

# Public Document Pack

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**Date:** Friday, 18 February 2022

Dear Sir or Madam

**The Licensing Sub-Committee – Monday, 28 February 2022, no earlier than 3.15 pm  
– New Council Chamber - Town Hall**

A meeting of the Licensing Sub-Committee will take place as indicated above.

The agenda is set out overleaf.

Yours faithfully

Assistant Director Legal & Governance and Monitoring Officer

To: Members of the Licensing Sub-Committee

Councillors:

Caroline Cherry, Robert Payne and Mike Solomon.

**This document and associated papers can be made available in a different format on request.**

## Agenda

1. **Election of Chairman for the meeting**
2. **Apologies for absence and notification of substitutes**
3. **Declaration of Disclosable Pecuniary Interest (Standing Order 37)**

A Member must declare any disclosable pecuniary interest where it relates to any matter being considered at the meeting. A declaration of a disclosable pecuniary interest should indicate the interest and the agenda item to which it relates. A Member is not permitted to participate in this agenda item by law and should immediately leave the meeting before the start of any debate.

If the Member leaves the Chamber in respect of a declaration, he or she should ensure that the Chairman is aware of this before he or she leaves to enable their exit from the meeting to be recorded in the minutes in accordance with Standing Order 37.

4. **Adoption of hearing procedure (Pages 5 - 6)**
5. **Review of premises licence under Licensing Act 2003 - Nailsea International Stores, 20 Colliers Walk, Nailsea BS48 1RD (Pages 7 - 58)**

Report of the Director of Public Health (attached)

6. **Urgent business permitted by the Local Government Act 1972**

For a matter to be considered as an urgent item, the following question must be addressed: "What harm to the public interest would flow from leaving it until the next meeting". If harm can be demonstrated, then it is open to the Chairman to rule that it be considered as urgent. Otherwise the matter cannot be considered urgent within the statutory provisions.

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### Exempt Items

Should the Licensing Sub-Committee wish to consider a matter as an Exempt Item, the following resolution should be passed -

"(1) That the press, public, and officers not required by the Members, the Chief Executive or the Director, to remain during the exempt session, be excluded from the meeting during consideration of the following item of business on the ground that its consideration will involve the disclosure of exempt information as defined in Section 100I of the Local Government Act 1972."

Also, if appropriate, the following resolution should be passed –

"(2) That members of the Council who are not members of the Licensing Sub-Committee be invited to remain."

## **Mobile phones and other mobile devices**

All persons attending the meeting are requested to ensure that these devices are switched to silent mode. The chairman may approve an exception to this request in special circumstances.

## **Filming and recording of meetings**

The proceedings of this meeting may be recorded for broadcasting purposes.

Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting, focusing only on those actively participating in the meeting and having regard to the wishes of any members of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Assistant Director Legal & Governance and Monitoring Officer's representative before the start of the meeting so that all those present may be made aware that it is happening.

Members of the public may also use Facebook and Twitter or other forms of social media to report on proceedings at this meeting.

## **Emergency Evacuation Procedure**

### **On hearing the alarm – (a continuous two tone siren)**

Leave the room by the nearest exit door. Ensure that windows are closed.

Last person out to close the door.

**Do not** stop to collect personal belongings.

**Do not** use the lifts.

**Follow** the green and white exit signs and make your way to the assembly point.

**Do not** re-enter the building until authorised to do so by the Fire Authority.

**Go to Assembly Point C – Outside the offices formerly occupied by Stephen & Co**

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# Agenda Item 4

## North Somerset Council

### Licensing Sub-Committee

#### **Procedure to be followed for meetings of the Licensing Sub-Committee when considering applications for the review of a premises licence under the Licensing Act 2003**

The Chairman introduces members of the Sub-Committee and officers present, and explains the procedure to be followed

1 The Chairman invites the Licensing Officer to outline the application. All parties may then ask questions for clarification only

2 The Chairman invites the party having called for a review of the premises licence to clarify the reasons for the review. All parties may then ask questions or make comment at the discretion of the Chairman

3 The Chairman then invites any persons having made relevant representations to clarify the representations. All parties may then ask questions of or make comment at the discretion of the Chairman

4 The Chairman will then invite the premises licence/premises licence holder's representative holder to respond. All parties may then ask questions of or make comment at the discretion of the Chairman

5 The parties are then invited to sum up

6 The Sub-Committee then withdraws to consider the submissions and to make its deliberations

7 On returning to the meeting with all parties present, the Chairman/Legal Adviser to the Sub-Committee will announce the decision

#### **Please note:-**

The Chairman appointed for the meeting shall have absolute control of the Hearing and the ruling of the Chairman shall be final.

The Legal Advisor to the Sub-Committee can assist the Chairman during the Hearing and may interrupt proceedings when it is considered necessary to ensure that the Sub-Committee is able to determine the application fairly.

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## North Somerset Council

### REPORT TO THE LICENSING SUB-COMMITTEE

**DATE OF MEETING: MONDAY 28 FEBRUARY 2022**

**SUBJECT OF REPORT: APPLICATION TO REVIEW THE PREMISES LICENCE FOR NAILSEA INTERNATIONAL STORE, 20 COLLIERS WALK, NAILSEA, SOMERSET, BS48 1RJ**

**TOWN OR PARISH: NAILSEA**

**OFFICER/MEMBER PRESENTING: DIRECTOR OF PUBLIC HEALTH AND REGULATORY SERVICES**

**KEY DECISION: NO**

### RECOMMENDATIONS

That the Committee considers the evidence presented within the application made by Avon and Somerset Constabulary to review the Premises Licence and takes any remedial action deemed appropriate in relation to the premises licence.

#### 1. SUMMARY OF REPORT

An application for the review of the premises licence for Nailsea International Store, 20 Colliers Walk, Nailsea was received from Avon and Somerset Constabulary. From June 2021 a general pattern of intelligence was forming with regards to Nailsea International Store this was highlighted to both the Police and Trading standards from local traders and members of the public that illicit/illegal tobacco was being sold from the Nailsea International store, where school children were congregating daily, when the nearby Secondary school finished and that alcohol was being sold to persons under 18 years of age. The conditions attached to the premises licence offered by the Licence holder were also not being adhered to on a number of occasions that the premises was visited to carry out routine inspections of the premises.

#### 2. POLICY

- 2.1 The North Somerset Licensing Authority's Statement of Licensing Policy (2015-2020) applies to the application made. In particular, paragraphs 40-48 of the Licensing Policy relate to the review application.
- 2.2 Regard must be given to the Statutory Guidance issued under section 182 of the Licensing Act 2003 and the Licensing Act itself.

#### 3. DETAILS

- 3.1 The review application was received from Avon and Somerset Constabulary on 17 January 2022 requesting a review of the Premises Licence for Nailsea International

Store, 20 Colliers Walk, Nailsea, Licence number NSC/056972. A copy of the application made is shown at **Appendix A**

- 3.2 The licence review application relates to the premises Nailsea International Store, 20 Colliers Walk, Nailsea, Somerset, BS48 1RJ. The premise is a convenience store/off licence. The Licence has licensable activities including the sale of alcohol for off sales only.
- 3.3 The review application relates to the following licensing objectives:
  - a) Crime & Disorder
  - b) Public Safety
  - c) Prevention of public nuisance
  - d) Protection of children from harm
- 3.4 The grounds for review are based on Underage sales of alcohol and breaches of Premises Licence conditions
- 3.5 There are residential and commercial properties in the proximity of the licensed premises.
- 3.6 A plan of the licensed premises is shown at **Appendix B**.
- 3.7 A copy of the current Premises Licence is shown at **Appendix C**
- 3.8 The Designated Premises Supervisor for the premises is Mr Najdet Mosher, Personal Licence number 20/04270/LAPER, issued by Bristol City Council
- 3.9 The Premises Licence has been in force since 24 November 2020 and has been held by Mr Najdet Mosher since 24 November 2020

#### **4. CONSULTATION**

- 4.1 In accordance with the requirements of the Act, copies of the application to review the premises licence have been served upon the responsible authorities, the licensing authority and the Premises licence holder.
- 4.2 A notice of application for the review of a Premises Licence was first displayed on 17 January 2020 at Nailsea International Store, 20 Colliers Walk, Nailsea BS48 1RJ and at the offices of the Licensing Authority, Weston-super-Mare Town Hall, in a central and conspicuous place for a period of not less than 28 consecutive days.
- 4.3 An electronic version of the notice was also placed on the North Somerset Council website.
- 4.4 Representations regarding the review application made were invited from interested parties and responsible authorities.
- 4.5 As a result of the consultations carried out, representations have been received from a local resident and the Pastoral and Wellbeing Manager at Nailsea School. These relate to the Crime & Disorder, Public safety, Prevention of public nuisance, Protection of Children from Harm licensing objectives. Copies of the representations can be seen at **Appendix D**.



