

# Licensing Panel SUPPLEMENTAL AGENDA

**DATE: Thursday 16 April 2015**

## AGENDA - PART I

6. APPLICATION FOR A REVIEW OF THE PREMISES LICENSE HELD IN RESPECT OF FOOD AND WINE CONVENIENCE STORE, 120 HIGH STREET, WEALDSTONE, HARROW, MIDDLESEX, HA3 7AL (Pages 3 - 14)

Report of the Corporate Director of Environment and Enterprise.

### REASONS FOR LATENESS AND URGENCY

*Note: In accordance with the Local Government (Access to Information) Act 1985, the following agenda item has been admitted late to the agenda by virtue of the special circumstances and urgency detailed below:-*

#### Agenda item

6. Application for a Review of the Premises License Held in Respect of Food and Wine Convenience Store, 120 High Street, Wealdstone, Harrow, Middlesex HA3 7AL

#### Special Circumstances/Grounds for Urgency

The supporting documents were received after the main agenda was printed and circulated. Members are requested to consider the documents in order to consider the most up to date information.

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# Training certificate

**This is to certify that on 19 March 2015**

**Mr Sinnathamby Sritharan**

**attended a sale of alcohol retailer training event.**

The following aspects were covered during the one-to-one training:

**Excise duty – Alcohol duty** – the rates and what they apply to

**Minimum pricing** – for beer, cider & perry, wine, and spirits

**HMRC duty stamps** – understanding the two types of stamp

**Identification of false and fake duty stamps** – by looking at practical examples

**Known counterfeit & bogus alcohol** – by looking at practical examples

**How to avoid buying counterfeit & bogus alcohol** – practical advice

**Problem non-duty paid alcohol** – identification and tips to avoid their purchase

**Penalties for breaches of the law** – what action can be taken against retailers

The above attendee provided the following photo identification:-

UK driving licence ref: SRITH705056S99XE 19

The training was delivered by Mr P J Weston MTSI for GT Licensing and Consulting

Mr Weston is a full member of the Trading Standards Institute

and is qualified as a trading standards officer with over 30 years of

specialist knowledge of alcoholic product issues and legislation.

# Training certificate

**This is to certify that on 19 March 2015**

**Mrs Janani Sritharan**

**attended a sale of alcohol retailer training event.**

The following aspects were covered during the one-to-one training:

**Excise duty – Alcohol duty** – the rates and what they apply to

**Minimum pricing** – for beer, cider & perry, wine, and spirits

**HMRC duty stamps** – understanding the two types of stamp

**Identification of false and fake duty stamps** – by looking at practical examples

**Known counterfeit & bogus alcohol** – by looking at practical examples

**How to avoid buying counterfeit & bogus alcohol** – practical advice

**Problem non-duty paid alcohol** – identification and tips to avoid their purchase

**Penalties for breaches of the law** – what action can be taken against retailers

The above attendee provided the following photo identification:-

UK driving licence ref: SRITH854146J99UF 04

The training was delivered by Mr P J Weston MTSI for GT Licensing and Consulting

Mr Weston is a full member of the Trading Standards Institute

and is qualified as a trading standards officer with over 30 years of

specialist knowledge of alcoholic product issues and legislation.

### WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **Jasminder Virdi PC 392QA**..... URN: 

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer 208263** .....

This statement (consisting of: .... 1..... pages each signed by me) 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 anything in it which I know to be false, or do not believe to be true.

Signature: ..... Date: 10/4/2015.....

Tick if witness evidence is visually recorded  (supply witness details on rear)


I hereby confirm that I am the above mentioned person. My current role is the Police Licensing Officer for the London Borough of Harrow.

I submit the following evidential documents to the Licensing Panel for their consideration in the review of the premises licence of Food & Wine Convenience Store, 120 High Street, Wealdstone, Harrow, HA3 7AL.

1) A redacted MG11 statement from a Harrow Council Environmental Health Technical Officer , Susan Carol Haynes, for the two visits that she made on the 18th and 19th of February 2015 to premises of Food & Wine Convenience Store, 120 High Street, Wealdstone, Harrow, HA3 7AL to check whether remedial measures had been implemented to allow the premises to re-open for business. On the 19th of February 2015, Susan Haynes observed two other males in the company of Mr Sinnathamby Sritharan. One of them had been identified to her as a builder on the previous day and the other one was introduced as a friend on the second visit. She observed them to be drinking alcohol from a bottle and a can. These were disposed off by Mr Sritharan when requested by Susan Haynes. Susan observed that the behind the till was a bag containing packets of cigarettes, a few of which only bore health warnings printed in a foreign language. The cigarette packets with the health warning in a foreign language should not be kept in shop premises for retail purposes. The builder claimed the cigarettes were for his personal use. The statement is dated 09/04/2015.

