

Licensing Panel AGENDA

DATE: Wednesday 9 November 2016

TIME: 6.30 pm *

VENUE: Committee Room 5,
Harrow Civic Centre

* THERE WILL BE A BRIEFING FOR MEMBERS AT 6.00 PM IN COMMITTEE ROOM 5.

MEMBERSHIP (Quorum 3)

Chair: (To be appointed)

Councillors:

Phillip O'Dell
Adam Swersky

Stephen Wright

Reserve Members:

Note: There are no Reserve Members currently appointed to this Panel.

Contact: Miriam Wearing, Senior Democratic Services Officer
Tel: 020 8424 1542 E-mail: miriam.wearing@harrow.gov.uk

AGENDA - PART I

1. APPOINTMENT OF CHAIR

To appoint a Chair for the purposes of this meeting.

2. DECLARATIONS OF INTEREST

To receive declarations of disclosable pecuniary or non pecuniary interests, arising from business to be transacted at this meeting, from:

- (a) all Members of the Panel;
- (b) all other Members present.

3. MINUTES

[Note: Licensing Panel minutes are:-

- (1) approved following each meeting by the Members serving on that particular occasion and signed as a correct record by the Chair for that meeting;
- (2) not submitted to the next panel meeting for approval.

Reasons: The Licensing Panel is constituted from a pooled membership. Consequently, a subsequent Panel meeting is likely to comprise a different Chair and Members who took no part in the previous meeting's proceedings. The process referred to at (1) above provides appropriate approval scrutiny].

4. LICENSING PROCEDURES (Pages 3 - 4)

Procedure to be followed at an oral hearing.

5. APPLICATION FOR REVIEW OF THE PREMISES LICENCE FOR GOOD MORNING SUPERSTORE, 262 STREATFIELD ROAD, HARROW (Pages 5 - 58)

Report of the Corporate Director, Community Directorate.

6. ANY OTHER URGENT BUSINESS

Which cannot otherwise be dealt with.

AGENDA - PART II - NIL

Agenda Item 5

Licensing Panel – Licensing Act 2003

Procedure For A Review Hearing - Oral Hearing in Public

*This document provides a summary of the Panel's procedure for the conduct of this oral hearing in public. This procedure is followed during a **REVIEW** procedure.*

*Please note that the **Applicant** is the party who has requested the Hearing*

- i. **Introductions** by the Chair of the Panel:
 - Members
 - Officers and Officers of Responsible Authorities
 - Applicants and Objector(s)
 - the Procedure for the hearing
- ii. **Presentation** of the report (**agenda item 6**) by Officers of the Relevant Authority.
- iii. **Introduction** by the **objector(s)** of their statement. Additional material may be submitted with the agreement of the Panel and the other party, subject to advice by the Council's legal advisor at the time.
- iv. **Questioning** of the **objector(s)** by:
 - the applicant
 - the Panel
- v. **Presentation** by the **applicant**, or their representative, of their statements. Additional material may be submitted with the agreement of the Panel and the other party, subject to advice by the Council's legal advisor at the time.
- vi. **Questioning** of the **applicant** by:
 - the objector
 - the Panel
- vii. **Concluding statement** by the applicant.
- viii. **Concluding statement** by objector(s).
- ix. The Panel together with its legal advisor and committee clerk withdraw to consider of the application. Should the Panel wish to clarify any point with any particular party, all sides are recalled for the questions to be asked.
- x. The hearing is reconvened for the Panel to announce their decision.

Agenda Item 5

Should the application be refused or conditions be placed on the licence the Panel must give reasons for this action.

NOTES

WITNESSES: *Either side may call witnesses to support their case. Witnesses should have submitted written statements before the hearing which they present and on which they may be questioned. Witnesses introduced at short notice may speak with the agreement of the Panel and the other party, subject to advice by the Council's legal advisor at the time.*

ADJOURNMENT: *The Panel may at any time adjourn to a later date for the further consideration of an application. The date and time should be agreed with all parties as far as possible.*

REPORT FOR: LICENSING PANEL

| | |
|-----------------------------|---|
| Date: | 9 November 2016 |
| Subject: | Application for review of the premises licence for Good Morning Superstore, 262 Streatfield Road, Harrow, Middlesex HA3 9BY |
| Responsible Officer: | Tom McCourt - Corporate Director – Community Directorate |
| Exempt: | No |
| Enclosures: | Application for review (appendix 1) Current premises licence and plan (appendix 2) Location map (appendix 3) |

Section 1 – Summary

An application has been received from Brent and Harrow Trading Standards to review the premises licence of Good Morning Superstore, 262 Streatfield Road, Harrow, Middlesex HA2 6BY on the grounds of the prevention of crime and disorder, and public safety, arising from the display and storage for sale of non-duty paid alcohol and tobacco on the premises.

Representations received

| From | Representations details |
|--|--------------------------------|
| The Planning Authority | No representations received |
| Health & Safety | No representations received |
| Environmental Health Authority (Pollution and environmental enforcement) | No representations |
| Trading Standards | Application for licence review |
| Area Child Protection Service | No representations received |
| London Fire Brigade | No representations received |
| Metropolitan Police | No representations received |
| Licensing authority | No representations received |

Representations from other persons

| Letter | From | Relevant Representations details |
|--------|------|----------------------------------|
| | | None |