## **5. FINANCIAL IMPLICATIONS**

**Costs** - None

**Funding** - None

## **6. LEGAL POWERS AND IMPLICATIONS**

- 6.1 The Licensing Authority recognises that its licensing function is only one means of securing the delivery of the service. The Licensing Authority will therefore continue to work in partnership with other stakeholders, such as the Police, Crime & Disorder Partnerships and the Vehicle and Vehicle Standards Agency (DVSA) towards the promotion of any licensing objectives.
- 6.2 In undertaking this licensing function, the Licensing Authority has regard to the following legislation:
- Environmental Protection Act 1990
  - Health Act 2006
  - The Smoke-free (Premises and Enforcement) Regulations
  - The Equality Act 2010
  - The European Convention on Human Rights, which is applied by the Human Rights Act 1998
  - The Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002
  - Licensing Act 2003
  - Gambling Act 2005
- 6.3 The Licensing Authority also has regard to any other relevant legislation, strategies, policies and guidance in its decision-making

## **7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

There are no climatic or environmental implications within this report.

## **8. RISK MANAGEMENT**

- 8.1 Regularly reviewing licensing policies and practices and using a risk-rated approach to both proactive and reactive enforcement reduces the risk to the Authority. Ensuring MoU agreements are in place with external partner agencies will also help strengthen roles and responsibilities surrounding Licensing work.

## **9. EQUALITY IMPLICATIONS**

No equality impact assessment has been required as part of this report.

## **10. CORPORATE IMPLICATIONS**

- 10.1 An appeal against the decision of the Licensing Authority may be made to the Magistrates' Court by the applicant for the review, the holder of the Premises

Licence, or any other person who made relevant representation to the application, within 21 days of receipt in writing of any decision made.

## **11. OPTIONS CONSIDERED**

- 11.1 The authority must, having regard to the application, and any relevant representations, take such of the steps mentioned below as it considers appropriate for the promotion of the licensing objectives.
- 11.2 The steps outlined in section 52 (4) of the Licensing Act 2003 which can be considered are:
- (a) to modify the conditions of the licence;
  - (b) to exclude a licensable activity from the scope of the licence;
  - (c) to remove the designated premises supervisor;
  - (d) to suspend the licence for a period not exceeding three months;
  - (e) to revoke the licence;
- 11.3 In deciding whether to use the powers outlined above, the licensing authority is required, as far as possible, to seek to establish the cause or causes of the concerns which the representations identify. Any remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response.
- 11.4 Any detrimental financial impact that may result from the licensing authority's decision should be appropriate and proportionate to the promotion of the licensing objectives in the circumstances that gave rise to the application for the review.

## **AUTHOR**

Caz Horton  
Licensing Officer  
Public Health and Regulatory Services  
Telephone number: 01934 426800

## **APPENDICES**

Appendix A - Copy of the application made  
Appendix B - Copy of the plan of the premises  
Appendix C – Copy of the premises licence for Nailsea International Store  
Appendix D – Copy of representations received.

## **BACKGROUND PAPERS**

Licensing Act 2003 and associated Regulations.  
Guidance to the Licensing Act issued under section 182 of the Licensing Act 2003.  
North Somerset Council Statement of Licensing Policy (2015-2020)

**Avon & Somerset Constabulary**  
**Representations Licensing Act 2003.**



Your Name Save	Andrew Jones 6730 / Andy Manhire 8552
Job Title	Police Licensing Officers
Postal and email address	North Somerset Police Centre, Weston Gateway, Filiers Way, WSM, BS24 7JP.
Contact telephone number	07702113313

Name and address of the premises you are making representations about.	Nailsea International Store 20 Colliers Walk, Nailsea. North Somerset BS48 1RQ
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Which of the four licensing Objectives does your representation relate to? Please state yes or no.		
The Prevention of harm to children	Yes	
To prevent Public Nuisance	Yes	
To prevent crime and disorder	Yes	
Public Safety	Yes	
Would this be suitable for resolution without a hearing if all parties agree?.	No	

Suggested conditions that could be	
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<p>added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.</p>	<p>None</p>
	<p>The Avon and Somerset Constabulary as a responsible authority wish to submit formal review proceedings relating to the Premises Licence holder a Mr Nadjat Mosher, who owns and runs the business of Nailsea International Store located at 20 Colliers Walk, Nailsea North Somerset.</p> <p>A premises Licence application was submitted by the applicant Mr Mosher and his Licensing agent Mr Danny Hardy with a business address in Wolverhampton, West Midlands in October 2020 for the premises of Nailsea International Store.</p> <p>The application and business description related to a general convenience store located in the pedestrian precinct in Colliers Walk Nailsea and requested Alcohol off sales from 08:00 to 20:00 hrs seven days a week.</p> <p>The submitted application offered robust conditions for the sale of alcohol which also included unusual tobacco conditions for detailed stock control records and processes to allow transparent sourcing of goods for the relevant authorities to include Trading standards and HMRC.</p> <p>Following consultation with the responsible authorities the Premises Licence was granted on the 25/11/20 with the Premises Licence Holder and Designated Premises Supervisor being Nadjat Mosher, but the business was not open to the public until around February 2021.</p> <p>It is also important to note that Mr Nadjat Mosher is also the Premises Licence Holder and Designated Premises Supervisor at Filton International Store located at 512 Filton Avenue, Horfield, Bristol. BS7 0QE</p> <p>The premises Licence was granted by South Gloucestershire Council on 20/07/21 for a similar business operation to the Nailsea store in North Somerset.</p> <p>A Companies House check reveals Mr Nadjat Mosher to be the only active director of (Nadjat Bristol Ltd) company number 12607834 of 512 Filton Avenue, Horfield, Bristol, which was incorporated on 18/05/20.</p> <p>From June 2021 a general pattern of intelligence was forming and highlighted to both the Police and Trading standards from local traders and members of the public that illicit / illegal tobacco was being sold from the Nailsea International store, where schoolchildren were congregating daily, when the nearby Secondary school finished.</p> <p>At 10.30 a.m. on Friday 30<sup>th</sup> July 2021 – a licensing visit was conducted at the premises by the Police Licensing Officer Andrew Jones and Caz Horton from North Somerset Council Licensing Officer where a compliance check was conducted and a number of breaches</p>

of the Premises Licence were identified to include – No Part B of the premises Licence displayed - No challenge 25 posters visible – unable to access CCTV to confirm it was working / recording correctly as no PIN code to access the system was known. Further enquiries were made with the Licence holder Mr Mosher who was strongly advised in rectifying the issues. – ( Please see attached statement )

Further information was later supplied anonymously from a concerned parent that schoolchildren were being led through the shop by staff to a vehicle parked in the rear service yard and being sold tobacco and vapes from the car. The information highlighted concerns that their children's behaviour had changed and had become more aggressive following use of the substances purchased.

At 10.30 a.m. on Monday 1<sup>st</sup> of November 2021 - a Trading Standards Operation was conducted at the Filton International Store Bristol simultaneously with the Nailsea International Store.

Prior to the visit at the Nailsea Store the owner of both stores Nadjat Mosher was seen parking a silver Vauxhall Astra BW05 FEJ which is registered to him - by the Police Licensing Officer Andrew Jones – in the business car park at the rear of the Nailsea International Store.

Whilst trading standards conducted a search of the premises Mr Mosher was seen by police trying to dispose of his car keys in a litter bin o/s the store. The keys were then used in the presence of the owner Mr Mosher, where two large holdalls were seen on the back seat of his Vauxhall Astra which were seized and found to contain a large quantity of what is now known to be illicit / illegal tobacco. (Trading Standards Officer Dave Howard statement refers).

A concerned mother contacted the Police stating that a staff member at Nailsea school had witnessed her 15 year old son purchase a bottle of Vodka and Jack Daniels at Nailsea International Store and the staff member selling the alcohol made no attempt to conduct any age verification checks.

The parent's son when challenged eventually admitted purchasing the alcohol and confirmed that no age verification checks were requested during the visit which occurred on Friday the 26<sup>th</sup> of November 2021 between 3.45 p.m. and 4.00 p.m.

It was also stated by the schoolboy that it was common knowledge amongst school friends that the man in the shop would serve alcohol to anyone underage especially on a Friday and also stated that two underage school girls purchased vapes during his visit.

(Statement from mother

At 11.00 a.m. on Friday the 17<sup>th</sup> of December 2021 a Licensing check was conducted at the Nailsea International Store by the Police Licensing Officer Andrew Jones + local Police Sgt Lee Kerlake and Amanda Hodge the North Somerset Licensing Officer.

