

Clerk: Governance Support
Telephone: 01803 207013
E-mail address: governance.support@torbay.gov.uk
Date: Friday, 01 August 2025

Governance Support
Town Hall
Castle Circus
Torquay
TQ1 3DR

Dear Member

STATUTORY LICENSING SUB-COMMITTEE - THURSDAY, 7 AUGUST 2025

I am now able to enclose, for consideration at the Thursday, 7 August 2025 meeting of the Statutory Licensing Sub-Committee, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
5.	To consider an application for a Review of a Premises Licence in respect of Zakopane, 16 Market Street, Torquay	(Pages 45 - 56)

Yours sincerely

Governance Support
Clerk

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Melanie Walker

From: Christopher Rees-Gay [REDACTED]
Sent: 23 July 2025 11:13
To: Melanie Walker
Subject: RE: Zakopane Alcohol Licence review

Good Morning Mel,

Thank you for this, your position is clear.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur
[REDACTED]
[REDACTED]
[REDACTED]
Woods Whur, St James House, 28 Park Place, Leeds, LS1 2SP

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From: Melanie Walker [REDACTED]
Sent: 23 July 2025 11:05
To: Christopher Rees-Gay [REDACTED]
Subject: RE: Zakopane Alcohol Licence review

Good Morning Chris,

Thank you for your email.

Whilst it is reassuring that the operator is taking this matter seriously I am not in a position to discuss or agree to anything prior to the hearing on 7th August. I would advise that Mr Salah, or his representative present any proposed further conditions at the review hearing itself.

Kind regards

Mel

Mel Walker

Trading Standards Officer
Lead Officer – Age Restricted Products
Tel: [REDACTED]

Heart of the South West Trading Standards Service

A joint service commissioned by Devon, Plymouth, Somerset and Torbay council

01392 383000

Trading Standards, County Hall, Topsham Road, Exeter EX2 4QD

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From: Christopher Rees-Gay [REDACTED]
Sent: 23 July 2025 09:49
To: Melanie Walker [REDACTED]
Subject: RE: Zakopane Alcohol Licence review

Good Morning Mel,

I am just following up on the below, to confirm that training has been booked for 29 July, with all staff.

Darrell Butterworth will be the trainer.

Please let me know a good time to discuss the below.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur
[REDACTED]
[REDACTED]

Woods Whur, St James House, 28 Park Place, Leeds, LS1 2SP

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From: Christopher Rees-Gay
Sent: 12 July 2025 15:17
To: Melanie Walker [REDACTED]
Subject: RE: Zakopane Alcohol Licence review

Good Afternoon Mel,

As you are aware I am instructed by the operator in this matter.

I am writing to confirm that he is taking the matter extremely seriously. He does dispute elements of the information provided in support of the review, however, he would like to work with you in order to reach a satisfactory outcome for all in the review hearing.

He and all staff are undertaking external training by a third party provider, on the 4 x licensing objectives, underage sales and the sale of illicit cigarettes and vapes.

We also propose to add the below further conditions to the premises licence:

- 1.No alcohol, tobacco, vapes or nicotine products will be purchased from unknown sources such as itinerant traders "cold callers" at premises. A notice shall be displayed close to the entrance to the premises (either on a shop window or door) which clearly indicates that alcohol and tobacco products will not be purchased from "cold callers" visiting the premises.
2. All alcohol, tobacco, vapes and nicotine products will be purchased from the bona fida wholesaler. All such purchases will be accompanied with official invoices which will allow full traceability through the supply chain alongside any applicable AWRS scheme number for that supplier. Invoices will be retained on the premises for a minimum of 12 months and will be provided on request to a police officer authorised officer of Leeds City Council.
3. The premises licence holder and/or the designated premises supervisor will ensure that all staff are instructed and trained on the subject of illicit alcohol, tobacco, vapes and nicotine products, including periodic refresher training. Records of the training will be made and kept up to date and checked on a regular basis by the premises licence holder and/or designated premises supervisor.

If you could please confirm a good time to call you to discuss the above.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur
[REDACTED]
[REDACTED]

Woods Whur, St James House, 28 Park Place, Leeds, LS1 2SP

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From: Christopher Rees-Gay
Sent: 27 June 2025 16:19

To: Melanie Walker [REDACTED]
Subject: Re: Zakopane Alcohol Licence review

Good Afternoon Mel,

Thank you for the confirmation.

Many thanks

Chris

From: Melanie Walker [REDACTED]
Sent: 27 June 2025 16:04
To: Christopher Rees-Gay
Subject: RE: Zakopane Alcohol Licence review

Good Afternoon Chris,

I can confirm that the attached is everything so far in relation to the review.

The hearing is listed for 7th August 2025 at 09.30 at the Banking Hall, The Town Hall, Castle Circus, Torquay.

Kind regards

Mel

Mel Walker

Trading Standards Officer

Lead Officer – Age Restricted Products

Tel: [REDACTED]

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From: Christopher Rees-Gay [REDACTED]
Sent: 26 June 2025 10:30
To: Melanie Walker [REDACTED]
Subject: FW: Zakopane Alcohol Licence review

Good Morning Mel,

Could it please be noted that I am now instructed by Zakopane Turkish Ltd in relation to this review matter.

