

Representations against Hacı Koz Schnaps 28 Charles Street Leicester made on behalf of Leicester City Council Trading Standards

1. Mr Hacı Koz is the Premises Licence Holder and Designated Premises supervisor of Schnaps 28 Charles Street Leicester. In these roles Mr Koz should be appropriately trained in his role with regard to age restricted sales.
2. On 18 February 2015 an visit was carried out by John Hare, Trading Standards Officer where Mr Koz was advised in relation to age restricted sales, due diligence and staff training. A refusals log was given to him together with a Tobacco Notice, Challenge 21 Notice and Business Names Notice. There was no Premise Licence displayed at the time of the visit.
3. On 25 August 2015 Trading Standards conducted an underage test purchase operation and a packet of 10 Marlboro cigarettes was sold to a child under the age of 18 contrary to the Children & Young Persons Act 1933. The sale was video recorded for evidential purposes. Mr Koz was subsequently prosecuted and pleaded guilty in the Magistrates court on 11 February 2016.
4. Intelligence was received that illicit cigarettes were being sold from Schnaps. On 16 September 2015 Trading Standards sent a test purchaser into Schnaps to see if they were able to purchase illicit cigarettes. Mr Koz himself sold a packet of Marlboro cigarettes with foreign labelling to the test purchaser at a cost of £5. (The cost of correctly labelled duty paid cigarettes would be approximately £9). During an interview under caution on 27 May 2016 Mr Koz was shown a picture of the person making the sale and he confirmed that the photo was of himself.
5. On 14 April 2016 Leicester Trading Standards commenced a day of action visiting Schnaps to carry out an inspection with the assistance of a detection dog and handler as part of a national campaign called Operation Henry 2 funded by the Department of Health and organised by the Trading Standards Institute to tackle the supply of illicit tobacco. Prosecutions for the matters in paragraph 4 and 5 are pending.
6. During our inspection to Schnaps we found 40 packs of NZ foreign labelled cigarettes concealed in a bag under the counter. These cigarettes are known as "cheap or illicit whites" and are cigarettes produced entirely independently of the International Tobacco Manufacturers, they are imported illegally to the UK, duty has not been paid and the appropriate health warnings are not present. Such cigarettes are typically not properly tested in terms of the required toxin tests or the required fire retardant standards and as such these cigarettes pose a greater safety risk than legitimately manufactured cigarettes.

In view of Mr Hacı Koz's history as detailed above Trading Standards have concerns that he will not uphold the licensing objectives and in particular those that relate to the prevention of crime and disorder, the protection of children from harm and public safety. We submit that if the licencing authority do not take appropriate action Mr Koz will continue engaging in the supply of illicit, incorrectly labelled and unsafe cigarettes.