2) Photocopies of the inspection reports filed by Susan Haynes for two visits.

3) Three black and white copies of the photographs taken of the packets of cigarettes that had been seen by Susan Haynes on the 19th of February 2015.

The absence of the Designated Premises Supervisor and Licensee, Mrs Janani Sritharan, and the conduct of Mr Sritharan gives the indisputable impression that Mr Sritharan is the person in charge of the premises whilst Mrs Janani Sritharan has no real authority or control in the management of the premises. 

Signature: 

Signature witnessed by: .....

**Witness contact details**

Home address: ..... Postcode: .....

Home telephone number ..... Work telephone number .....

Mobile/pager number ..... Email address: .....

Preferred means of contact: .....

Male / Female (delete as applicable) ..... Date and place of birth: .....

Former name: ..... Ethnicity Code (16+1): ..... Religion/belief: .....

Dates of witness non-availability .....

**Witness care**

- a) Is the witness willing and likely to attend court? **Yes.** If 'No', include reason(s) on MG6.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? **No.** If 'Yes' submit MG2 with file.
- d) Does the witness have any specific care needs? **No.** If 'Yes' what are they? (Disability, healthcare, childcare, transport, , language difficulties, visually impaired, restricted mobility or other concerns?)

**Witness Consent (for witness completion)**

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes  No
- b) I have been given the Victim Personal Statement leaflet Yes  No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes  No
- d) 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
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes  No  N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes  No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: ..... Print name: .....

Signature of parent/guardian/appropriate adult: ..... Print name: .....

Address and telephone number if different from above: .....

Statement taken by (print name): PC 392QA 208263 Jasminder Viridi ..... Station: Harrow - QA .....

Time and place statement taken: .....

# STATEMENT OF WITNESS

Criminal Procedure Rules 2010 Rule 27.2; Criminal Justice Act 1967, Section 9; Magistrates' Courts Act 1980, Section 5B

Statement of : **Susan Carol Haynes**  
(name of witness)

Age of witness : Over 21




Occupation of witness : Environmental Health Technical Officer

This statement (consisting of 2 page(s) and signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I should be liable to prosecution if I have wilfully stated in it anything I know to be false or do not believe to be true. I am willing to attend court to give evidence.

Signature:



Date : 9/4/2015

1 My name is Susan Carol Haynes, and I have been employed by the London Borough of  
2 Harrow for 25 years. I am an Environmental Health Technical Officer and am  
3 authorised under the Food Safety and Hygiene (England) Regulations 2013, the Food  
4 Information Regulations 2014 and the Food Safety Act 1990. On 18<sup>th</sup> February 2015  
5 I was asked by my manager to visit Food and Wine Convenience Store, 120 High  
6 Street, Wealdstone, Middlesex HA3 7AL to check conditions and reopen the premises if  
7 necessary, as it had been closed on a voluntary basis by my colleague   
8 Environmental Health Officer on 10<sup>th</sup> February 2015 due to an imminent risk to health.  
9 I showed my identification and met the owner Mr Sinnathamby Sritharan and proceeded  
10 to inspect the premises. I was also introduced to a man named   
11 who told me he was a Builder. Insufficient work had been completed to enable the  
12 premises to be open for business and following a discussion I left a form FH1 which I  
13 exhibit as (SCH1). Following a message left on my office voicemail, I visited again on  
14 19<sup>th</sup> February 2015 and entered the premises from the rear door. I called out several  
15 times as I could hear people talking inside, I walked into the sales area at the back and  
16 saw Mr Sritharan,  and tall young man chatting. They were drinking alcohol  
17 from a bottle and a can. I told Mr Sritharan that they should not be drinking alcohol at  
18 the premise and he apologised and they threw the bottle and can away. I also asked

Signature



Signature witnessed by



Witness statement 120 High Street, Wealdstone

**STATEMENT OF WITNESS continued**

Criminal Procedure Rules 2010 Rule 27.2; Criminal Justice Act 1967, Section 9; Magistrates' Courts Act 1980, Section 5B

19 who the young man was and Mr Sritharan told me he was a 'friend'. I asked the young  
20 man to leave as I needed to discuss the business with Mr Sritharan. I looked behind the  
21 till at the front of the shop and saw a carrier bag on the floor, it contained 4 boxes, each  
22 containing 200 cigarettes, 400 Marlboro, 200 Benson and Hedges and 200 Lambert and  
23 Butler. There were also 4 single packs of 20; I took photographs of the cigarettes.  
24 (SCH2-SCH4) I enquired why they were there. [REDACTED] the builder claimed they  
25 belonged to him and I asked why they would be behind the till when he was not  
26 employed at the premises. He insisted they belonged to him, therefore I told him to take  
27 them home and keep them there. I checked the rest of the premises and found it was  
28 much better and I confirmed that it was in a satisfactory condition. I completed form  
29 FH1 which Mr Sritharan duly signed, I enclose exhibit (SCH 5).