Section 2 – Report

- 2.1 An application has been received from Harrow Trading Standards to review the premises licence of Good Morning Superstore, 262 Streatfield Road, Harrow, Middlesex HA3 9BY (appendix 1).
- 2.2 Description of premises
The premises are a small, typical local convenience store serving a range of goods including age-restricted products such as tobacco, alcohol and lottery tickets situated on the Streatfield Road shopping parade.
- 2.3 Licensing history
A premises licence was first granted on 21/02/2007. It was transferred to new premises licence holders in 2010, 2013 and 2014.
- The licence was transferred to the current licence holder, Mr Amrik Singh Arora, on 24/09/2014 (appendix 2). A location map is also provided at appendix 3. The Panel will note that the premises licence is issued to Premier, trading at the same address although the review application names Good Morning Superstore Ltd. The premises are currently trading as Good Morning Superstore Ltd with Mr Arora named as the premises licence holder. There is no requirement for the licensing authority to be notified of a change in name of the premises.
- 2.4 Designated premises supervisor (DPS)
Mr Amrik Singh Arora has been the DPS since 24/09/2014.
- 2.5 The panel might wish to note that the previous premises licence holder and designated premises supervisor, Mrs Rajeswary Tharmaseelan, is still employed at the shop.
- 2.6 Details of the application
Received: 26/09/2015
Application advertised: 26/09/2016 – 24/10/2016
- In addition to Trading Standards serving a copy of the review application on the premises licence holder, the licensing authority delivered a letter by hand to the premises advising him of the application on 27/09/16. The licensing authority wrote to the premises licence holder on 10/10/16 advising him of the hearing.
- 2.7 Representations
No other representations have been received.
- 2.8 Officers' observations
The review application refers to paragraph 11.27 of the statutory guidance. The full section of that part of the guidance is set out below:

Reviews arising in connection with crime

11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises; money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.

11.26 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual licence holder.

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;*
- for the sale and distribution of illegal firearms;*
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;*
- for prostitution or the sale of unlawful pornography;*
- by organised groups of paedophiles to groom children;*
- as the base for the organisation of criminal activity, particularly by gangs;*
- for the organisation of racist activity or the promotion of racist attacks;*
- for knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter;*
- for unlawful gambling; and*
- for the sale or storage of smuggled tobacco and alcohol.*

11.28 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

2.9 In addition, paragraph 11.17 of the statutory guidance (Powers of a licensing authority on the determination of a review) states:

11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.

2.10 Licensing policy

There are no implications in relation to the statement of licensing policy arising from this application.

2.11 Legal implications

The Licensing Authority is required to hold a hearing to consider the review application and any relevant representations made. The hearing must be held in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

2.12 The Licensing Panel is required to give appropriate weight to the review application, representations (including supporting information) presented by all the parties, the Guidance issued pursuant to section 182 of the Licensing Act 2003, the Council's statement of licensing policy and the steps (if any) that are appropriate to promote the four licensing objectives.

2.13 Having considered those relevant matters, the Licensing Panel can take such of the following steps (if any) as it considers appropriate for the promotion of the licensing objectives –

1. to modify the conditions of the licence;
2. to exclude the licensable activity from the scope of the licence;
3. to remove the designated premises supervisor;
4. to suspend the licence for a period not exceeding 3 months;
5. to revoke the licence

and for this purpose the conditions of the licence are modified if any of them are altered or omitted or any new condition added.

2.14 If the Panel takes a step mentioned in 1 or 2 of paragraph 2.13 above, it can specify that the modification or exclusion is to have effect for a period up to three months if it considers this to be appropriate.

2.15 It should be noted that –

- clear reasons must be given for the decision;
- any additional or modified conditions should be practical and enforceable;
- the applicant for the review, the premises licence holder and any person who made relevant representations would have the right of appeal to a magistrates' court on one of the grounds provided in schedule 5 to the Licensing Act 2003.

2.16 In addition to determining the application in accordance with the legislation, Members must have regard to the –

- common law rules of natural justice (i.e. ensuring a fair and unbiased hearing etc);
- provisions of the Human Rights Act 1998;
- considerations in section 17 of the Crime and Disorder Act 1998.

2.17 The Panel must also act appropriately with regard to the European Convention for the Protection of Human Rights and Fundamental Freedoms implemented under the Human Rights Act 1998, particularly articles 6 (relating to the right to a fair trial); article 8 (protection of private and family life); and article 1 of the First Protocol (protection of property).

2.18 The Panel, when exercising its powers, must consider section 17 of the Crime and Disorder Act 1998 which states:

'without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.'

Financial Implications

2.19 There are no financial implications.

Appeals

2.20 If any party is aggrieved with the decision of the licensing panel on one of the grounds set out in schedule 5 to the Licensing Act 2003, they can appeal to a Magistrates' Court within 21 days from notification of the decision.

Section 3 - Statutory Officer Clearance

| | | |
|-----------------------|----------------------------|---|
| Name: Jessie Mann | <input type="checkbox"/> y | on behalf of the Chief Financial Officer |
| Date: 20 October 2016 | | |
| Name: Paresh Mehta | <input type="checkbox"/> Y | on behalf of the Monitoring Officer |
| Date 21.10.16 | | |

Section 4 - Contact Details and Background Papers

Contact: Jeffrey Leib, Principal Licensing Officer extension 7667

Background Papers: Statutory Guidance

[Insert name and address of relevant licensing authority and its reference number (optional)]

**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 Anu Prashar, on behalf of Simon Legg , Senior Regulatory Manager, London
Borough of Harrow, Trading Standards Service.

(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 Good Morning Superstore Limited 262 Streatfield Road Harrow | |
| Post town Harrow | Post code (if known) HA3 9BY |
| Name of premises licence holder or club holding club premises certificate (if known) Mr Amrik Singh Arora | |
| Number of premises licence or club premises certificate (if known) LN/000000548/2014/4&5 | |

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

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

| |
|---|
| Name and address Ms. Anu Prashar, Senior Prosecutor Trading Standards Service London Borough of Harrow Brent Civic Centre Engineers Way Wembley HA9 0FJ |
| Telephone number (if any) 0208937 5515 |
| E-mail address (optional) Anu.prashar@brent.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
 - 2) public safety
 - 3) the prevention of public nuisance
 - 4) the protection of children from harm

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

Mr Arora is the Company Director of Good Morning Superstore Ltd. We believe the business is failing to promote two of the licensing objectives, namely the prevention of crime and disorder and public safety.

The business's current licensable activity is the sale of retail alcohol.

