

Licensing Enforcement Representation

Name	Ben Moran
Job Title	Licensing Enforcement Team Lead
Department	Licensing Enforcement
Address	Town Hall, Stretford, M32 0TH
Email Address	ben.moran@trafford.gov.uk
Telephone Number	0161 912 4242

Premises Details

Application Ref No	PL090555
Name of Premises	Juz Mart
Address	31 Hale Road, Altrincham, WA14 2EY

Representation

The Licensing Enforcement Team have assessed the likely impact of the granting of this application taking a number of factors, including the nature of the area in which the premises is located and the proximity to residential accommodation, the hours applied for and any potential risk that the granting of this application could lead to issues of public nuisance, the prevention of crime and disorder, protection of children from harm and public safety.

The premises is located on Hale Road in a row of commercial premises including an off licence, barbers and take away. However, in the immediate surrounding area it is heavily and densely residential; the premises, from observations of the area's characteristics, also appears to be on a heavily used route for children from schools in the immediate area such as Altrincham Grammar School for Boys and Altrincham Grammar School for Girls

Due to the proximity of residential dwellings in the immediate area there is high likelihood that the applied for hours would have a detrimental impact on the residents amenity and the quiet enjoyment of their properties. As we have seen, during our visit on 13th September 2024, this premises attracts large numbers of children and youths and adding alcohol with the risk of serving underage children will no doubt change the character of the area detrimentally. Section 4.4 of Trafford Council's Statement of Licensing Policy states that *applicants should have regard to the local area and this should be reflected in their operating schedule*. It is clear from this application that this has not been considered.

Since this application has been lodged Trafford Council have received a number of complaints from locals in the area to complain about school children, under the age of 18, being able to purchase vapes from the premises.

During an inspection of the premises on 13th September 2024, along with Trading Standards Officers a large quantity of illegal vapes were found, exposed for sale. These vapes were subsequently seized due to the danger posed to those, including children, who have or were able to purchase them. Illicit tobacco was also found behind the counter along with Nike England football shirts being advertised for sale for £20.00 as opposed to the typical retail price of £85.00 give rise to concerns that these we counterfeit.

During the time that officers were at the premises there were large numbers of school children visiting the store but then leaving once they realised we were removing the vapes from the shelves. On further investigation officers were able to view CCTV images which showed school children, clearly in uniform, leaving Juz Mart with vapes purchased from there. Whilst the premises has signage to highlight that vapes are only to be sold to those 18 years or older it is evident that the signage is purely for show and lacks any substance or credibility. When Mr Gisingizo

arrived and was asked to see his refusal records for sales that had been refused; he advised that he did not keep such a log.

I would also like to share my concerns that, during the visit, a Malaysian national was found to be working at the premises. When officers arrived at the premises it was closed but I noticed an individual, in the barbershop, paying a keen interest to our attempts to identify if anyone was in the shop. I asked the individual directly if he knew why the premises was closed and he responded insinuating he knew nothing about the premises. A call was subsequently made to Mr Gisingizo to advise that officers were at the premises to carry out an inspection and I was advised that he would call his 'worker' who should have been there. The male in the barbershop, who claimed had no understanding as to why the shop was closed, then took a phone call and, after a brief conversation, unlocked the premises and let officers in. This male was aware of the application for a premises licence and was very keen to show officers the 'challenge' posters that had been printed and laminated for display along with where the alcohol would be displayed. He clearly had in depth understanding as to the day to day running of the business. He then began to start taking a stock check to busy himself. When we asked him to identify himself he became extremely anxious and began to panic, he was able to identify himself through a Malaysian driving licence but was unable to provide officers with any further identification such as a passport or visa. Shortly after taking the males details he absconded from the premises without any notice leaving the premises in control of council officers. In my experience this is typical of the behaviour of someone that has been employed illegally. When later questioned Mr Gisingizo advised officers that the Malaysian male was a 'friend' and 'doesn't work for me and he's not worked in the shop before.'

Section 39.2 of Trafford's Statement of Licensing Policy states:

The statutory prevention of crime and disorder licensing objective in the Licensing Act 2003 includes the prevention of immigration crime and the prevention of illegal working in licensed premises.

It is clear from the number of complaints that have been received by the local authority and the observations that have been made whilst at the premises that the past conduct seriously undermines the three of the four licensing objectives and, with the proposed hours, would further undermine the prevention of public nuisance.

Section 8.20 of Trafford's Statement of Licensing Policy stipulates The Licensing Authority will particularly consider the following matters where they are material to the individual application:

Past conduct and prior history of complaints against the premises.