Mr Nadjat Mosher was present at the Licensing visit and was informed by the Police that they were investigating a statement of complaint following an allegation of an underage sale on the 26<sup>th</sup> of November 2021. Mr Mosher confirmed he was not at the store during the afternoon of that day and that an associate was covering for a short while during that time.

The Police requested to view the CCTV which Mr Mosher stated was on his phone but was unable to access or view the CCTV from the

hard drive stored in the false ceiling at the front of the store above the visible TV monitor.

Mr Mosher stated that he still had not obtained the PIN code from the engineer to access the CCTV system and was unable to download the coverage that the Police had requested until an engineer attended the premises.

Andrew Jones the Police Licensing Officer informed Mr Mosher that he had been given numerous warnings and advice on previous visits to rectify the issue and that the continual breach of his licence conditions could not continue.

This also included no Challenge 25 posters on display – no refusal register or incident book available to view and incomplete training records.

The hard drive was seized by the Police to prevent any evidence in the investigation being lost. Mr Mosher was advised to contact an engineer and an appointment to be made at the premises when an engineer was available to access the hard drive and assist the Police in the recovery of the footage and evidence.

Following advice - Mr Mosher voluntarily removed the small amount of alcohol from the displays to the storeroom until the CCTV hard drive concerns could be resolved to a satisfactory conclusion.

Mr Mosher stated that he wished to surrender the alcohol licence due to the low level of alcohol sales which could be arranged via his Licensing agent Mr Danny Hardy.  
(Copy of email from N.S. Licensing Officer Amanda Hodge to Mr Hardy sent 20/12/2021 – refers).

The Nailsea store has been closed over the Christmas and New year period.

On Tuesday the 4<sup>th</sup> of January 2022 I visited the store at midday which was open and a foreign male was sat crouched on a small stool behind the counter looking at his phone screen. He had his hood up and was wearing a dirty mask. He stated that Mr Mosher was ill with COVID and he was covering the shop for a short while. There was no alcohol displayed for sale.

I contacted Mr Mosher who stated he was not well and was showing COVID symptoms and was waiting test results. He stated that the shop would be closed this week and the week after.

To conclude the Police in this review application are requesting a revocation of Mr Nadjat Moshers Premises Licence due to the fact he has shown a complete disregard to complying with his Licence conditions.

Mr Mosher has shown no understanding of his responsibilities + Licence conditions and his attempts to show due process and evidence of basic paper records within the shop can be best described as shambolic.

Mr Mosher is covering two shops and using untrained staff to cover his absence and it is clear that his business plan is sales at any cost or thought of any consequences to the customers.

I have included Trading standards evidence in the application in showing a pattern of behaviour by Mr Mosher in trying to deceive the authorities in making illegal sales to his main customer base being school children without any consideration to public health or safety.

Whilst the sale of illegal tobacco is not directly related to the Premises Liquor Licence it not only shows that Mr Mosher is not promoting the Crime and Disorder Licensing objective but that he has no concern for the safety of his customers as illegal tobacco products often contain dangerous substances and as such is failing to promote the Public Safety objective.

In addition the fact that he sells Vape products to underage youths along with the incident described earlier in the submission of underage sales, highlights that the premises Licence holder totally ignores his responsibilities in promoting the Licensing objectives.

The Police believe there can be no further conditions that can be offered to resolve the situation or any stepped approach in these circumstances, as the Police have no confidence in the current business operation.

In short the Police therefore feel that they have no option but to ask the committee to revoke the Premises Licence for the reasons and evidence highlighted.

**N.B If you do make a representation you will be expected to attend the Licensing Sub Committee and any subsequent appeal proceeding.**

Signed: *Andy Jones*

Date: 14/01/2022

**This form must be returned within the Statutory Period. (With supporting evidence).**





Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of:

Age if 18 or under. Over 18 \*see overleaf (if over 18 insert 'over 18') Occupation: UNEMPLOYED

This statement (consisting of 2 page(s) each signed by me is true to the best of my knowledge and belief and 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.

Victim / Witness signature:

Date: 07.12.21

I am the above named person and reside at the address overleaf.

I am making this statement to the police in relation to the Nailsea International Store that sold Alcohol to my son who is only 15 years old and looks very young on Friday the 26<sup>th</sup> of November 2021 sometime in the afternoon between the hours of 15.45 to 16:00hrs.

I was not aware that had been into the store and purchase alcohol but I was made aware of buying the alcohol by his School a few days later as a member of their staff had seen purchase the alcohol. I was also informed by the school that was not asked for identification at any point and if you see you can see that he only looks around 16 years old no older.

As a parent along with his father we questioned who admitted that he had purchased a large bottle of Jack Daniels. At the time he did not tell us about the Vodka that he had also purchased at the same time but we were informed a few days later by the school as admitted this when he was spoken to by the school. later admitted this to us later and then showed us a lemonade bottle that he had poured the Vodka into.

We keep an eye on bank account and we can confirm that on the same day had gone into the Post office in Nailsea and withdrew £20 in cash which he used to purchase the alcohol.

When we spoke to he confirmed to me that he was not asked for any identification when he purchased the alcohol and the reason he did it was because other school friends have said that he can

Signature

Signature Witnessed By

Page Number

1

of 2

Pages

URN

**Victim / Witness contact details**

Name: Nationality: British  
 If non-British, remember to request a foreign conviction record check through ACRO

Home Address:

Postcode: Email Address: N/A

Home No: N/A Mobile No: Work No: N/A

Preferred means of contact: MOBILE Preferred time of contact: N/A

Gender: M  F  Other  Date of Birth:

Country and Town of Birth:

Former Name(s): Religion/Belief: N/A Ethnicity 16+1: W1

Dates of non-availability to attend court: N/A

**Victim / Witness Care**

Is the victim or witness: Vulnerable  Intimidated  Victim of a serious crime   
 A juvenile  Professional  Persistently targeted

Are they willing to attend court? Yes  No  If No, include reason(s) on the MG6.

What can be done to ensure attendance?

Should special measures be applied for? Yes  Complete MG2 No  See guidance box

**MG2 ALWAYS required for:**

Does the victim have any particular needs? Yes  No  If Yes, select from below:

Language Difficulties  Visually Impaired  Disability  Transport

Restricted mobility  Healthcare  Childcare

Other concerns  Please detail:

- Youth (18 and under)
- Victims in sexual offence cases
- Witnesses with mental disorders, learning or physical disabilities
- Witnesses in fear of giving evidence

**Victim / Witness Consent**

- a) The Victim Personal Statement scheme (victims only) has been explained to me  Yes  No  N/A
- b) The Police Victim Right to Review Scheme has been explained to me  Yes  No  N/A
- c) I consent to police having access to my medical record(s) in relation to this matter (obtained in accordance with local practice)  Yes  No  N/A
- d) I consent to my medical record in relation to this matter being disclosed to the defence  Yes  No  N/A
- e) I consent to the statement being disclosed for the purposes of civil, or other proceedings if applicable, e.g. child care proceedings, CICA  Yes  No

Victim / Witness signature:  Print Name:

Parent/Guardian/Appropriate Adult Signature:  Print Name:

Address & Tel No (if different from above):

Statement taken by: (print name and collar number)  Station

Time & place statement taken:

Officers - please detach next section and hand to the Victim or Witness

## Statement of witness

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

### Statement of Caroline HORTON

Age of Witness (if over 18 enter 'over 18') Over 18

This statement (consisting of .....3..... 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  ..... Dated 17 DECEMBER 2021

I am Caroline Horton, I am employed by North Somerset Council as a Licensing Officer based at the Town Hall, Walliscote Grove Road, Weston-super-Mare, Somerset, BS23 1UJ. My duties included the granting, administering and enforcement of the Licensing Act 2003. I am an authorised officer under the Licensing Act 2003, I produce a signed copy of this authorisation dated 24 May 2018, Decision No 18/19 DE 125 as CNH/01.

On 14 June 2021, information was received at the Licensing Office suggesting that the Nailsea International Store were not operating in accordance to the conditions of the Premises Licence. The conditions of the Premises Licence were offered by Mr Mosher within the operating schedule of his application for the Premises Licence. The premises licence, number NSC/056972 was granted on 24 November 2020, the Premises Licence is held by Mr Najdet Mosher. I produce a copy of this licence as CNH/02.

On Friday 30 July 2021 at approximately 1030 hours, I visited Nailsea International Store, 20 Colliers Walk, Nailsea, Somerset, in the company of Andy Jones 6730 who

1

Signed 

is an Avon and Somerset Constabulary Liquor Licensing Officer, PC Alison Codd and PC Bridget Griffiths.

The purpose of this visit was to carry out a routine compliance inspection of the premises following the grant of a Premises Licence under the Licensing Act 2003.