On 16th April 2015, as part of a routine inspection, Trading Standards officers and Her Majesty Revenue and Customs (HMRC) visited Good Morning Superstore Ltd at 262 Streatfield Road, Harrow, HA3 9BY. Whilst there the HMRC officers seized 564 litres of beer, 270 litres of wine and 13.7 litres of spirits, which the business could not prove they have paid any duty on. The Trading Standards officers confiscated tobacco products which consisted of 33 packets of cigarettes, 5 packets of smoking tobacco and 104 packets of chewing tobacco which did not display the correct statutory health warnings on them as required by the Tobacco Products (Manufacture, Presentation, and Sale) (Safety) Regulations 2002. These Regulations make it an offence for tobacco products to not have the health warnings in the correct format and this wording must be in English. All these products were in possession for sale to members of the public. None of the tobacco products seized had English labelling on them and were therefore not made for the UK market. We therefore believe due to the quantity of items found that these products have been smuggled illegally into the country to be sold on in UK shops. (See attached documents 1 & 2)

Mr Arora was interviewed under caution on the 11th May 2016 and stated that he purchased the products from a man who came into his shop selling these products and had no contact details for him. Mr Arora stated that three months prior to this, he had purchased the alcohol seized by HMRC from a different man. He also admitted he had the tobacco products as he knew it was wrong to sell them.

London Borough of Harrow Trading Standards Service, laid two informations at Willesden Magistrates Court with regards to the illicit tobacco seized from the company. One of the charges was for 38 smoking tobacco products and the other charge was for 104 chewing tobacco products failing to comply with the above Regulations. These charges were heard on the 3/11/15. Mr Arora, pleaded guilty on behalf of the company to these charges. The company was fined £200 and ordered to pay fines of £1021. (See attached documents 3)

On 24th February 2016, another joint inspection was carried out, with Trading Standards and HMRC officers at . Officers found a further 2386 litres of various brand/strength beer which the business could not prove they paid duty on. Ken Buzor, Fraud investigation Officer for HMRC, seized the alcohol as Mr Arora failed to give him any proof that duty had been paid on the alcohol. Mr Buzor has stated in his statement that the loss of revenue for the seized goods amounts to £2,654.42 Excise Duty, plus £817.26 VAT. (See attached document 4)

Good Morning Superstore Limited was also in possession of tobacco products, namely 13 packets of cigarettes, 12 pouches of chewing tobacco which failed to display the correct statutory health warnings on them as the labelling was not in English. Trading Standards Officers have supplied statements, detailing the seizures and including photographs of the tobacco products. The illicit alcohol and tobacco were seized and removed from the premises by the officers. Once again none of the tobacco products seized had English labelling on them and were therefore not made for the UK market. We therefore believe that these products have been smuggled illegally into the country to be sold on in UK shops. (See attached document 5)

Mr Arora was interviewed under caution on 31/3/16 and gave a no comment interview to all questions including where he had obtained the products from. This Service wishes to remind the panel that they should draw their own inferences from this 'No Comment' interview.

Companies House records also show that they wrote to the company on the 5/7/16 given them notice that the company will be struck off the register and the company dissolved, two months from the 5/7/16. This is because it has failed to file any accounts with them. (See attached document 6).

It is in my professional opinion, the smuggled alcohol and tobacco products were in possession for sale and therefore this matter should be treated particularly seriously as per the guidance in paragraph 11.27 of the Home Office publication 'Amended Guidance Issued Under Section 182 of the Licensing Act 2003'.

Mr Arora the company director, holds a personal licence as he is the designated premise supervisor number Hounslow H03056. Good Morning Superstore Limited is very much aware of the law and has been prosecuted before.

The products were not labelled in English and therefore not made for the UK market. Tobacco products are highly regulated as to the amount of harmful chemicals in the products. This amount varies from country to country, and therefore undermines the public safety objective.

This Service is of the opinion that the appropriate and proportionate response to this continued flouting of the laws is revocation of the licence.

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

Inspection date: 16th April 2015: Items seized:

Type of Alcohol:

Wine - 270 litres

Beer - 564 litres

Spirits - 13.5 litres

Tobacco

Cigarettes

Marlboro Gold - 33 packets

Benson and Hedges Gold - 1 packet

Rolling Tobacco

Golden Virginia (50g) - 2 packets

Amber Leaf (50g)- 3 packets

Chewing Tobacco

Mirage Blue (20g) - 17 packets

Mirage Blue (14g) - 1 packet

Mirage Yellow (15g) - 18 packets

Kuber scented Khain (10g) - 11 packets

Tulsi Mix (20g) - 3 packets

Tulsi Mix (2g) - 45 packets

RMD Guthka (0.14oz) - 1 pack

Inspection date: 24th February 2016. Items seized;

Type of Alcohol:

Beer: 2386 litres

Tobacco

Cigarettes

Blue Kent - 9 packets

Marlboro Gold - 2 packets

Benson and Hedges - 1 packet

Marlboro - 1 packet

Chewing Tobacco

RMD Guthka (0.14oz) - 11 packets

Mirage Blue (14g) - 1 packet

Supporting documents;

Seizure on 16/4/15

1. Mr Abdullahi, Trading Standards Service statement dated 7/7/15
(Includes part of the interview under caution and photographs of tobacco)
2. Mr Abdullahi statement dated 14/9/16
(includes reference to alcohol seizure)
3. Willesden Magistrates Court's entry of conviction

Seizure on 24/2/16

4. Ken Buzor, Her Majesty's Revenue & Customs, statement dated 29/7/16 (includes reference to the seizure of alcohol)
5. Mr Karia, Trading Standards Service, statements dated 29/4/16 & 20/6/16 (includes photographs of tobacco)
6. Letter from Companies House dated 5th July 2016 to compulsory strike off the company.

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 |
|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

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 Simon Legg

Date 16 September 2016

Capacity Senior Service Manager

| | |
|---|------------------|
| 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.

Document 1

Witness Statement

(C.J.Act 1967 - S.9, M.C. Act 1980 – ss5A(3)(a) and 5B, M.C. Rules 1981 r.70)

Statement of: Samuel Abdullahi
Age if under 18: Over 18
Occupation: Senior Enforcement Officer

This statement (consisting of 4 page(s) 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 in it anything which I know to be false or do not believe to be true.

Dated 7th July 2015

Signature .....

