

**LICENSING ACT 2003****APPLICATION FOR THE REVIEW
OF A PREMISES LICENCE OR
CLUB PREMISES CERTIFICATE****NOTIFICATION**

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Information may also be shared for the prevention and detection of crime, for example with the police and other agencies as required by law, such as the Audit Commission under the National Fraud Initiative data matching exercise.

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Completed forms should be returned to:

**Environmental Health Manager (Commercial)
Torbay Council
Community Safety
C/O Torquay Town Hall
Castle Circus
Torquay
TQ1 3DR**

Contact Details:

Tel: 01803 208025

Web: www.torbay.gov.uk

Email: licensing@torbay.gov.uk

**Application for the review of a premises licence or club premises certificate
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I MELANIE WALKER, Trading Standards Officer – Lead Officer for Age Restricted Products

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description

Zakopane
16 Market Street

Post town Torquay

Post code (if known) TQ1 3AQ

Name of premises licence holder or club holding club premises certificate (if known)

Zakopane Turkish Ltd

Sole director - Mr Ari SALAH, [REDACTED]

Number of premises licence or club premises certificate (if known)

PL1225

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority
(please read guidance note 1, and complete [A] or [B] below)

☐

2) a responsible authority (please complete [C] below)

☒

3) a member of the club to which this application relates
(please complete (A) below)

☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☐

Mrs ☐

Miss ☐

Ms ☐

Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Melanie Walker Heart of the South West Trading Standards County Hall Topsham Road Exeter EX2 4QD
Telephone number (if any) 01392 385320
E-mail address (optional) Melanie.walker@devon.gov.uk

This application to review relates to the following licensing objective(s)

- | | |
|---|-------------------------------------|
| | Please tick one or more boxes ✓ |
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 2)

1. The premises has been used for the storage of illegal tobacco and vaping products which continued despite being warned and advised, in contravention of S144 of the Licensing Act 2003
2. Alcohol was sold to a child during an underage sales test purchasing operation on 22/01/25, in contravention of S146 of the Licensing Act 2003

Please provide as much information as possible to support the application (please read guidance note 3)

Ari SALAH, DOB: [REDACTED] is the sole director of Zakopane Turkish Ltd the company was incorporated on 31/03/2021 with SALAH as director. Kevin James Walker LEE also became a director on 27/05/2021 until his resignation on 18/07/2022.

When the premises licence application was made on 08/07/2021 LEE was put forward as the Designated Premises Supervisor, this changed on 06/07/2022 to SALAH.

Various intelligence has been received since 2022 regarding the sale of illegal tobacco and vapes from the premises and also underage sales.

On 09/08/2023 an enforcement visit was conducted by Trading Standards in relation to tobacco and vaping products. During the visit a quantity of illegal tobacco was seized from the office area on the first floor and a quantity of illegal vapes were seized from behind the sales counter.

In total 1120 cigarettes were seized (56 packets) this included counterfeit products, non-duty paid and non-regular brands manufactured for black market sale. 929 illegal vapes were also seized, none of the seized products meet the requirements of the Tobacco and Related Product Regulations 2016 and therefore are not legal for sale on the UK market.

On 17/10/23 Trading Standards officers returned to Zakopane to deliver a business advice letter following the recent seizure containing and to request voluntary surrender of the seized Vapes (which SALAH agreed to). SALAH was present in the shop and an inspection of the Vapes on sale resulted in a further 170 illegal products being seized. APP 1

On 23/10/23 an email was sent to SALAH requesting voluntary surrender of the additional seized products, SALAH agreed to do this. APP 2

On 18/12/23 a Service Warning Letter was issued to Ari SALAH and further advice and guidance provided around the sale and supply of tobacco and nicotine products. APP 3

On 15/01/24 SALAH was sent a further letter containing Trading Standards advice on the sale and supply of age restricted products. APP 4

Further intelligence reports were received about the supply of illegal tobacco, one report in particular suggested that the staff in Zakopane would repeat the order (for illegal tobacco) over a radio or mobile phone and the required product / brand would be brought down from upstairs a short while later.

On 22/01/25 an underage sales test purchase operation was conducted by PC Neil POWERS of Devon and Cornwall Police. A child volunteer was able to make a purchase of alcohol from Zakopane without being challenged. PC POWERS returned to the premises and issued a letter of warning to SALAH and his employee, [REDACTED] and also offered verbal advice on underage sales. APP 5

A test purchase (initiated by Trading Standards) was conducted in early 2025 which was positive for illegal tobacco products (unable to provide exact date due and details to the risk of identifying test purchaser)

On 13/03/2025, as a result of the positive test purchase, a Trading Standards enforcement visit was carried out at Zakopane with Police and Detection Dog assistance. SALAH and a number of other males were present in the premises and integral residential accommodation. SALAH is the Landlord of the flat contained within the premises but denied this when initially questioned, the person named as tenant, [REDACTED] was actually an employee of SALAH's and working in Zakopane at the time of the visit. APP 6

During a search of the premises a substantial quantity of illegal tobacco products were discovered upstairs in the residential accommodation – in a purpose built wall concealment behind a mirror and concealed under a bed. APP 7

4860 illegal cigarettes (243 packets) and 11.4 kg (228 pouches) of illegal tobacco including counterfeit products, non-duty paid and non-regular brands manufactured for black market sale. 5 illegal (oversized Vapes were also discovered and seized. None of the seized products meet the requirements of the Tobacco and Related Product Regulations 2016 and therefore are not legal for sale on the UK market.

Ari SALAH holds a Barnsley Metropolitan Borough Council Personal Licence number 080476 APP 8

APP 1 – 17/10/23 Zakopane Letter
APP 2 – Disclaimer
APP 3 – Email to SALAH 23/10/23
APP 4 - 15/01/24 Zakopane Letter
APP 5 – Email re UAS TP 22/01/25
APP 6 – Tenancy agreement x 2 pages
APP 7 – Photographs 13/03/25
APP 8 – SALAH Barnsley Personal Licence

Please tick ✓ yes

Have you made an application for review relating to the premises before

☐

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

☒☒

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature



Date **18/06/2025**

Capacity **Applicant**

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.