Can you please confirm that the hearing is listed for 7 August 2025.

Can you please also confirm that he attached is all the paperwork so far.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
[REDACTED]

[REDACTED], St James House, 28 Park Place, Leeds, LS1 2SP

From: Melanie Walker [REDACTED]

Sent: Thursday, June 19, 2025 9:17:52 AM

To: [REDACTED]

Subject: Zakopane Alcohol Licence review

Good morning Mr Salah,

Please see attached licence review application and associated documents for Zakopane, 16 Market Street, Torquay.

Mel Walker

Trading Standards Officer

Lead Officer – Age Restricted Products

Tel: [REDACTED]

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Torquay shop loses licence to sell alcohol

Trading Standards

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South West

A shop in Torquay has had its premises licence to sell alcohol revoked.

Devon and Cornwall Police applied for the licence review due to a number of problems which included the storing of smuggled tobacco and alcohol at the premises.

The licence of Zakopane in Market Street was revoked at Torbay Council's licensing sub-committee on Wednesday 30 January following evidence given by Devon, Somerset and Torbay Trading Standards Service and Devon and Cornwall Police. Representations were also made at the hearing by Public Health.

The hearing followed a raid in September 2018 carried out by HMRC and assisted by Devon, Somerset and Torbay Trading Standards Service. Using specially trained search dogs officers uncovered a concealed room in the upstairs stockroom.

Officers found a huge amount of illicit tobacco and alcohol, in which the duty was unpaid and the goods were seized by HMRC.

In total 478,120 cigarettes (an estimated 23,000 packets of 20 cigarettes), 137kg of hand rolling tobacco and 181.3 litres of vodka were seized from the premises.

Jay Capel, from Devon, Somerset and Trading Standards Service, said: "This result is an example of several agencies, the HMRC, Devon and Cornwall Police and Devon, Somerset and Torbay Trading Standards, successfully working together."

"This was the biggest seizure of its kind I have seen in my 18-year career."

To read the original press release from Devon, Somerset, and Torbay Trading Standards please click the following link.

<https://www.devonsomersettradingstandards.gov.uk/shop-has-licence-to-sell-alcohol-revoked-following-evidence-from-trading-standards/>

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Dear Mr Ari SALEH
Zakopane
16 Market Street
Torquay
TQ1 3AQ

RE: Breach of Licensing Conditions Licence PL1225

I refer to contact on 23rd July 2025 when I attended the premises in company with Torbay Council Licensing Officer Julie SMART to conduct a full licensing inspection.

Breaches of the following conditions were noted:-

Premises licence summary was not on display in public view

Licence summary was stored out the back you were advised that this is required to be in sight of the customer and have been asked to put this in view behind the counter.

The prevention of crime and disorder Annexe 2 item 3: -

All spirits will be "stored and sold" from behind the counter inaccessible to the customers.

We discussed the spirits on the side counter were in fact accessible and in reach of the customers and it was recommended that these were removed and placed behind the counter to comply with this condition.

The prevention of crime and disorder Annexe 3 item 1: -

No Beer/cider/lager with an abv of more than 6.0% shall be sold from the premises.

We noted numerous Beer/Cider/ Lager with an abv of up to 9.0% in breach of this condition. You stated that this was an oversight between yourself and your licensing agent who had previously advised you that you were not restricted by this condition as your agent had omitted to see the Annexe 3 condition. Regardless, as premises licence holder you are required to be aware of and understand the terms and conditions of your licence.

Concerns around the following conditions not being adhered to were noted: -

The prevention of crime and disorder Annexe 2 item 4: -

No single cans of beer/lager or cider will be sold from the premise. Signage notifying customers of this will be displayed at the entrance to the premises.

Single cans were on display and priced as single cans however you had signs to say that you would only supply single cans in sales of two. We agreed that there was no technical breach of this licence however I would like to recommend that single cans are not available at the premises.

The protection of children from harm Annex 2 item 4:-

The premises is to maintain a refusals log book to record the details of all refusals of the sale of alcohol to persons suspected of being under the age of 18, appear to be drunk or suspected proxy sales.

Albeit you could produce this refusals register there had not been an entry since November 2024 raising questions as to the maintenance of this log book.

As Premises Licence Holder it is your responsibility to ensure that the terms and conditions of the premises licence are complied with at all times to ensure that statutory licensing objectives are being met.

I note that responsible authorities namely Trading Standards have requested a review of your licence due to other matters. I recommend that you consider immediate introduction of changes to working practices to ensure compliance of the Licensing Act 2003. I request that all Beer /Lager/Cider over 6.0% abv is removed from sale, that you maintain your refusals log book with every refusal of alcohol sale and that the spirits are removed to behind the counter.

I would also like to recommend that the sale of single cans ceases and that you sell only multipacks of x4 cans or above to assist in managing alcohol related ASB in the community.

Please do not hesitate to contact me should you wish to discuss the above matters.

Rachael SHOTTON (57742)

Alcohol Licensing Officer

[Redacted Signature]

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