I am employed by the London Boroughs of Brent and Harrow Trading Standards Service as a Senior Enforcement Officer. I am authorised to enforce various statutes including the Consumer Protection Act 1987 and the Consumer Protection from Unfair Trading Regulations 2008.

5

On 16th April 2015, whilst working in partnership with HM Revenue & Customs, HMRC officers along with my a colleagues Paul HAYWARD and Amar KARIA both with the London Boroughs of Brent and Harrow Trading Standards Service, to check for compliance of tobacco and alcohol being sold within the borough. At approximately 10 11:35am we entered Premiere Express, Euro Superstore situated at 262 Streatfield Road, Harrow, HA3 9BY. At the front of the shop to the left as we entered was displayed salt products by the Amazing Himalayan Salt Company. Mr HAYWARD informed me that he has had previous dealings with the company, however, he was not aware of them trading from this premises and he would like to speak with them. Mr HAYWARD and Mr KARIA 15 approached a man who appeared to be working there. The HMRC officers and I then

Signature .....

E31 Sept 2003

Continuation of witness statement of: Samuel Abdullahi

proceeded further into the shop and behind the counter on the left was an Asian lady of a Sri-Lankan origin wearing an orange zip top. I now know this lady as

We introduced ourselves to her by showing of our warrant cards and explaining the reasons and nature of our visit to the shop. Ms

20 explained that she was just a worker and that the owner was on his way in. We then began our inspection of the premises. One of the HMRC officer's went behind the counter to inspect the cigarettes when he came across couple of plastic carrier bags and placed them on the counter and asked me to look inside the bag, which I did. In the bags were a quantity of cigarettes and various types of other tobacco products such as rolling and
25 chewing tobacco. A closer inspection of the goods within the bag revealed that none of the products had the correct Health Warnings as required and prescribed by the Tobacco Products (Manufacture, Presentation and Sale) (Safety) Regulations 2002 as amended. I then brought this to the attention of Ms ' and at 11:49am I issued her with a Police and Criminal Evidence Act 1984: Code B Notice explaining our powers and
30 that further search will be made and any goods found or believed to be counterfeit and/or illicit will be seized in order to ascertain whether an offence has been committed. HMRC officers had also identified a number of things they were unhappy with and requested to speak with the owner. At this point my colleague Mr Karia had joined me and I explained to him what was happening and requested that he assisted me completing the inspection
35 summary sheet. I took photographs of the items in the bags using my work phone, separated the tobacco products into types and brands, counted these recorded the type and amount into my notebook and then placed them into an evidence bag and sealed the bag with a unique numbered security seal E02111, I now produce the bag as exhibit SA/GMS/1. I recorded what was seized onto a Trading Standards Receipt PH/0051 and

Signature 

E31 Sept 2003

40 handed the original copy to Ms
in relation to the Tobacco products.

At 12:39 I closed off the PACE Code B

The tobacco products seized and recorded is as detailed below;

| Seal Bag | Description | Quantity |
|----------|---------------------------|----------|
| E02111 | Marlboro Gold | 33 |
| | Benson & Hedges (Gold) | 1 |
| | Golden Virginia (50g) | 2 |
| | Amber Leaf (50g) | 3 |
| | Mirage Blue (20g) | 17 |
| | Mirage Blue (14g) | 1 |
| | Mirage Yellow (15g) | 18 |
| | Kuber scented Khain (10g) | 11 |
| | Tulsi Mix (20g) | 3 |
| | Tulsi Royal (2g) | 45 |
| | RMD Guthka (0.14oz) | 1 |


45 Due to the quantity of alcohol products identified by HMRC as non duty paid products, my
colleagues and I assisted in placing the bottles of alcohol being seized by HMRC into
boxes and then have them moved to the back of the shop to be collected by an HMRC
vehicle. Whilst moving the boxes to the back at 13:40 an Asian male wearing a turban
arrived and stated that he is the owner of the business, he provided his name as Amrik
50 Singh ARORA the Director of Good Morning Superstore Ltd. Once we finished moving all
the boxes to the back of the shop we left the shop with seal bag E02111 and left the
HMRC officers at the shop as they waited for their vehicle to arrive. Back at the office the
goods were booked into the evidence store.

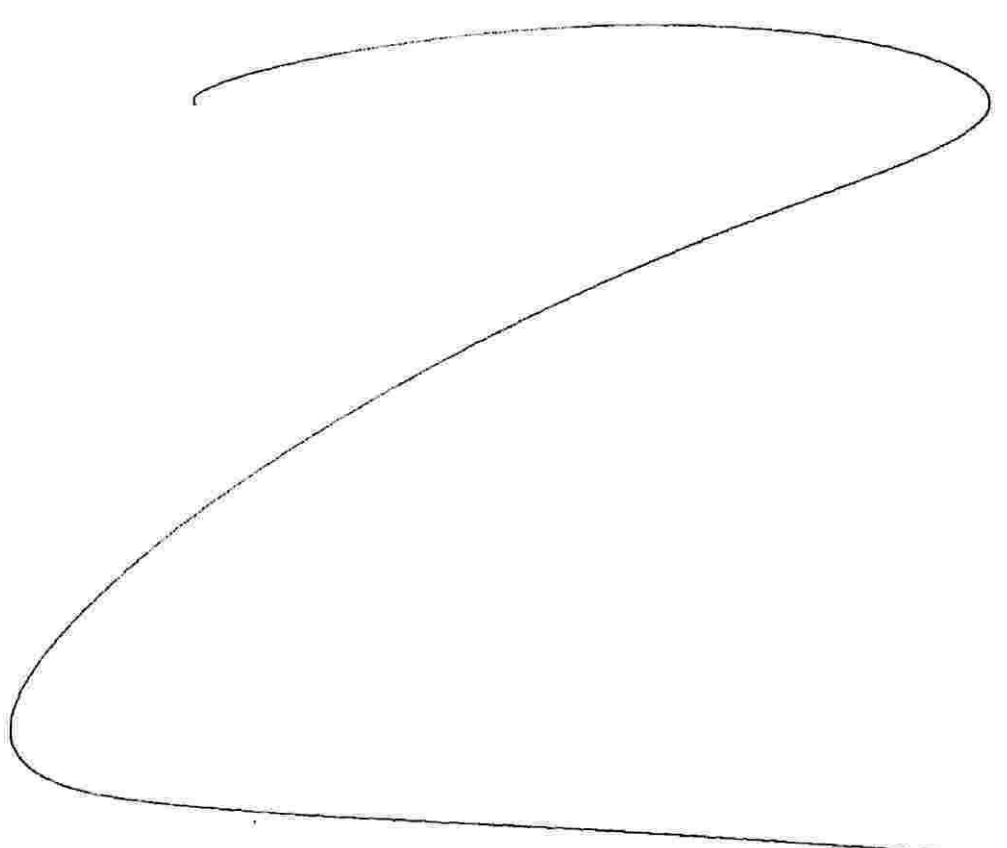
55 On 23rd April 2015, I wrote and sent letters addressed to Mr ARORA to the various
addresses shown on the Companies House website inviting him in for an interview to be
conducted in accordance with the Police and Criminal Evidence Act 1984, stipulating, that
he contacted me by 29th April 2015 to arrange for an interview date and time. Mr ARORA
Signature


