff present who identified himself as Ali Umair. He stated that he had only worked at the shop on a few occasions and knew very little. He did however say that the shop had been sold by Naveed 9 months ago and the new boss is Khiyam Alam. He was unable to make contact with anyone to assist in our enquiries at the time of the visit despite making numerous attempts on his mobile telephone.**

**The summary of the Premises Licence was not on display as is required. The challenge 25 signage was hidden behind stock and was not visible. Mr Umair could not locate a refusals book or tell me about the CCTV.**

**I issued an enforcement notice as the electricity board turned off the electricity in the premises due to safety concerns therefore the CCTV could not work which is a breach of a condition on the licence. I also had concerns regarding the absence of the Premises Licence Holder and DPS due to Mr Umair's statement that the shop had been sold.**

**On the 20<sup>th</sup> July I telephoned Raja Naveed Aijaz following the serving of the enforcement notice. He informed me that he had not had responsibility for the shop since February and that it was being run by Khiyam Alam on a trial basis although no money had actually changed hands yet for the sale. He made an appointment at the licensing reception for later that day to complete a transfer application and change of designated premises supervisor to Khiyam Alam.**

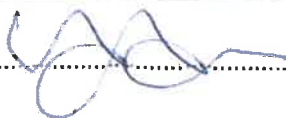
Signed by.....



**When Mr Aijaz and Mr Alam attended the licensing reception for their appointment they could not complete the change of designated premises supervisor as Mr Alam is not in possession of a personal licence. I was away from the office therefore Michael Bridge, the Licensing Unit Manager spoke to Mr Aijaz and Mr Alam and informed me of the outcome by email. I produce this email as exhibit LJJ/1. The transfer application was still completed at this time and submitted to the licensing department.**

**I re visited the premises with Kelly Halligan, Trading Standards Unit Manager on 23<sup>rd</sup> July. There was a very strong smell of cannabis in the shop which was manned by one male who identified himself as Shiraz Khan. I asked to see the authorisation to sell alcohol that Mr Aijaz said was on the premises. Mr Khan had to phone Mr Aijaz to ask where this was, despite when it was found it identifying Mr Khan as the Assistant Manager. I spoke with Mr Naveed using Mr Khans mobile telephone. He informed me that the CCTV system was working and recording. I asked to see the refusals register but Mr Aijaz informed me that this was with him and not in the shop. I advised Mr Aijaz that this needs to be in the shop so that it can be used and that his Challenge 25 signage needed to be more visible.**

**Kelly and I visited the premises again on 26<sup>th</sup> July together with Michelle Street from the Housing Department. Shiraz Khan was present again, we were informed that Mr Aijaz was at the Cash and Carry and he was waiting for Mr Alam to arrive. The Challenge 25 signage has now been positioned, as requested, behind the counter however the refusals book was still not on the premises. Mr Alam arrived and stated that Mr Aijaz had still been managing the shop since February as he had not had the finances to complete the purchase. However he had not been there full time and both Mr Aijaz and Mr Alam had only been there from time to time, doing spot checks.**

Signed by..........

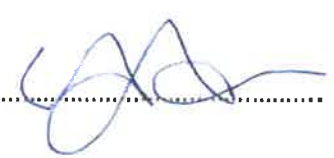




**Mr Alam was given advice as to the refusals book needing to be on the premises and advice from Kelly Halligan and Michelle Street on other matters.**

**All exhibits produced in this statement have been duly signed and dated by myself as being associated with it.**

Signed:  ..... Date: ..... 26 July 2018.....

Signed by  .....

## **Jones, Laura J (Licensing)**

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**From:** Bridge, Michael  
**Sent:** 20 July 2018 15:11  
**To:** Jones, Laura J (Licensing); Halligan, Kelly J  
**Cc:** Stansfield, David  
**Subject:** Killon Street

**Importance:** High

Laura/ Kelly,

I have just been requested to attend the licensing reception in respect of the above premises, both Mr Raja Naveed Aijaz and Mr Khiyam Alam were present. They as directed by yourselves trying to transfer the premises licence to Mr Alam. Dave and I went into the interview room to discuss the issue.

They informed me that Arshad Mahmood is Mr Aijaz's employee. However he is out of the country at the moment.

Ali Umair knows Mr Mahmood very well but Mr Aijaz and Mr Alam did not appear to know his name.

Mr Aijaz admitted that he had not been at the premises since 4th February 2018 as this was when Mr Alam took over the business. I asked if money had changed hands for the business to which they both replied that it hadn't but Mr Alam had paid for the photocopier. I advised that did not mean he had bought the business as a going concern. No legal matters have been addressed.

Mr Aijaz told me that he has access to the CCTV at the shop on his mobile phone. I was informed that the electrics have been sorted out by MAR Electrical today 20/7/18.

The landlord of the building is a lady called Rukshana Kauser on 07908156112. I was also shown a Valuation that had been done by a David A Abraham for the business £14,057.

Mr Aijaz said that he a given written authorisation for Mr Mahmood but not Mr Ali Umair. And this was on display on the expensive wine rack display.

I explained to both individuals the seriousness of this issue and reminded Mr Aijaz of his responsibilities as both a PLH and DPS. I also indicated this subject to the outcome of your investigation it may have implications on Mr Aijaz's taxi badge.

No application was made to transfer at the time as they did not have copies of the application form for the police, so were advised by Dave that they would have to return by 4.00pm. Came back in

I agreed subject to above that the shop could open but may get checked by GMP and that Mr Aijaz would have to ensure that written authorisation would have to be done for Mr Alam to sell alcohol in his absence. Mr Alam said that he will be there over the weekend.

Mr Alam is going to contact me or Laura on Monday with the date of his personal licence course and confirmation of it. He has been given an application pack for a personal licence as he lives in Bury.

Dave has got the application to transfer at the moment.

Regards

Michael Bridge  
Licensing Unit Manager  
Bury Council  
3 Knowsley Place  
Bury  
BL9 0EJ

Telephone Number: 0161 253 5209

Fax Number:0161 253 6090

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**Bury Town Centre**  
*For a Better Night Out*