I introduced myself to the male working behind the counter at the shop and showed him my Warrant Card, Andy Jones also showed his identification card. The male behind the counter when asked gave his name as Ahmed. I asked if Mr Mosher was available, Ahmed advised, he wasn't available and that he was just minding the shop for him.

I explained to Ahmed that the reason for our visit was to carry out a compliance check with regards to the conditions of the newly issued Premises Licence for the store which authorises the sale of alcohol, Ahmed understood the reasons for our visit.

At the time of the visit, I could see that Part B of the Premises Licence was not on display as required by legislation, there were no "Challenge 25" posters displayed at any area of the premises. Ahmed was asked to produce the written Proof of Age Policy, the refusal register for the premises and a copy of the Premises Licence and the age challenge posters, he was unable to produce any of them. I then requested to view the CCTV system to check that it was operating in accordance with the conditions of the Premises Licence, Ahmed advised that he was unable to operate the system as he did not have access to it and he did not know where the CCTV hard drive was kept.

Ahmed advised he would Telephone Mr Mosher. A telephone conversation with a male on loud speaker took place on Ahmed's mobile phone, this was in a language I did not understand. I then spoke with the other male who gave his name as Najdet

Signed



Mosher, he advised that he had told Ahmed where the Premises Licence and other documents were. Ahmed searched, but the requested documents still could not be produced.


Mr Mosher was advised at this time that the premises would require a revisit to check that his CCTV was operating in accordance with the conditions of the premises licence, no date was given to Mr Mosher for this return visit.

Mr Mosher advised that he was at the doctors and would be at the shop in about 5-10 minutes. I advised him that we would wait at the store for him to arrive.

Whilst I was talking to Ahmed and Mr Mosher on the phone PC Codd and PC Griffiths went to check the rear exit of the premises. I was called by them to the rear room of the property, this room was being used as a store room. There were open boxes on the floor in the room, these boxes were in plain sight and open. Inside the boxes I could clearly see foreign rolling tobacco, there was also sleeves of cigarettes, some of which stated UK duty paid, I took photographs of the tobacco and cigarettes. These photographs I produce as CNH/03.

I returned to the front shop Ahmed was still searching for the premises licence under the counter, pouches of tobacco had been placed on top of the counter, these were also photographed. I produce these photographs as CNH/04.

After 30 minutes Mr Mosher still had not arrived at the premises, I wrote my mobile number on my business card. I gave the business card to Ahmed and requested that he give to Mr Mosher as I need to discuss the outcome of the compliance visit and the breaches of the premises Licence conditions.

At approximately 1120 hours we all left the store. I can confirm that on 6 August 2021, Trading Standards Officers were advised by email the outcome of this visit including photographs that were taken of the possible illicit tobacco products. 

3

Signed



CNH/01

**NORTH SOMERSET COUNCIL DECISION**

**DECISION OF: THE DIRECTOR OF DEVELOPMENT AND ENVIRONMENT**



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**DECISION NO: 18/19 DE 125**

**SUBJECT: Officer Authorisation Environmental Protection and Licensing**

**KEY DECISION: NO**

**BACKGROUND:**

All officers who enforce legislation delegated to the Development and Environment Directorate, Community and Consumer Services, and who work within the Environmental Protection and Licensing Service team must be duly authorised to act on behalf of the authority. Prior to the amalgamation of the Environmental Protection and Licensing teams the two groups of staff were authorised separately, however, there is now considerable overlap in the enforcement responsibilities and staff from both of the former teams can find themselves dealing with situations outside their previous remit. This requires all staff within this group to be duly authorised for all of the relevant legislation. This is a consolidation exercise and ensures that staff can undertake the wide variety of inspections and investigations that they may be expected to initiate and can follow up with formal action where required as part of a wider enforcement team.

**DECISION:**

That the North Somerset officers listed in Appendix 2 be authorised to act on behalf of the Council in performance of their duties with respect to the legislation listed in Appendix 1; this includes all aspects of inspection, investigation, enforcement and formal action.

**REASONS:**

To ensure that the Council's officers listed in Appendix 2 are duly authorised and can undertake statutory duties on behalf of the authority

**OPTIONS CONSIDERED:**

There is no alternative as failure to authorise would compromise the ability of the Council to perform its statutory functions.

**FINANCIAL IMPLICATIONS:**

There are no costs associated with this decision.

**LEGAL POWERS AND IMPLICATIONS**

As detailed in appendix

**CONSULTATION**

NA

**RISK MANAGEMENT**

The Authority would be unable to discharge its statutory functions

**EQUALITY IMPLICATIONS**

Have you undertaken an Equality Impact Assessment? No

**CORPORATE IMPLICATIONS**

The Authority is required to regularly review the Authorisation of officers in line with the constitution.

**BACKGROUND PAPERS**

NA

**SIGNATORIES:**

**DECISION MAKER(S):**

Signed: .....  .....

Head of Highways and Transport  
Development and Environment  
(In accordance with Minute No:  
COU11 Council Meeting 8 May 2018

Date: ..... 24/5/2018 .....

**Appendix 1**  
**Environmental Protection/Licensing**

**Legislation List**

**Animal Boarding Establishments Act 1963**  
**Animal Health Act 1981**  
**Animal Welfare Act 2006**  
**Antisocial Behaviour Act 2003**  
**Antisocial Behaviour Crime and Policing Act 2014**  
**Breeding of Dogs Act 1973**  
**Breeding of Dogs Act 1991**  
**Building Act 1984**  
**Charities Act 1992**  
**Cinemas Act 1985**  
**Clean Air Act 1993**  
**Clean Neighbourhoods and Environment Act 2005**  
**Control of Pollution Act 1974**  
**Control of Pollution (Amendment) Act 1989**  
**Criminal Justice and Police Act 2001 – Parts 1 and 2**  
**Dangerous Dogs Act 1989**  
**Dangerous Dogs Act 1991**  
**Dangerous Dogs (Amendment) Act 1997**  
**Dangerous Wild Animals Act 1976**  
**Dogs Act 1871**  
**Dogs Act 1906**  
**Dogs (Amendments) Act 1928**  
**Dogs (Protection of Livestock) Act 1953**  
**Environment Act 1995**  
**Environmental Protection Act 1990**  
**Equality Act 2010**  
**Food Safety Act 1990**  
**Gambling Act 2005**  
**Game Act 1831**  
**Game Licences Act 1860**  
**Guard Dogs Act 1975**  
**Health Act 2006**  
**Health and Safety at Work etc Act 1974**  
**Highways Act 1980**  
**House to House Collections Act 1939**  
**Licensing Act 2003**  
**Live Music Act 2012**  
**Local Government Act 1972**  
**Local Government (Miscellaneous Provisions) Act 1976**  
**Local Government (Miscellaneous Provisions) Act 1982**  
**Noise Act 1996**  
**Noise and Statutory Nuisance Act 1993**  
**Offices, Shops & Railway Premises Act 1963**  
**Pet Animals Act 1951**  
**Police, Factories etc (Miscellaneous Provisions) Act 1916**  
**Pollution Prevention and Control Act 1999**  
**Prevention of Damage by Pests Act 1949**



**Private Security Industry Act 2001**  
**Public Health Act 1861**  
**Public Health Act 1875**  
**Public Health Amendment Act 1907**  
**Public Health Act 1925**  
**Public Health Act 1936**  
**Public Health Act 1961**  
**Public Health (Control of Diseases) Act 1984**  
**Refuse Disposal (Amenity) Act 1978**  
**Rehabilitation of Offenders Act 1974**  
**Riding Establishments Act 1964**  
**Riding Establishments Act 1970**  
**Road Traffic Regulations Act 1984**  
**Road Traffic Act 1988**  
**Scrap Metal Dealers Act 2013**  
**Sunday Trading Act 1994**  
**Theatres Act 1968**  
**Town and Country Planning Act 1990**  
**Town Police Clauses Act 1847**  
**Traffic Management Act 2004**  
**Transport Act 1985**  
**Vehicles (Crime) Act 2001**  
**Water Industry Act 1991**

**And any Act extending or amending the same or incorporated therewith or any Orders or Regulations made there under.**

## **Appendix 2**

### **Staff List**

**Mandy Bishop**  
**Dee Mawn**  
**Sioux Isherwood**  
**Carl Smallwood**  
**Richard Allard**  
**Robert Davis**  
**Lindsay Howe**  
**Robert White**  
**Caroline Horton**  
**George Rowe**  
**Kellie Trego**  
**Simon Andrews**  
**Beverley Baker**  
**Amanda Hodge**  
**Tracy Stadden**  
**Natasha Hardy**  
**Charlotte Parrott**  
**Carol Pike**  
**Chris Joennou**