E31 Sept 2003

Continuation of witness statement of: Samuel Abdullahi

60 contacted me within the stipulated time and an interview was arranged to take place on
11th May 2015 at 11:30am at Brent Civic Centre, Engineer's Way.

On 11th May 2015, Mr ARORA was interviewed under caution with accordance to PACE.
The interview began at 11:28am, he was cautioned at 11:31am and the interview
concluded at 11:51am. Mr KARIA was present with me during the interview. The
65 interview was recorded on a CD which I exhibited as SA/ASA/PACE/1. I now produce a
transcript of the interview into evidence as exhibit SA/GMS/2. I also produce a print out of
the photographs taken on the day as exhibits SA/GMS/3 to SA/GMS/5. **Signed:** 



Signature 

E31 Sept 2003

SA/GMS/ A. H. H. H.



08/19/13 / S. [unclear]



SA/GOS/15 Anti-Marketing



Document 2

TRADING STANDARDS SERVICE

Witness Statement

(C.J.Act 1967 - S.9, M.C. Act 1980 – ss5A(3)(a) and 5B, M.C. Rules 1981 r.70)

Statement of: Samuel Abdullahi

Age if under 18: Over 18

Occupation: Team Leader

This statement (consisting of 2 page(s) 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 in it anything which I know to be false or do not believe to be true.

Dated 14th September 2016

Signature 

I am employed by the London Boroughs of Brent and Harrow Trading Standards Service as a Team Leader. I am authorised to enforce various statutes including the Consumer Protection Act 1987 and the Consumer Protection from Unfair Trading Regulations 2008.

5 Further to my statements dated 7th July 2015 and 28th April 2016, on 16th April 2015, whilst working with my colleagues Paul Hayward and Amar Karia along with HM Revenue & Customs officers. We entered 262 Streatfield Road, Harrow, HA3 9BY to check for compliance of tobacco and alcohol products being sold within the business.

10 During this visit Trading Standards seized a number of tobacco products for failing to comply with the Health Warnings as required and prescribed by the Tobacco Products (Manufacture, Presentation and Sale) (Safety) Regulations 2002 as amended. HMRC officers seized a quantity of alcohol products as they had reasons to believe that the UK excise duty had not been paid.

15

Signature 

E31 Sept 2003

Continuation of witness statement of: Samuel Abdullahi

On 11th May 2015, I received an email from HMRC Officer Ken BUZOR informing me that HMRC had seized 564 litres of beer, 270 litres of wine and 13.7 litres of spirits.

I can confirm that on the 16th April 2015 when we entered the business premises at 262
20 Streatfield Road, Harrow, HA3 9BY, we all had reasons to believe that the name of the
business was Premier Express as this was what the sign had stated at the front of the shop.
However, on 11th May 2015 at the tape recorded interview of Mr Amrik Singh ARORA the
licensee revealed the correct name of the business/company as Good Morning Superstore
Ltd trading as Good Morning Superstore and he is the director. **Signed:** *Samuel Abdullahi*

25

Signature *Samuel Abdullahi*.....

E31 Sept 2003

Document 3

GOOD MORNING SUPERSTORE LIMITED

Doshi Accountants Ltd
6th Floor, AMP House
Dingwall Road
Croydon
CRO 2LX

Case Number: **1502492371**
Defendant Present: Yes
Attending Solicitor: Represented
Informant: LBHW LB of Harrow
Post-Hearing Custody Status:

1

CP87006

On 16/04/2015 at 262 Streatfield Road, Harrow HA3 9BY did have in possession for supply tobacco products, namely 33 Marlboro Gold cigarette packs, 2 Golden Virginia tobacco pouches, 3 Amber Leaf tobacco pouches whereby the producer had failed to place the necessary health warning in accordance with and Regulation 7(1) of the Tobacco products (Manufacture, Presentation, and Sale) (Safety) Regulations 2002, contrary to Regulation 14(1) and section 12(1) of Consumer Protection Act 1987 .
Contrary to the above regulations and section 12(1) of the Consumer Protection Act 1987.

Plea: Guilty - 03/11/2015

ACNOTE

FO 200.00
Fined £200.00.

FVS 20.00
To pay victim surcharge of £20.00.

FCOST 1,201.00
To pay costs of £1201.00.

FCC 150.00
To pay a criminal courts charge of £150.00.

COLLO
Collection order made.

FDEST
tobacco to be forfeited under section 27 of the Misuse of Drugs Act 1971 and destroyed.

GPTAC
Defendant's guilty plea taken into account when imposing sentence.

NSP
No separate penalty.

FDEST
tobacco to be forfeited under section 27 of the Misuse of Drugs Act 1971 and destroyed.

GPTAC
Defendant's guilty plea taken into account when imposing sentence.