I have absolutely no confidence that either, through the application or the conduct of the operator, that the licensing objectives would be upheld. Allowing the premises to sell alcohol will directly put at risk the children of Trafford. The UK Chief Medical Officers recommend that an alcohol-free childhood is the healthiest and best option. When children are exposed and able to illegally purchase alcohol it raises the possibility of alcohol poisoning, being involved in violence and ending up in vulnerable or dangerous situations.

I reserve the right to submit further supporting evidence prior to the hearing.

Recommendation: Refuse application



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Trading Standards Representation

Name	Elizabeth Pritchard
Job Title	Trading Standards Officer
Department	Regulatory Services Trading Standards
Address	Town Hall, Stretford, M32 0TH
Email Address	Elizabeth.pritchard@trafford.gov.uk
Telephone Number	07760 167474

Premises Details

Application Ref No	PL090555
Name of Premises	Juz Mart
Address	31 Hale Road, Altrincham, WA14 2EY

Representation

Trading Standards are making this representation on the grounds of the prevention of crime and disorder and the protection of children from harm.

We have received 9 complaints from members of the public alleging the sale of vapes to school children, the supply of illegal vapes to both under 18s and adults and the supply of illicit tobacco from the premises since July 2024.

Complaint reference	Date	Details
107945	08/07/2024	JUZ Mart on Hale road Altrincham is consistently selling vapes to minors some I know to be as young as 13. There is a constant flow of young boys and girls going in there specifically to buy vapes. The shop keeper has even being giving free drinks to kids and telling them to tell their friends.
107972	12/08/2024	C calling to report a local T for selling vaping products to underage consumers, including possibly their own children. Believes majority cash transactions. Sales are conducted openly over the counter without any request for ID. C states not physically witnessed themselves, but other parents have. C's children are clearly not of the age to buy goods by simply looking at them.
108159	12/08/2024	Alleging sale of illegal vapes and sale of vapes to minors. It is hidden under the counter and doesn't ask children for identification he has illegal vapes hidden and legal ones on the shelves and sells to minors. It is the shop keeper.
108188	15/08/2024	I would like to report a business selling vapes to children. I came into Juz Mart on 11/08/2024 at 15:45 to witness two girls between the ages of 13-16 approaching the shopkeeper (I'm unaware if they are the owner or not) selling the girls multiple packs of vape liquid without asking for ID. I did not want to confront the three as I did not want to escalate the situation however I felt the need to report this as there has been an epidemic of children vaping in the Altrincham area and it is business like those who are enabling it.
108345	13/09/2024	Shop name is Juz Mart he selling vapes to underage and he is selling illegal tobacco products as well please could you give them a visit. Thankyou

108340	18/09/2024	Juz Mart 31 Hale Road, Altrincham WA14 2EY I have found 2 vapes in my 11 year old daughters bedroom, I have questioned her and I have a receipt on her go henry account which is from the above retailer for £11.00 on 14th September 2024 at 18:41 (this is itemised as food however she did not buy any food) and I also have a photo of the vapes. My daughter has confirmed that this establishment is selling vapes to children, they remove the outer packaging before handing them over.
108341	18/09/2024	I am writing to express my deep concern about the ongoing sale of vapes to underage school children at Juz Mart Altrincham, 31 Hale Road WA14 2EY. Over the past few weeks, I have observed a significant increase in the number of young people vaping and littering discarded vapes in the area surrounding my premises. I have personally witnessed these individuals purchasing vapes from Juz Mart Altrincham. This behavior is not only harmful to their health but also poses a serious safety hazard to the community. I urge you to investigate this matter immediately and take appropriate action to prevent the sale of vapes to minors. I believe it is crucial to protect the well-being of our young people and to ensure that local businesses are complying with all relevant regulations. Thank you for your prompt attention to this urgent matter.
108342	18/09/2024	I am writing to you on behalf of my client and good friend, [REDACTED] who is copied in the email regarding an issue which has been brought to our attention over the past few weeks/months. [REDACTED] has been a proud landlord of [REDACTED] Hale Road, Altrincham for the past 30+ years. In recent weeks, some of his tenants in the shops on the ground floor have made him aware of a neighboring grocery/convenience store at 31 Hale Road (Juz Mart) who have been involved in the illegal sale of electronic devices (vapes) and cigarettes to underage children. Over the past 3 or 4 decades, [REDACTED] tenants/friends have built a very respectable reputation in the local area, even [REDACTED] himself at the [REDACTED] which he ran for many years, and they are now worried that the reputation will be tarnished because of their illegal activities. I am unsure how you guys react and respond to cases such as these, however I myself have lived in this area for all of my life and I am aware of certain shops involved in similar dealings and have since faced major repercussions as a result. Local residents in the area are seeing minors in their school uniforms enter 'Juz Mart' at 31 Hale Road (WA14 2EY) and leave with disposable vapes and sometimes cigarettes, which is portraying a very negative image.
108343	18/09/2024	I don't know the name but I know his face he is a Chinese guy and he sell illegal cigarettes and sell vapes to underage. He sell illegal cigarettes to adult and he also sell illegal vapes to children under age. Its been many years and its been complaint many times.