CNH/02

## Premises Licence Part A

Premises licence number

NSC/056972	Issue date: 25 November 2020
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Postal address of premises, or if none, ordnance survey map reference or description:

Nailsea International Store  
20 Colliers Walk

Post town: Nailsea, Somerset

Post code: BS48 1RJ

Telephone number: 07480148133

Where the licence is time limited the dates

Start:

End:

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:

Supply of Alcohol			Seasonal Variation	Non standard timings
Day	From	To	None	None
Monday	08:00 hrs	20:00 hrs		
Tuesday	08:00 hrs	20:00 hrs		
Wednesday	08:00 hrs	20:00 hrs		
Thursday	08:00 hrs	20:00 hrs		
Friday	08:00 hrs	20:00 hrs		
Saturday	08:00 hrs	20:00 hrs		
Sunday	08:00 hrs	20:00 hrs		
* The following day				
The supply of alcohol is authorised for consumption: Only off the premises				

<b>The opening hours of the premises</b>			<b>Seasonal Variation</b>	<b>Non standard timings</b>
<b>Day</b>	<b>From</b>	<b>To</b>	None	None
Monday	08:00 hrs	20:00 hrs		
Tuesday	08:00 hrs	20:00 hrs		
Wednesday	08:00 hrs	20:00 hrs		
Thursday	08:00 hrs	20:00 hrs		
Friday	08:00 hrs	20:00 hrs		
Saturday	08:00 hrs	20:00 hrs		
Sunday	08:00 hrs	20:00 hrs		
<i>* The following day</i>				

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

**Name:** Mr Najdet Mosher

**Address:** 99 Twinnell House, Stapleton Road, Bristol, , BS5 0QA

**Telephone Number:**

**Registered number of holder, for example company number, charity number (where applicable):**

Not Applicable

**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:**

**Name:** Mr Najdet Mosher

**Address:** 99 Twinnell House, Stapleton Road, Bristol, , BS5 0QA

**Telephone Number:**

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:**

**Number:** 20/04270/LAPER

**Issuing Authority:** Bristol City Council

## **Annex 1 – Mandatory Conditions**

1. (1). No supply of alcohol may be made under this premises licence:-
  - (i) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - (ii) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (2) Every supply of alcohol under this premises licence must be made or authorised by a person who holds a personal licence.
2. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries significant risk of undermining a licensing objective.
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
3. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried out in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
- a) a holographic mark, or
  - b) an ultra violet feature.
6. The responsible person must ensure that–
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures–
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - c) where a customer does not in relation to a sale of alcohol, specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
7. Where films are shown, children shall only be admitted to film showings in accordance with the British Board of Film Classification (or equivalent regulatory body) requirements.
8. Where individuals are required by this licence to carry out a security activity at a specified time or more, they must be:
- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
  - (b) be entitled to carry out that activity by virtue of section 4 of that Act.
9. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
10. For the purposes of the condition set out in paragraph 9:
- a) "duty is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
  - b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

- Where
- i) P is the permitted price
  - ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - iii) V is the rate of value added tax chargeable in relation to the alcohol as if the

value added tax were charged on the date of the sale or supply of the alcohol;

c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence –

- i) the holder of the premises licence,
- ii) the designated premises supervisor (if any) in respect of such a licence, or
- iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence,

d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

11. Where the permitted price given by paragraph (b) of paragraph 10 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

12. 1) Sub paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 10 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day

## **Annex 2 – Conditions consistent with the operating Schedule**

### **2.1 General**

- 1.

### **2.2 The Prevention of Crime and Disorder**

1. CCTV shall be installed and operating internally and externally and shall cover all public areas where licensable activity takes place whilst the premises is open to the public. The time and date will be set to the correct time relating to BST/ GMT. A competent trained person in the use of and operation of the CCTV will be in attendance at the premises at all times that licensable activities take place and will be able to fully operate the CCTV system to be able to down load at the time of the visit in a recognised format any information requested by the Police or Responsible Authority.
2. All CCTV images shall be retained for a period of not less than 31 days and any evidential incidents will be down loaded and stored in a secure system until such time as collected by an appropriate authority.
3. An incident register of all occurrences inside the premises shall be maintained at the premises and any details of any incidents of crime and disorder will be recorded. The register will be produced and made available at the time of the visit for inspection upon request by any Responsible Authority.
4. No alcohol or tobacco shall be purchased from sellers calling at the premises. Exceptions to the condition would be purchases made from authorised representatives who have made prior appointments to visit the store.
5. All alcohol and tobacco products sold at the premises will have the relevant UK duty paid.
6. Foreign tobacco, which does not comply with relevant UK legislation, will not be stored or sold at the premises. Invoices, or copies of invoices, for all alcohol and tobacco purchases for the sale at the premises, will be retained and kept at the premises and also made available to officers from Trading Standards, the Police or HMRC, upon request.
7. A stock control system shall be maintained to enable the designated premises supervisor to quickly identify where and when alcoholic and tobacco products have been purchased.
8. If any tobacco products purchased for or on behalf of the business does not have UK Duty Paid fiscal mark or are otherwise suspicious, the designated premises supervisor will notify the supplier to North Somerset Council Trading Standards and HMRC within 48 hours and the products will not displayed for sale.

### **2.3 Public Safety**

1. The premise shall have a commercial fire alarm and the fire fighting equipment shall be covered by a maintenance contract.
2. Commercial emergency lighting and smoke detectors shall be installed at the premises

## **2.4 The Prevention of Public Nuisance**

1. The Designated Premises Supervisor and staff shall at all times be vigilant in relation to any litter issues within the immediate vicinity of the premises.

## **2.5 The Protection of children from harm**

1. The premises shall operate and enforce a Challenge 25 policy where all persons who appear to be under the age of 25 will be challenged for acceptable identification to prove they are over 18, prior to the purchase of alcohol.
2. The only acceptable forms of identification will be a valid photo driving licence, valid passport or a valid PASS approved proof of age card.
3. Challenge 25 posters will be displayed at the entrance to the premises, all areas where alcohol is displayed and at the cash till payment area. The posters will be displayed prominently and in the sight of customers and staff.
4. A refusals register with details of all refusals shall be maintained at the premises.
5. The register shall contain details of the staff member refusing the sale and shall be checked on a two weekly basis by the Designated Premise Supervisor and also signed and dated by the Designated Premises Supervisor.
6. The refusal register shall be produced and made available for inspection at the time of the visit by any Responsible Authority.
7. All persons involved in the sale of alcohol/ age restricted products shall receive initial and regular six monthly refresher training by the Designated Premises Supervisor, with regards to the law in relation to the sale of alcohol/ age restricted products.
8. Such training will be recorded and up to date training records of all such persons shall be maintained at the premises and produced and made available for inspection at the time of the visit by any Responsible Authority.
9. Records for each person shall be retained for a minimum of twelve months.

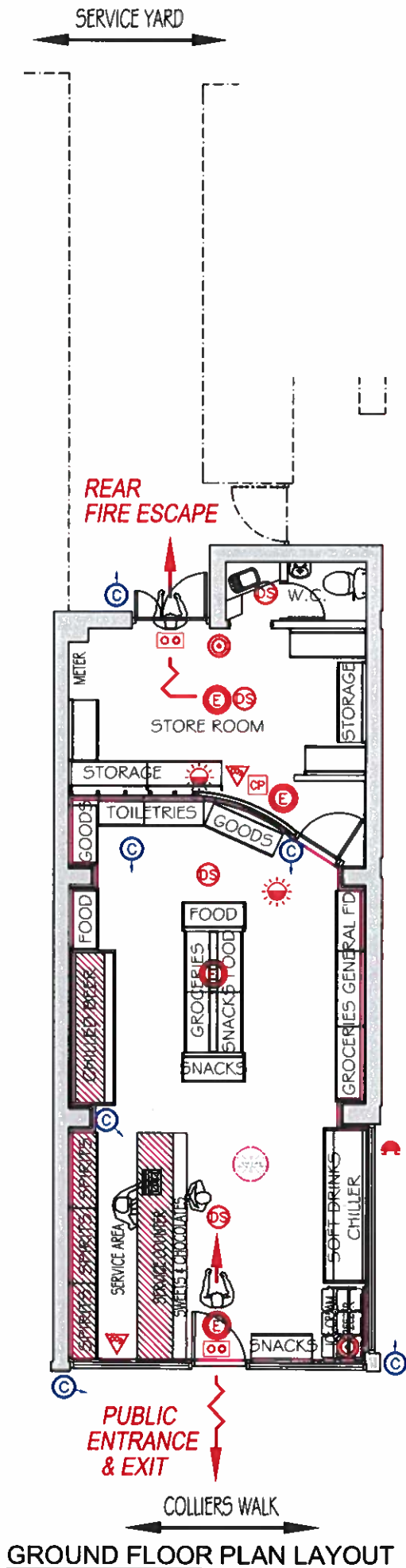


**Annex 3 – Conditions attached after a hearing by the licensing authority**

None.