2

CP87006

On 16/04/2015 at 262 Streatfield Road, Harrow HA3 9BY did have in possession for supply tobacco products, namely 45 pouches of Tulsi Roual, 45 Pouches of Mirage, 11 pouches of Kuber scented Khain, 3 pouches of Tulsi Mix and 1 pouch of RMD Guthka, all being chewing tobacco, whereby the producer had failed to place the necessary health warning in accordance with and Regulation 7(5) of the Tobacco products (Manufacture, Presentation, and Sale) (Safety) Regulations 2002, contrary to Regulation 14(1) and section 12(1) of Consumer Protection Act 1987 .

Contrary to the above regulations and section 12(1) of the Consumer Protection Act 1987.

Plea: Guilty - 03/11/2015

3

CM85188

On 16th April 2015, at 262 Streatfield Road, Harrow, HA3 9BY, failed to display its registered name at its registered office contrary to Regulation 21 and Regulation 28 of the Company, Limited Liability Partnership and Business (Names and Trading Disclosures) Regulations 2015.

Plea: Guilty - 03/11/2015

NSP

No separate penalty.

GPTAC

Defendant's guilty plea taken into account when imposing sentence.

Time To Pay: To be paid by 03/12/2015

BALANCE 1,571.00

I certify the above extract to be a true copy

33

Date Printed: 12/09/2016

_____ of the said Magistrates' Court.

Document 4

WITNESS STATEMENT OF KEN BUZOR

**Visit to Good Morning Superstore, 262 Stratfield Road, Harrow HA3 9BY
on 24th February 2016.**

I, Ken Buzor, Fraud Investigation Officer of Her Majesty's Revenue & Customs, (HMRC) based at Custom House, 20 Lower Thames Street, London EC3R 6EE, WILL SAY as follows:

1. On 24th February 2016, accompanied by other Officers of HMRC and Officers of Harrow Trading Standards, I attended GOOD MORNING SUPERSTORE, 262 Stratfield Road, Harrow HA3 9BY under the authority of section 112 of the Customs & Excise Management Act 1979 (CEMA). I entered the premises at 09:50 hours.
2. The shop sales assistant, who identified himself to me as MR [REDACTED], was present throughout the visit. I introduced myself to MR [REDACTED] and explained that the purpose of the visit was to conduct an inspection of tobacco and alcohol products in the shop.
3. MR [REDACTED] said that he was the previous owner of Good Morning Superstore, that he sold the business a year and half ago and that he has worked as the Shop Assistant since then.
4. A request was made to MR [REDACTED] to produce invoices for the beer and wins in the shop. MR [REDACTED] A red boxed folder containing invoices was produced. The invoices were inspected and found not to contain any canned beer. MR [REDACTED] was asked to produce invoices for the canned beer.
5. MRS [REDACTED], also shop sales assistant, said attempts have been made to contact the shop owner, to no avail. MRS [REDACTED] said the shop manager will arrive by noon.

6. At 11:41 hours, MRS [redacted] said the shop owner was on the line and handed me a mobile phone. A man identified himself to me as MR AMRIK ARORA said he was the owner of Good Morning Superstore and that he was currently in Manchester. I asked MR ARORA for invoices for the canned beer and MR ARORA said the invoices were with his accountant in Croydon. MR ARORA said it would be difficult to get the invoices to me because of distance. I gave MR ARORA my official email address and asked that the invoices be scanned and emailed to me to save time. MR ARORA said he will inform his accountant and call back once expected time of email is confirmed.
7. At 12:13 hours, a man arrived and identified himself to me as MR [redacted], the Shop manager. MR [redacted] said he has no other invoices aside those in the red boxed folder.
8. At 12:26 hours, MR [redacted] handed me a mobile phone to speak to MR ARORA. MR ARORA said his accountant will have the invoices for the beer scanned to me within the hour. I informed MR ARORA that I shall give him till 14:30 hours.
9. At 13:07 hours, I received an email on my official phone with 8 x scanned copies of invoices attached. I inspected the invoices and found 5 x cases of Fosters beer, 2 x cases of Kaliber beer and 4 x cases of bottles Stella beer.
10. At 13:23 hours, I replied to the email, asking for further invoices for canned beer only. At 14:19 hours, I received another email with the same 8 x scanned copies of invoices attached
11. At 14:39 hours, MR ARORA informed me over the mobile phone that his accountant could not find the invoices.
12. At 14:40 hours, I seized a total of 2386 litres of beer under authority of sections 139 of CEMA as they were liable to forfeiture on the basis that, on the balance of probability, the UK excise duty had not been paid.
13. I completed and issued an ENF156 Seizure Information Notice and an ENF3174 Warning Letter, acknowledged by MR BAJAJ, along with a copy of Public Notice12A booklet which explains the right to appeal the seizure

14. I left the premises at 19:50 hours after HMRC contractors had uplifted the seized beer.
15. The loss of revenue for the seized goods amounts to £2,654.42 Excise Duty, plus £817.26 VAT.
16. I have been asked by an Officer of Harrow Trading Standards what, if any, offences are committed in general terms relevant to the evasion of excise duty. The relevant overarching criminal offence is one of being knowingly concerned in the fraudulent evasion of excise duty contrary to section 170 of the Customs & Excise Management Act 1979. However, the decision made on this occasion was to seize the goods only, thereby limiting this to civil proceedings only.

Statement of Truth

I believe that the facts contained in this witness statement are true.

Signed:



Ken BUZOR

Dated: 29 July 2016

Document 5

TRADING STANDARDS SERVICE

Witness Statement

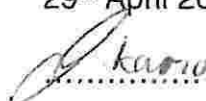
(C.J.Act 1967 - S.9, M.C. Act 1980 – ss5A(3)(a) and 5B, M.C. Rules 1981 r.70)

Statement of: Amar Karia
Age if under 18: Over 18
Occupation: Enforcement Officer

This statement consisting of 3 page(s) 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 in it anything which I know to be false or do not believe to be true.

Dated 29th April 2016

Signature



I am employed by the London Boroughs of Brent and Harrow Trading Standards Service as an Enforcement Officer.

5 On 24 February 2016, I accompanied my colleague Mr Samuel Abdullahi, Senior Enforcement Officer with Brent and Harrow Trading Standards Service and HMRC HM Revenue & Customs officers to check for compliance of tobacco and alcohol being sold within the London borough of Harrow.