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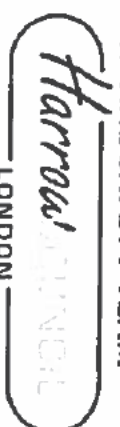
Signature [REDACTED]

Signature witnessed by [REDACTED]



LONDON BOROUGH OF HARROW - ENVIRONMENTAL HEALTH SERVICES - COMMERCIAL SAFETY TEAM

Divisional Director: Gary Alderson  
**REPORT OF: INSPECTION / REVISIT / OTHER**



LONDON

Wk Sheet No:	Date/Time	18/2/15	3:45	Inspection of:	Whole of premises     Part of premises
Name of business:	Food Wine Conveyance Store		Address:	120 High Street Woodstock	
Registered Name and address (if different):			Food Business Operator (if different):		
Telephone Number / email	02083749777	Is Written English Understood	Y     N	Opening Hours	

Person(s) seen/interviewed:	Status:	Manager of Premise:
Records examined: HACCP     Pest Records     Training     Traceability     Cleaning Records     Temp Records     Risk Assessments     Accident Book	Number of Samples Taken:	
Name: J&S Patisserie/Procedures     LHM / Elec / Gas Certificates     Refuse Records     Animal By-Products / Oil Collection Records     Other:		

Item	What you need to do to comply with law / advice (in addition to areas indicated on form)	Timescale	Law
1	The premises has not completed all the work in the rear store The electrics must be made safe to comply with the Electricity at Work Regulations 1989. The floor must be covered with a material that may be easily cleaned. Clean properly behind the till ensuring all dust is removed Remove all food off the floor & obtain keys to rear storage shed.		

Action as result of visit:	No	1	1	Verbal Advice Given	1	1	Written Advice	1	1	Written Legal Works	1	1	Notices	1	1	Closure Formal / Voluntary
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This is Exhibit no:

SCH 1

Referred to in my statement (to be shown at Court)

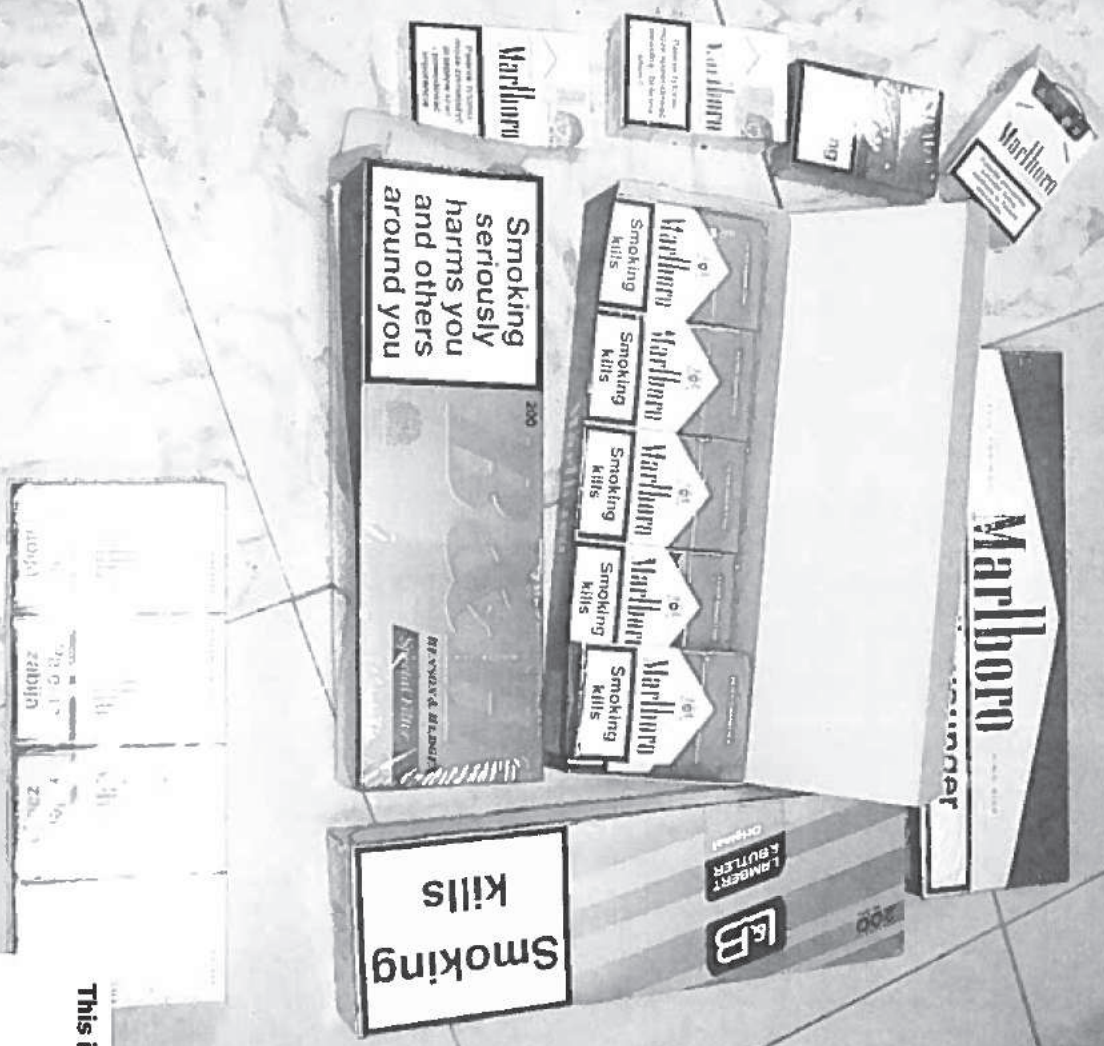
Person Receiving report (signed) ..... Print Name .....