## **Annex 4 – Plans**

Original plans with North Somerset Council, Licensing Team, Town Hall,  
Walliscote Grove Road, Weston-super-Mare, BS23 1UJ.



FIRE REGULATION SYMBOLS	
⓪⓪	Exit Boxes
ⓔ	Escape Lighting Points
▽	Fire Extinguisher CO <sup>2</sup>
⓪S	Auto Smoke detector
PB	Push bar Emerg. exit
⓪	Fire Alarm Call Points
🔊	Audible Warning Device
☀	Flashing Beacon Sounder
⓪P	Control Panel
⓪-	CCTV Camera
—	Extent of licenced area

An electrically operated fire alarm system should comply with BS5839, Part 1:2002. The electrical installation should comply with approved Document P (electrical safety). It is essential that the fire detection and fire alarm systems are properly designed, installed and maintained. Where a fire alarm system is installed, an installation and commissioning certificate should be provided.

The smoke and heat alarm system is to be mains-operated and conform to BS5446, 1:2000 or BS5446, respectively: fire detection and fire alarm devices for dwellings, Part 1 specification for smoke alarms; or Part 2 specification for heat alarms

The emergency lighting installation is to comply with BS5266, Part 1, 2002 and the attention of the design/installing engineer drawn to paragraph 3.1 (construction and records) of BS5266, Part 1, 1988, which requires consultation with the Fire Authority. Firefighting equipment is to conform with BS EN3.

Fire Safety related signs and notices are to conform to BS5499, Part 1, 1990 (incorporating 'running man' symbol on fire exits) and other pictograms as required. Illuminated 'EXIT' signs are to conform to BS2560.

**LICENSED Trade Legal Services Ltd**

LTLS LTD, REGENT HOUSE, BATH AVENUE, WOLVERHAMPTON, WEST MIDLANDS, WV1 4EG  
Tel: 01902 810048 Fax: 01902 810047 Mobile: 07793 315898 email: ltls\_westmids@hotmail.com

Application	Location
APPLICATION FOR A PREMISES LICENCE	Premises to be known as: Nailsea International Store Unit 20, Colliers Walk, Nailsea BS48 1RJ
By J.S. Uppal	Date 23/10/2020
	Drwg No. NAILSEINTST-01



## Premises Licence Summary Part B

Premises licence number

<b>NSC/056972</b>	Issue date: 25 November 2020
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Postal address of premises, or if none, ordnance survey map reference or description:

Nailsea International Store  
20 Colliers Walk

Post town: Nailsea, Somerset

Post code: BS48 1RJ

Telephone number: 07480148133

Where the licence is time limited the dates

Start:

End:

**Licensable activities authorised by the licence**

Supply of Alcohol

**The times the licence authorises the carrying out of licensable activities:**

Supply of Alcohol			Seasonal Variation	Non standard timings
Day	From	To	None	None
Monday	08:00 hrs	20:00 hrs		
Tuesday	08:00 hrs	20:00 hrs		
Wednesday	08:00 hrs	20:00 hrs		
Thursday	08:00 hrs	20:00 hrs		
Friday	08:00 hrs	20:00 hrs		
Saturday	08:00 hrs	20:00 hrs		
Sunday	08:00 hrs	20:00 hrs		
* The following day				
<p><b>The supply of alcohol is authorised for consumption:</b></p> <p style="margin-left: 40px;"><b>Only off the premises</b></p>				

The opening hours of the premises			Seasonal Variation	Non standard timings
Day	From	To	None	None
Monday	08:00 hrs	20:00 hrs		
Tuesday	08:00 hrs	20:00 hrs		
Wednesday	08:00 hrs	20:00 hrs		
Thursday	08:00 hrs	20:00 hrs		
Friday	08:00 hrs	20:00 hrs		
Saturday	08:00 hrs	20:00 hrs		
Sunday	08:00 hrs	20:00 hrs		
* The following day				

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

**Name:** Mr Najdet Mosher

**Address:** 99 Twinnell House, Stapleton Road, Bristol, , BS5 0QA

**Telephone Number:**

**Registered number of holder, for example company number, charity number (where applicable):**

Not Applicable

**Name of designated premises supervisor where the premises licence authorises the supply of alcohol:**

Mr Najdet Mosher

**Access to the premises by children:**

In accordance with the provisions of the Licensing Act 2003

# **NOTICE OF GRANT OF PREMISES LICENCE**

**Premises Licence Number:**

**NSC/ 056972**

**Premises Details:**

**Nailsea International Store  
20 Colliers Walk  
Nailsea  
Somerset  
BS48 1RJ**

**Registered Business Number:**

**N/A**

**GRANTED at the Office of the said council on:**

**24 November 2020**



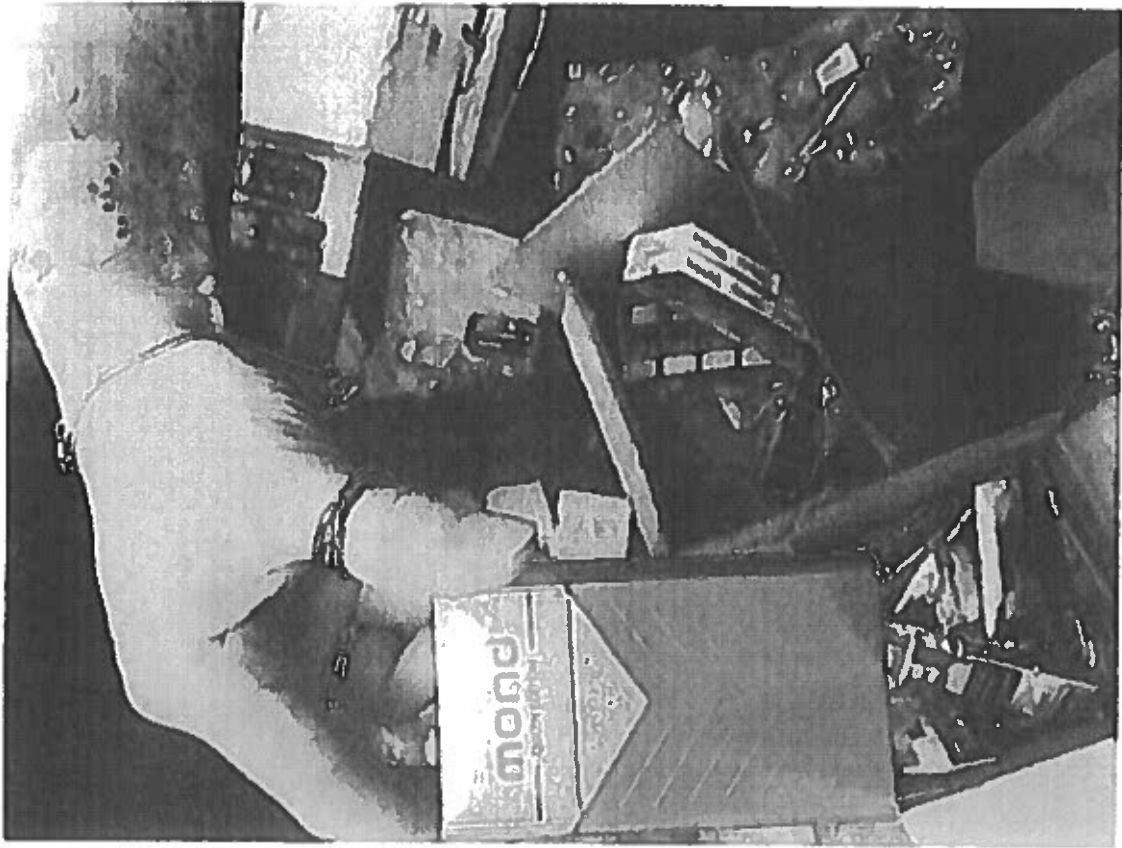
**Sioux Isherwood  
Principal Environmental Protection & Licensing Officer  
Directorate of Public Health and Regulatory Services**