10 At approximately 09:50hrs we arrived at Good Morning Superstore, 262 Streatfield Road, Harrow HA3 9BY. I observed a male behind the counter, I now know him as Mr. _____, DOB: _____, Sri Lanka. We explained to him the purpose of our visit. Shortly afterwards at 10:00hrs an Asian female came in to the business premise and Mr Abdullahi and I recognised her from a previous visit that took place last
15 year. This person was the wife of Mr _____, I can now confirm she was Mrs

Signature



E31 Sept 2003


Continuation of witness statement of: Amar Karia

20 I, a shop assistant at Good Morning Superstore. I then issued Mrs
with a Consumer Acts 2015 / Police and Criminal Evidence Act 1984: Code
B notice explaining our powers of inspection due to the fact Mr explained he
was ad hoc worker and not present all the time. Mrs then confirmed the owner
of the business who I know as Mr Amrik Singh Arora was not in the premise during the time
of our visit.

Mr Abdullahi then went behind the counter to inspect the tobacco products for compliance.
Here he came across plastic carrier bag containing cigarettes and other tobacco products,
25 he then placed the items on the counter. Mr Abdullahi then confirmed that none of the
products from the bag had the correct Health Warnings as required and prescribed by the
Tobacco Products (Manufacture, Presentation and Sale) (Safety) Regulations 2002 as
amended. This was then explained to Mrs We then gathered and counted
all the infringing items, all the details were then recorded in my receipt book. Reference
30 number AK/0062. We placed the illicit tobacco into an evidence bag which was then sealed
with a unique numbered security seal 006230. Prior placing these items in to the sealed bag
I took digital photographs of the items. These photographs are exhibited as AK/GMS/2 and
AK/GMS/3 and produced as evidence.

35

| Seal Bag | Description | Quantity | No of Packs |
|----------|------------------------|----------|-------------|
| 006230 | Blue Kent | 180 | 9 |
| | Benson & Hedges (Gold) | 20 | 1 |
| | Marlboro Gold | 40 | 2 |
| | Marlboro Original | 20 | 1 |
| | RMD Guthka (0.14oz) | 11 | - |
| | Mirage Blue (14g) | 1 | - |

Signature 

E31 Sept 2003

Continuation of witness statement of: Amar Karia

The aforementioned items were exhibited as AK/GMS/1.

40 I then completed an inspection summary. During the inspection, I noted there was no
business names displayed, contrary to the Companies House Act 2006. I also added the
seizure of tobacco on the inspection summary. The paperwork was then concluded. After
the paperwork was concluded I asked Mrs to check and read all the
paperwork which included the CRA / Code B notice, the inspection summary and the receipt
(reference: AK/0062) and sign it.

45

This matter was then concluded at 12:10hrs, when we returned to the office I booked in the
evidence (tobacco) in to secure storage.

On 25 February 2016 I sent a copy of the inspection summary to Mr Arora's email address
50 rickyspecial@mail.com

On the 31 March 2016 I conducted an interview under the Police and Criminal Evidence
Act 1984 (PACE) and accompanying codes of practice at Brent Civic Centre, Engineers
Way, Wembley, Middlesex HA9 0FJ. The interview began at 11:15hrs, he was cautioned
55 at 11:16hrs and the interview concluded at 11:21am. Mr Arora was accompanied by his
legal representative Mr Grover. Mr Faulkner was present with me during the interview. I
include a copy of the transcript, exhibited as AK/GMS/4.

60



Signature



E31 Sept 2003



**LONDON BOROUGHS OF
BRENT & HARROW**
 TRADING STANDARDS SERVICE
 249 WILLESDEN LANE, NW2 5JH

EXHIBIT No: AK/GMS/2
 OFFICER: A KARIA
 DATE: 24.3.2016
 SIGNATURE: _____ E4 APR 95

Witness Statement

(C.J.Act 1967 - S.9, M.C. Act 1980 – ss5A(3)(a) and 5B, M.C. Rules 1981 r.70)

Statement of: Amar Karia

Age if under 18: Over 18

Occupation: Enforcement Officer

This statement consisting of 1 page 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 in it anything which I know to be false or do not believe to be true.

Dated 20th June 2016

Signature 


I am employed by the London Boroughs of Brent and Harrow Trading Standards Service as an Enforcement Officer.

5 Further to my Section 9 statements dated 29th April 2016 and 9th May 2016 respectively. I would like to now produce clear pictures of the tobacco products seized.

I booked out sealed bag 006230 containing the tobacco products from the Good Morning Superstore seizure. I then took photographs of the infringing products. They are exhibited
10 as follows: exhibits AK/GMS/6 a picture of samples of tobacco products seized, AK/GMS/7 picture of a packet of RMD Gutkha and AK/GMS/8 picture of Mirage Tobacco.

I then resealed the items in an evidence bag with seal HSL7456.



Signature 

E31 Sept 2003

LONDON BOROUGH OF
BRENT & HARROW
TRADING STANDARDS SERVICE
249 WILLESDEN LANE, NW2 5JH

EXHIBIT NO: AK/Gms/6
OFFICER: A KARIN
DATE: 20/06/2016
SIGNATURE: _____
EX APR 05



LONDON BOROUGH OF
BRENT & HARROW
TRADING STANDARDS SERVICE
249 WILLESDEN LANE, NW2 5JH
EXHIBIT No: AK/GMS/7
OFFICER: A K K A
DATE: 20/06/2016
SIGNATURE: E4 APR 05



