

-----  
**STATEMENT OF ELIZABETH PRITCHARD**  
-----

1. I am Elizabeth Pritchard and I am contracted by Trafford Council as a Trading Standards Officer. I may be communicated with at Regulatory Services, Town Hall, Talbot Road Stretford M32 0TH. As part of my employment I am authorised by Trafford Council to enforce the provisions of the Consumer Rights Act 2015, the Trade Marks Act 1994, the Consumer Protection from Unfair Trading Regulations 2008, the Consumer Protection Act 1987 and associated regulations including the Standardised Packaging Of Tobacco Products Regulations 2015 and the Tobacco And Related Products Regulations 2016 and the CLP Regulation For Hazardous Substances 2008.

On 17th October 2022 I visited Sami Swoi, 101 Manchester Road, Altrincham, WA14 4RL accompanied by John Owen Trading Standards Team Leader at Trafford Council, Donna Grey Enforcement Support Officer with Trafford Council, Brad Thomas from Wagtails and officers from Greater Manchester Police (GMP). The premises were visited due to allegations alleging the sale of cheap and illicit tobacco products from the premises.

Upon entry I introduced myself to the male behind the counter who gave his name as Deshad Babaker and his position as owner. I explained the reason for the visit which was to conduct a search for illegal cigarettes and tobacco with the assistance of a tobacco dog. The dog handler began to search the premises and to the rear of the counter the dog indicated a quantity of non-compliant cigarettes and some hand rolling tobacco (HRT). These items were seized and placed in a sealed bag. I issued Mr Babaker with a notice of powers

and rights and a seizure notice. The seized goods were placed in secure storage.

On 10th November 2022 the tobacco products that had been seized were opened so the numbers could be checked, items catalogued and samples sent off for examination. 6020 sticks of tobacco and 0.5kg of hand rolling tobacco were seized in total from the premises.

All of the tobacco seized infringes the requirements of the Standardised Packaging Of Tobacco Products Regulations 2015, the Tobacco And Related Products or the Trade Marks Act 1994.

On the 21<sup>st</sup> March 2023 I revisited Sami Swoi at 101 Manchester Road Altrincham where disposable nicotine inhaling products were found on sale and seized regarding suspected breaches of the above legislation.

900 disposable nicotine inhaling products were seized in total as they all infringe the requirements of the Tobacco and Related Products and/or the CLP Regulation for Hazardous Substances.

On the 17<sup>th</sup> April we received further information that illicit tobacco was being sold from the property. The allegation was that the shop assistant who is young and middle Eastern, in his early 30s, with a beard is 5'4" and wears a coat sells foreign cigarettes.

On 31<sup>st</sup> August 2023 we received a further allegation that vulnerable customers were being given credit for alcohol and 'cheap' cigarettes but have to leave their passport with the shop keeper as security.

On the 4<sup>th</sup> October 2023 I received a statement from Richard Durham, an investigator who works with Trading Standards Services to tackle the supply of illegal tobacco products. On 25<sup>th</sup> September 2023 he entered Sami Swoi, 101 Manchester Road, Altrincham and purchased 1 packet of 20 Lambert and Butler cigarettes for £5.50. Mr Durham said the seller went out of a white

wooden sliding door at the rear of the shop marked staff only and returned a short while later (about 20 seconds) with the cigarettes.

At approximately 14:35pm on the 18th of October 2023, I again visited 101 Manchester Road, Altrincham WA14 4RL trading as Sami Swoi accompanied by Senior Fair Trading Officer Melissa Shine of Trafford Council, Graeme Dixon, an Environmental Health Officer of Trafford Council, Georgia Herbert an Environmental Health Regulatory Support Officer of Trafford Council, James Boles, a licensing enforcement officer of Trafford Council, Grace Edwards an apprentice of Trafford Council, Ian Underhill, a Community Safety Officer, Neil Courtney, a Community Safety Team leader and officers from Greater Manchester Police and officers from HMRC. Also in attendance were tobacco detection dogs from Wagtail UK Ltd and a handler.

At the business premises at the time of the visit were two males. One male identified himself as Haream Rasoul, providing a photo of a UK photocard of a provisional driving licence. He stated he was a member of staff when asked what his position in the business was. The other male identified himself as Ahmed Rasoul with a photocard residence permit. He stated that he was the business owner and company director.

Following a search of the premises, a bag was found concealed in a freezer, at the rear of the premises near the back gate. Inside the bag was a quantity of illicit cigarettes and hand rolling tobacco that do not comply with The Standardised Packaging of Tobacco Products Regulations 2015 and the Tobacco and Related Products Regulations 2016.

A further concealment of illicit cigarettes and hand rolling tobacco was found in an unlocked safe found on a shelf in the storeroom. The safe was covered by an empty cardboard box.

In total 3120 sticks of tobacco and 0.1kg of hand rolling tobacco were seized from the holdall and 1100 sticks of tobacco and 0.15kg of hand rolling tobacco were seized from the safe. 84 nicotine inhaling products (disposable vapes) that

do not comply with the requirements of The Tobacco and Related Products Regulations 2016 were also seized from behind the counter.

As a result of the items found on the premises, as well as the antecedent history of the premises having previously been used to sell and store illegal tobacco items, I observed Neill Courtney speak to Haream and Ahmed Rasoul and advise them that he was issuing a closure notice to the premises under the provisions of 5.76 of the Anti-Social Behaviour, Crime and Policing Act 2014. One of the gentlemen identified himself as the owner and at 1530 hours that same day Mr Courtney issued a closure notice to him. I observed as the premises were secured and a copy of the notice was placed upon the roller shutters at the front of the address.

On the 19<sup>th</sup> October 2023 a 3 month closure order was issued at Manchester Magistrates Court for the premises at 101 Manchester Road, Altrincham. The closure order prohibits access to the Premises by all persons at all times and in all circumstances except for the employees of Trafford Council and employees of the Emergency Services on official business.

On 24<sup>th</sup> October 2023 I was informed by Neill Courtney that Haream and Ahmed Rasoul had been arrested on 23<sup>rd</sup> October 2023 at the premises at 101 Manchester Road, Altrincham for being on the premises and therefore breaching the order. They were charged with an offence of Breach of a Closure Order.

I believe the premises are not being operated in a manner which is consistent with promoting the licensing objectives for the following reasons:

### **Prevention of Crime and Disorder**

It is clear that the use of the premises is for criminal activity and is causing a nuisance with the persistent sale and supply of illegal and counterfeit tobacco products and non-compliant vapes. The illegal tobacco and e-cigarette trade doesn't only harm honest local businesses and communities, but it also

supports criminal organisations to continue to operate outside the law. The sale of illegal tobacco is not a victimless crime – the availability of illegal tobacco at cheap prices encourages children to start smoking and puts them at risk and it harms the majority of retailers who play by the rules.

I am authorised and do make an application for a review of the premises licences referred to herein.

#### Statement of Truth

2. I believe that the facts stated in this statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

16<sup>th</sup> November 2023

A large black rectangular redaction box covering the signature area.

Elizabeth Pritchard