CNH/03





CNH103



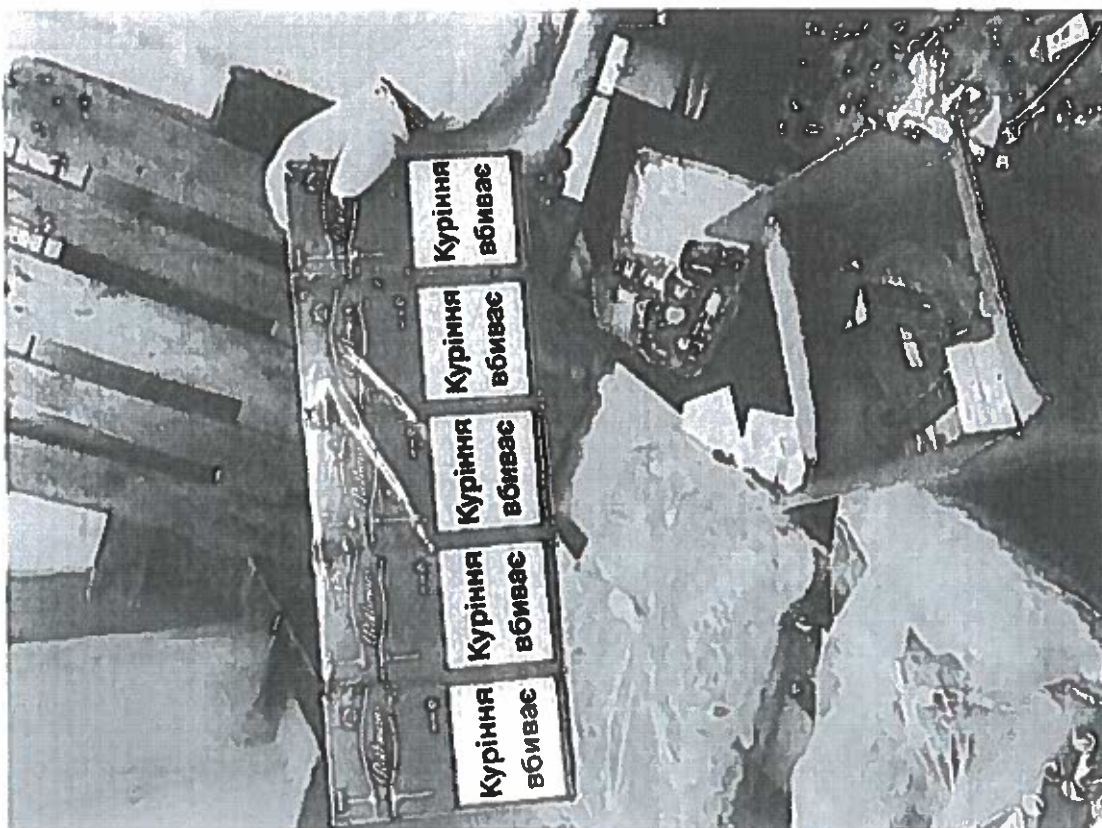
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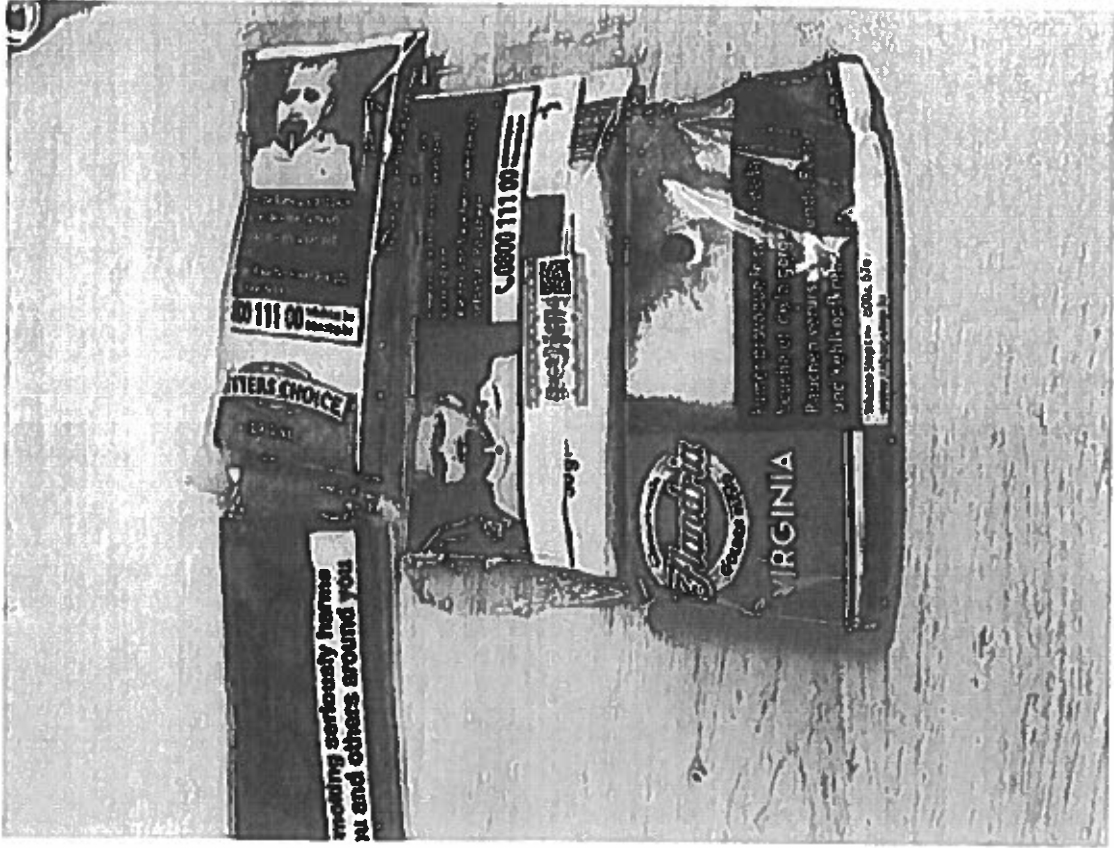
CNH/03



СНН/03



CNH/04





# Statement of witness

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

Statement of **David Leonard HOWARD**

Age of Witness '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.

1 I am employed by North Somerset Council as a Principal Trading Standards Officer.  
2 I am duly authorised under the Trade Marks Act 1994, The Tobacco and Regulated  
3 Products Regulations 2016 and The Standardised Packaging of Tobacco Products  
4 Regulations 2015.

5 On Friday 6 August 2021 I received an email notification from colleagues in the  
6 North Somerset Council Licensing team concerning the discovery of suspicious  
7 tobacco products found during a licensing visit to a retail premises in Nailsea.  
8 Photographic images taken during that visit appeared to show various brands of  
9 cigarettes and hand rolling tobacco that did not comply with labelling and packaging  
10 regulations.

11 On 10 August 2021 I visited the premises in question, the Nailsea International Store  
12 at 20 Colliers Walk, Nailsea BS48 1RJ. Also in attendance was Ben Hayes, the  
13 illegal tobacco lead for the Regional Trading Standards Investigation Team (South  
14 West) and Caroline Horton, North Somerset Council Licensing Officer.

15 We entered the premises at 10:50 am. The only person present was a man of middle  
16 eastern appearance who was stood behind the shop counter. When asked he told

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.....

Signature



17 me his name was Ahmad Hassen and that he came from Bristol. When asked to  
18 provide his address he told me he had no fixed abode. He told me he was just  
19 helping the shop owner out.

20 Shortly after, another man of middle eastern appearance entered the shop. He told  
21 me his name was Najdet Mosher and that he was the owner of the business. He  
22 gave his home address as Flat 99, Twinnell House, Stapleton Road, Bristol BS5  
23 0QA. He told me he was born in Iraq and that his date of birth was 01/12/1981.  
24 He told me he also operated another shop in Bristol, the Filton International Store,  
25 512 Filton Avenue, Bristol BS7 0QE. This shop operated as a limited company,  
26 Najdet Bristol Ltd, company number 12607834. The shop in Nailsea he ran as a sole  
27 trader.

28 My colleague Ben Hayes and I then conducted an inspection of the shop and  
29 storage area of the premises. The only tobacco products found were 2 x cigarette  
30 packets located under the shop counter. 1x pack of MOND cigarettes and 1 x pack  
31 of ROTHMANS DEMI cigarettes which were seized as they did not comply with the  
32 Tobacco and Related Products Regulations 2016 and the Standardised Packaging  
33 of Tobacco Products 2015. I now produce as evidence a scanned copy of the  
34 Notification of Seizure dated 10 August 2021 marked as DLH/1 that was issued to  
35 Mr Mosher.

36 When asked to account for these cigarettes, and the tobacco noted in the previous  
37 licensing visit, Mr Mosher told me he had met a Romanian male called Jimmy at a  
38 community shop in Easton (Bristol). He had persuaded Mosher to accept a supply of  
39 tobacco products. When Mosher realised that they were illegal he got Jimmy to take  
40 them back. He described Jimmy as 35 -40 years of age, 5'8", black hair, big build,  
41 and he drove a Berlingo.

P06 / 19  
.....