On Friday 13th September 2024 officers from Trading Standards assisted by the Licensing Enforcement Manager visited the premises of Juz Mart at 31 Hale Road, Altrincham. During this visit a non-compliant vapes, illicit tobacco and football shirts were seized from the premises (Disposable vapes: 127x JDK, 7x tito, 14x ENE, 93x hayati pro max, 44x R&M tornado, 183x bou pro, 23x zippen, 324 maskking, tobacco: 920 sticks Manchester, 1000 sticks platinum, other: 19 football shirts). Whilst officers were at the premises there were large numbers of school children visiting the store but then leaving once they realised the vapes were being taken from the shelves.

On further investigation officers were able to view CCTV images which showed school children leaving Juz Mart with vapes purchased from there. Whilst the premises has signage to highlight that vapes are only to be sold to those 18 years or older it is evident that the signage is purely for show and lacks any substance or credibility. When Mr Gisingizo arrived and was asked for his refusal records for sales that had been refused he advised that he did not keep such a log.

A sign displayed at the premises encourages customers to register with a QR code to gain a free drink which fits with the allegation made in the first complaint and clearly encourages young people to come to the premises.

A further visit was made to the premises by myself and the Licensing Enforcement Manager on Friday 27th September at around 3.30pm. The premises were closed at the time of the visit however school children were again found to be visiting the premises but were leaving once they tried the door and realised the premises were not open.

The Licensing Act 2003 s182 guidance states:

There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously.

This includes the use of licensed premises in relation to the following issues:

- Drugs and associated money laundering
- Illegal firearms
- Pirated / unlicensed films and music
- Underage sales
- Prostitution and pornography
- Paedophilia / grooming
- Organised crime
- Racism
- Immigration
- Unlawful gambling
- Sale or storage of smuggled tobacco and / or alcohol



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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 age restricted products to children and illegal and counterfeit disposable e-cigarettes and tobacco and potential links to organised crime.

The illegal vape and tobacco 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 these products 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. Although compliant e-cigarettes can be a tool to help adults quit smoking they should not be used by non-smokers and those under the age of 18 as it can result in nicotine addiction. Non-compliant vapes are very often aimed at children and encourage their use of them and the long term effects and the harms caused are not yet known.

It is clear from the number of complaints that have been received by the local authority and the observations that have been made whilst at the premises that the past conduct seriously undermines the licensing objectives, most notably the protection of children from harm, public safety and, with the proposed hours, would further undermine the prevention of public nuisance.

Section 8.20 of Trafford's Statement of Licensing Policy stipulates The Licensing Authority will particularly consider the following matters where they are material to the individual application:
Past conduct and prior history of complaints against the premises.

I reserve the right to submit further supporting evidence prior to the hearing.

Recommendation: Refuse application

The Licensing Act 2003

Responsible Authority Representation Form

FAO The Licensing Service, Licensing Section, Trafford Town Hall, Talbot Road, Stretford, M32 0TH

Section 1 - Application Details

I wish to make a representation regarding the application for a new premises licence for the following premises:

Premises name: Juz Mart

Premises name and address: 31 Hale Road, Altrincham, WA14 2EY

Type of Application: Application for the refusal of a license.

Application Number (if known):	PL090555
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Section 2 – Responsible Authority's Details

Responsible Authority's Details:

Please tick appropriate box:

<input checked="" type="checkbox"/>	Chief Officer of Police
<input type="checkbox"/>	Fire and Rescue Authority
<input type="checkbox"/>	Local Planning Authority
<input type="checkbox"/>	Health and Safety Authority
<input type="checkbox"/>	Environmental Health Authority
<input type="checkbox"/>	Bodies recognised as being responsible for protection of children from harm
<input type="checkbox"/>	Local Authority Director of Public Health
<input type="checkbox"/>	Local Weights and Measures Authority (Trading Standards)
<input type="checkbox"/>	Licensing Authority
<input type="checkbox"/>	Home Office Immigration Enforcement
<input type="checkbox"/>	Other

Full name:	John LLOYD
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Job Title:	Police Officer
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Tele number:	07391860064
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Email:	john.lloyd@gmp.police.uk
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Address:

GMP
Stretford Police Station,
Talbot Road, Stretford.
M32 0XB

Section 3 – Representations

In relation to the review of a new premises licence, if the licensing committee are minded to modify the terms of the licence, either immediately or after a period of suspension, we would like to see the conditions outlined in section 3B included on the licence for the reasons outlined in section 3A.