(Signatures)

Date) 9/4/15

Authorised Officer (signed) ..... Telephone Number: 020 8736 .....

Print Name ..... Email: .....  
 (i) .....  
 (ii) .....  
 (iii) .....



This is Exhibit no:

SC 11 2

Referred to in my statement  
(to be shown at Court)

(Signatures)

Date) 9/4/15

- (i)
- (ii)
- (iii)



This is Exhibit no:

SCH3

(Signatures)

Referred to in my statement  
(to be shown at Court)

Date) 9/14/15

- (i)
- (ii)
- (iii)

Smoking kills

GOLD  
Marlboro ORIGINAL  
Palenie tytoniu może spowodować powolną i bolesną śmierć

GOLD  
Marlboro ORIGINAL  
Palenie tytoniu może zmniejszyć przepływ krwi i powodować impotencję

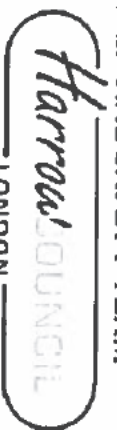
FLIP-TOP  
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Smoking  
serious  
harm  
and o  
around

This is Exhibit no: \_\_\_\_\_  
Referred to in my statement (to be shown at Court)  
Signature: SCHUL  
Date: 9/4/15

LONDON BOROUGH OF HARROW – ENVIRONMENTAL HEALTH SERVICES – COMMERCIAL SAFETY TEAM

Divisional Director: Gary Alderson  
**REPORT OF: INSPECTION / REVISIT / OTHER**



WK Sheet No:	Date / Time	19/2/15	3:55pm	Inspection of:	Whole of premises     Part of premises
Name of business:	Food + Wine				
Registered Name and address (if different):	Address: 130 High Street, Woodstone				
Telephone Number / email	Is Written English Understood	Y     N	Opening Hours	Food Business Operator (if different):	

Person(s) seen/interviewed:	Status:	Manager of Premise:
Records examined: HACCP     Pest Records     Training     Traceability     Cleaning Records     Temp Records     Risk Assessments     Accident Book	Lift / Elev / Gas Certificates     Refuse Records     Animal By Products / Oil Collection Records	Others:

Item	What you need to do to comply with law / advice (in addition to areas indicated on form)							Timescale	Law
1)	The premises has been cleaned & now great load in the rear storeroom A new carpet will be laid this evening You may open the premises for business								

This is Exhibit no: **SCH5** Referred to in my statement (to be shown at Court)

Person Receiving report (signed) ..... Print Name .....  
 Authorised Officer (signed) ..... Telephone Number: 020 8736 .....  
 Signature: [Redacted] (Date) 9/4/15  
 (i) (ii) (iii)

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