Signature





42 Following this visit I have been made aware from various sources such as Citizens  
43 Advice and Avon & Somerset Police, on several occasions, allegations of underage  
44 sales of tobacco, alcohol and vaping products being made from these premises.

45 On 15 October 2021 I was present when a covert test purchase was attempted at  
46 the Nailsea International Store. This was part of the regional Operation CeCe illegal  
47 tobacco disruption activity. On this occasion the test purchaser was sold 1 x 50g  
48 pouch of FLANDRIA hand rolling tobacco, 1 x packet of LAMBERT & BUTLER  
49 original cigarettes and 1 x packet of MARLBORO RED cigarettes. Again, these  
50 tobacco products were in breach of current legislation in regard to labelling and  
51 packaging requirements.

52 On 1 November 2021 I took part in another Op Cece enforcement day of action. This  
53 was along with colleagues from North Somerset Trading Standards, the Council  
54 Licensing Team and officers from Avon & Somerset Police. At approximately 12:00  
55 hrs I entered the Nailsea International Store along with Police Sergeant 6398 Alison  
56 Codd. Najdet Mosher was on the premises. An inspection of the shop and storeroom  
57 area followed but no illegal tobacco products were discovered. One of the police  
58 officers then advised me that a vehicle, a silver Vauxhall Astra, index BW05 FEJ that  
59 was registered to Najdet Mosher was in the parking area of the service car park at  
60 the rear of the premises and that a quantity of tobacco products was visible on the  
61 back seat of the vehicle. When asked for the vehicle keys by one of the police  
62 officers, Mr Mosher was evasive and smirking. When advised that we had the power  
63 to force entry to the vehicle he went and recovered the keys.

64 On gaining access to the vehicle 94 x packets of MARLBORO brand and  
65 RICHMOND brand cigarettes, along with 48 x hand rolling tobacco pouches  
66 comprising of GOLDEN VIRGINIA, CUTTERS CHOICE AND AMBER LEAF brands

P06 / 19  
.....

Signature 

67 were discovered in carrier bags on the rear seat of the vehicle. All these items were  
68 seized under the Trade Marks Act 1994, Tobacco and Related Products Regulations  
69 2016 and the Standardised Packaging of Tobacco Products Regulations 2015 for  
70 non- compliance. I now produce as evidence a scanned copy of the Notification of  
71 Seizure that was issued to Mr Mosher on that day marked as **DLH/2**

72  
73  
74  
75 

76  
77 Signed: ..... (witness)

78 Date: .....20 December 2021.....

79  
80 *(To be completed if applicable: ..... being unable to read*  
81 *the above statement I, .....of North Somerset Council, read it*  
82 *to him/her before he/she signed it.*

83 Signed: ..... Date: ..... )



## **Caz Horton**

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**From:** Andrew Jones (WSM) <Andrew.Jones@avonandsomerset.police.uk>  
**Sent:** 17 January 2022 08:30  
**To:** Caz Horton  
**Subject:** FW: Nailsea International Store  
**Attachments:** LLN03(Surrender Notice).docx

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**From:** Amanda Hodge <Amanda.Hodge@n-somerset.gov.uk>  
**Sent:** 20 December 2021 09:03  
**To:** [ltls\\_westmids@hotmail.com](mailto:ltls_westmids@hotmail.com)  
**Cc:** Andrew Jones (WSM) <Andrew.Jones@avonandsomerset.police.uk>  
**Subject:** Nailsea International Store

Good Morning Danny

Mr Mosher has asked me to contact you to advise you, as his agent, of the situation following a visit to the premises on Friday 17<sup>th</sup> December 2021.

A Licensing visit was conducted and a number of licensing breaches were noted including Challenge 25 posters not on display, no refusals register or incident register available to view and training records incomplete.

We requested that Mr Mosher allow us to view CCTV footage from a previous date due to an incident of underage sales being reported to the police and although we were able to view some footage on Mr Mosher's phone, he had difficulty showing us the exact times we required. After a long period of time, and the fact that Mr Mosher was unable to download the information for us to take away, we made the decision to remove the hard drive of the CCTV. This then meant a further breach of his licence so Mr Mosher advised that he would voluntarily remove the alcohol from sale and put in the storage room until the CCTV could be re-installed in a satisfactory manner.

The main reason I am contacting you is that Mr Mosher indicated that due to the low volume of alcohol sales that were being made in the shop he would like to surrender the licence but would prefer that it was done through yourself and that he would contact you to advise.

I have attached a surrender notice and would be grateful if you can let me know the situation as soon as possible.

I look forward to hearing from you.

Kind Regards

Amanda Hodge  
Licensing Officer  
Public Health & Regulatory Services

North Somerset Council

**Tel:** 01934 426800

**E-Mail:** [Amanda.Hodge@n-somerset.gov.uk](mailto:Amanda.Hodge@n-somerset.gov.uk)

**Post:** Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ

**Web:** [www.n-somerset.gov.uk](http://www.n-somerset.gov.uk)

*Please note that teams are currently working remotely and may not be able to respond as quickly as usual during the COVID revised working arrangements. Please bear with us and we will aim to get back to you as quickly as possible.*



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**Keeping in touch**

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Care Connect: for all adult social services enquiries visit [www.n-somerset.gov.uk/careconnect](http://www.n-somerset.gov.uk/careconnect)

Out of hours emergencies: 01934 622 669

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Avon and Somerset Constabulary

Working to make the communities of Avon and Somerset feel safe and be safe



Complaint

North Somerset  
01 FEB 2022  
Council Licensing

23 Colliers Walk  
Nailsea  
BS48 1RG

28.1.22

Dear Sir/Madam

Underage Sales of Alcohol from International Store, 20 Colliers Walk, Nailsea BS48 1RJ

Whilst I have not seen any shoppers entering this strangely dark, "camouflaged" corner shop (which hardly stocks normal family requirements), I have seen young children loitering, and occasionally entering.

This shop is next to the Stairwell by Iceland where school kids (older in lunch time, and much younger after school) "do" drugs. They leave their detritus - butt ends, cardboard, long packets,  $1\frac{1}{2}'' \times 1\frac{1}{2}''$  plastic, self-seal packets (all empty, obviously). The Stairwell wrecks of cannabis. There is frequently

a crowd of 10 or more. Somewhat arrogant, rude and "threatening" in as much as they won't move unless I phone the Police in front of them.

They are also threatening at night, but possibly not directly attributable to this appalling shop.

Wætrose sell alcohol, but carefully monitor customers. Wætherspoons certainly "police" their customers better than the last drug-dealing landlord. NAILSEN  
PRECINCE DOES NOT NEED AN  
OFF LICENCE OR ANY STORE  
SELLING ALCOHOL.

Whilst I cannot prove alcohol was sold to underage drug taking scumbage, I can't disprove it either. It is a strange, dark (covered windows) shop which looks dodgy (yes, won't hold up in court) and is virtually empty. We want it gone.

Yours faithfully

Valerie Clifton  
(Valerie Clifton)




## Caz Horton

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**From:** Caz Horton  
**Sent:** 14 February 2022 15:48  
**To:** Caz Horton  
**Subject:** RE: Nailsea International Store

**Categories:** Egress Switch: Unprotected

**From:** Izzie O'Connor <[IOConnor@nailseaschool.com](mailto:IOConnor@nailseaschool.com)>  
**Sent:** Monday, January 31, 2022 11:55 AM  
**To:** LICENSING <[licensing@n-somerset.gov.uk](mailto:licensing@n-somerset.gov.uk)>  
**Subject:** Nailsea International Store

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Good morning,

I am the Pastoral & Wellbeing Manager and Safeguarding Lead at Nailsea School

**Nailsea International Shop**  
**20 Colliers Walk, Nailsea, Somerset, BS48 1RJ**

I can see that The International Store has its licence under review for illegal selling of alcohol, which was sold to one of our students here at Nailsea School.

The store has and is currently causing huge safeguarding concerns and putting our student's safety at risk by illegally selling tobacco products to them. The store is selling 'puff bars' which contain nicotine to underage minors.

Daily this shop is causing numerous safeguarding issues and putting our students at risk.

As a school we put the safety of our students first and this shop is having a detrimental impact on our students and how they are acting in the community due to this store.

We have reported to the police on every occasion this shop has been involved in an incident.

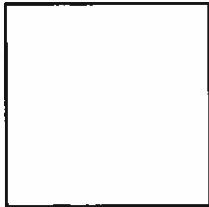
If you would like to discuss with me further, please contact me on 01275 852 251.

Many thanks,

**Izzie O'Connor**  
Pastoral & Wellbeing Manager  
Nailsea School | 01275 852251 | [ioconnor@nailseaschool.com](mailto:ioconnor@nailseaschool.com)

Nailsea School  
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**Nailsea School.**