Section 3A – The Licensing Objectives

To prevent
crime and
disorder

Please state your reasons:

GMP were made aware of a new premises license application submitted to the Local Authority on 3rd September 2024, this application is for Juz Mart 31 Hale Road, Altrincham, WA14 2EY and is requesting the retail of alcohol to be granted.

This is a premises I am aware of from a previous application which I believe was withdrawn earlier this year, the premises is currently a small convenience store.

I was aware from my close partnership work that the Local Authority had received complaints relating to this premises concerning vape sales and other issues whilst operating as a convenience store.

On Friday 13th September 2024 Trading Standards attended the premises along with Trafford Council Licensing Enforcement, their findings on the day raise major concerns.

They uncovered that whilst this business has an application in for an alcohol license they were found to be storing and selling non-compliant vapes, illicit tobacco and also suspected counterfeit football shirts. These items were all seized by Trading Standards.

They further uncovered evidence that school children had purchased vapes from this shop, reinforcing some of the intelligence that had been submitted to them.

Separate to those concerns over their selling of vapes, tobacco and clothing was the further observations of Mr Moran when trying to establish who was working at and who had access to the shop. A male next door who had originally denied any knowledge of the shop then unlocked the premises and displayed to Mr Moran clear knowledge of the business and its day to day operating. The fact this man then absconded from the premises further causes questions over the running of the business. On Wednesday 18th September I attended and handed the worker present copies of the trading standards seizure receipts, the person present was not the same worker from the 13th September, I took his details and he stated he had just started.

The issue of retailing a restricted age product to young people underage is a serious one, this questions their potential ability to retail alcohol and follow those laws. I suggest their inability to appropriately follow laws and rules around tobacco and vape sales to under 18s shows that should they be granted an alcohol license we could expect such behaviour to continue.

Trading Standards have presented several reports made to them, item number 108341 GMP had also received.

Within the Local Authorities Statement of Licensing a premises past conduct and prior history of complaints should be particularly considered, what the Local Authority have presented here are numerous reports which have then been actioned and while doing so legitimate concerns proven.

I've grounds to believe the premises have fell somewhat below what is expected of them under their current level of responsibility as a retailer. Illegal vapes, illicit tobacco and counterfeit clothing was being sold and in some cases to those under 18.

My concerns over the findings of the Trading Standards and Enforcement visit leads me to have serious concerns over the ability to meet the licensing objectives specifically around preventing crime and disorder.

I believe this convenience shop is currently being run and operated in a manner which is not consistent with the licensing

	objectives, the granting of an alcohol license to somewhere which has already displayed failings causes legitimate concerns and request the application be rejected.
Public safety	<i>Please state your reasons:</i>
To prevent public nuisance	<i>Please state your reasons:</i>

The protection of children from harm	<i>Please state your reasons:</i>
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Section 3B – Suggestions/Further information

Please give any suggested conditions that could be added to the licence to remedy the cause of your representations, or other considerations you would like the Licensing Sub-Committee to take into account.

The disregard for the laws surrounding tobacco and vape sales causes serious concern over the running of the business and those involved being responsible, due to either a lack of training, lack of knowledge or intentionally breaking the law it rightly raises concerns and shows that they have failed to meet the expected standards of a business and any additional responsibility i.e alcohol sales couldn't safely be conducted.

Next door is already an off license further asking the question of the need for another alcohol license next to an existing shop retailing alcohol. Questions over the staff being used denying working there and then leaving the shop indicates from my experience illegal working and possible immigration/right to work issues.

The application mentions CCTV, when I did my visit on Wednesday 18th September 2024 three cameras were working, one was broken. The application makes no reference of the CCTV having storage capacity which should be ideally a minimum 28 days.

I agree with the recommendation from Trading Standards and the Licensing Enforcement Team Leader that the committee consider the rejection of this application.

I confirm that this representation may become a public document

Signed PC John LLOYD 18264 dated 30/09/2024

N.B if you do make a representation you will be expected to attend the Licensing Sub-Committee hearing and any subsequent appeal proceedings.

It is an offence, under section 158 of the Licensing Act 2003, to knowingly or recklessly make a false statement in connection with this representation. This is punishable, on summary conviction, by a fine not exceeding level 5 on the standard scale.

Please return this form along with any additional sheets to: **The Licensing Service, Trafford Council; Trafford Town Hall, Talbot Road, Stretford, Manchester, M32 0HT** or email to licensing@trafford.gov.uk.

This form must be returned within the Statutory Period. Please check with the Licensing Section by emailing licensing@trafford.gov.uk