

CHIEF CONSTABLE OF HUMBERSIDE POLICE

Applicant

Barham Swara MAHMOUD

Respondent

**STATEMENT OF PC 2249
GARRY STUART CHAPMAN**

Introduction

1. I am PC 2249 Garry Stuart CHAPMAN. I am a Police Constable based in the Licensing Team at Cromwell Road Police Station, Grimsby and am under the direction and control of the Chief Constable of Humberside Police ('the Chief Constable'). My duties include consideration of the impact of crime and disorder and the Chief Constable's response to licensing matters.
2. I have been a Police Constable since 2004. Prior to taking up my current role in the Licensing Team I worked as a risk management officer, managing dangerous offenders in the community. Previous to this I have worked in investigation and various front line roles. I am therefore familiar with problems of alcohol related crime and disorder in both my current and previous roles.
3. The Respondent Barham Swara MAHMOUD applied for a premises licence (alcohol) for 103 FRODINGHAM ROAD, SCUNTHORPE, DN15 7JU. The application was received by Humberside Police on Friday 9th July 2021.
4. The application sets out how Mr MAHMOUD plans to open a

convenience store at the location. The application is for an 'OFF LICENCE' to run from 0700 hours to 0000 daily.

5. Mr MAHMOUD has applied for himself to be the premises licence holder (PLH) and also to hold the position of designated premises supervisor (DPS).

6. I make this statement on behalf of the Chief Constable to formally object to the application for the mentioned premises and is in addition to those papers already served on the authority. The information in this statement is either within my personal knowledge or is taken from files maintained by the Chief Constable.

Background

7. The premises of 103 FRODINGHAM ROAD is situated on the corner of PARKINSON AVENUE and FRODINGHAM ROAD. It was previously used as part of the SOUTHBANK CENTRE.

8. 103 FRODINGHAM ROAD is not currently operated as a convenience store and is also not currently licensed.

9. FRODINGHAM ROAD is predominantly a shopping street that services the large residential areas that surrounds it. FRODINGHAM ROAD currently has in the region of 14 convenience stores many of which are licensed to sell alcohol.

10. FRODINGHAM ROAD is situated in a cumulative impact zone that is in place to tackle alcohol fuelled crime and disorder. The cumulative impact zone was initially put in place due to the night time economy. It is clear that the late hours of a number of convenience stores have become part of and contribute to the night time economy, although it is acknowledged that this did not appear the case at the time the policy was made.

11. Barham Swara MAHMOUD is the holder of a personal licence issued by South Holland district council. Mr MAHMOUD has recently been linked to the DELICJA convenience store on FRODINGHAM ROAD. DELICJA is considered to have been run by Barham Swara MAHMOUD between the middle of 2018 and December 2019
12. In February 2019 BARHAM SWARA MAHMOUD successfully applied to become the licence holder and designated premises supervisor of DELICJA 100-102 FRODINGHAM ROAD, Scunthorpe.
13. During Mr MAHMOUDS management North Lincolnshire Council trading standards carried out a test purchase operation. This was centred on the possession and sale of illicit tobacco by convenience stores around Scunthorpe town centre.
14. At the time of this operation illicit tobacco was purchased from Delicja. Mr Mahmoud was later successfully prosecuted for offence relating to the sale of illicit tobacco.
15. On the 27th September 2019 Mr MAHMOUD appeared at Humber magistrate's court and pleaded guilty to two offences of - Produce/supply a tobacco product with unit/container not carrying combined health warning. He was fined for these offences.
16. In December 2019 this premises licence was transferred to another unrelated male. This transfer took place as papers were being drafted to seek a review of the licence for DELICJA due to the recent convictions of Mr MAHMOUD. A formal review application was not made at that time due to this transfer.
17. Mr MAHMOUD has clearly previously undermined the licensing objectives relating to both crime and disorder and public safety by his

action of possessing and supplying illicit tobacco.

Submissions

18. The view of the Chief Constable is that this application should be rejected. It is highly likely to undermine the licensing objectives in the future if granted.

19. When any new application is received it is viewed with an open mind and in the majority of cases agreement can be reached. In this case I feel the applicants previous convictions are so serious that he cannot be allowed any opportunity to operate in this way in the future.

20. The Chief Constable requests that the Licensing Committee consider the points made within this statement and requests that they reject the application.

I believe the contents of this statement to be true.

Signature

Dated:

22nd July 2021