LONDON BOROUGHS OF
BRENT & HARROW

TRADING STANDARDS SERVICE
249 WILLESDEN LANE, NW2 5JH

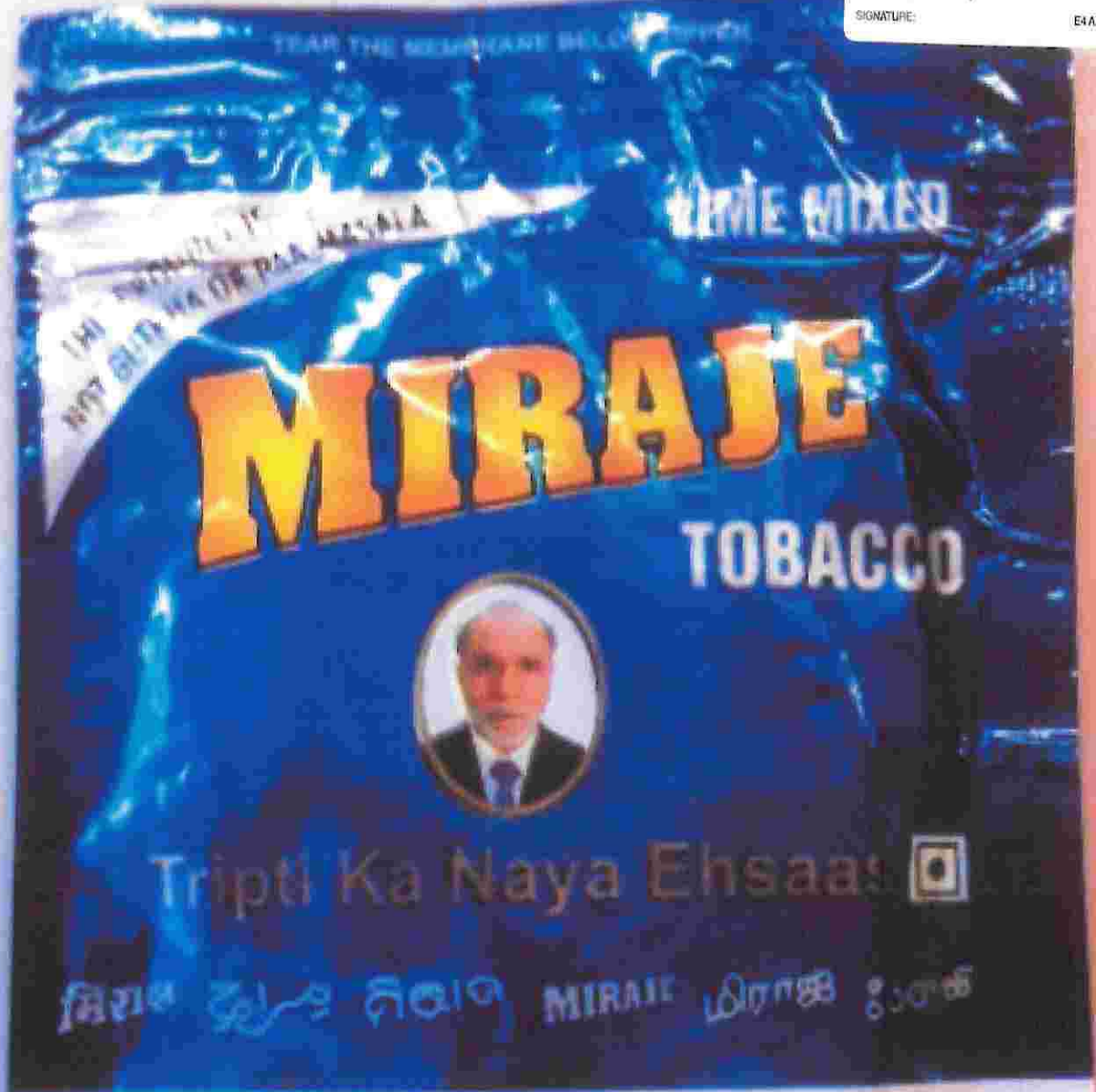
EXHIBIT No: Ak / GMS / 8

OFFICER: A KAR W

DATE: 20/6/2016

SIGNATURE:

E4 APR 95



**WARNING : THIS PRODUCT
IS NOT A SAFE ALTERNATIVE
TO CIGARETTE**

Document 6

THE DIRECTORS
GOOD MORNING SUPERSTORE LTD
262 STREATFIELD ROAD
MIDDLESEX
ENGLAND
HARROW
HA3 9BY

Date: 05/07/2016
Ref: DEF6/08054415

Companies Act 2006 (Section 1000(3))

The Registrar of Companies gives notice that, unless cause is shown to the contrary, at the expiration of 2 months from the above date the name of

GOOD MORNING SUPERSTORE LTD

will be struck off the register and the company will be dissolved.

Upon dissolution all property and rights vested in, or held in trust for, the company are deemed to be bona vacantia, and accordingly will belong to the crown.

FILE COPY



DGA06H6A06

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LICENSING ACT 2003

Premises Licence

Schedule 12
Part A (Regulation 33,34)
HARROW COUNCIL, P O BOX 18, STATION ROAD, HARROW

Premises Licence Number: LN/000000548/2014/4 & 5

Part 1 – Premises details

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

Premier, 262 Streatfield Road, Harrow, Middlesex, HA3 9BY

Telephone Number: 020 8204 8310

Where the licence is time limited, the dates:

N/A

Licensable activities authorised by the licence:

Sale of retail alcohol

Signed by Richard LeBrun
Environmental Services Manager (Public Protection)



SALUS POPULI SUPREMA LEX EST

**Licensable area
Hours open to public**

| | | |
|-----------|---------------|---|
| Sunday | 07:00 - 23:00 | - |
| Monday | 07:00 - 23:00 | - |
| Tuesday | 07:00 - 23:00 | - |
| Wednesday | 07:00 - 23:00 | - |
| Thursday | 07:00 - 23:00 | - |
| Friday | 07:00 - 23:00 | - |
| Saturday | 07:00 - 23:00 | - |

The times the licence authorises the carrying out of licensable activities

Location: Licensable area

Sale of retail alcohol

| | | |
|-----------|---------------|---|
| Sunday | 07:00 - 23:00 | - |
| Monday | 07:00 - 23:00 | - |
| Tuesday | 07:00 - 23:00 | - |
| Wednesday | 07:00 - 23:00 | - |
| Thursday | 07:00 - 23:00 | - |
| Friday | 07:00 - 23:00 | - |
| Saturday | 07:00 - 23:00 | - |

Where the licence authorises supplies of alcohol – whether these are on and/or off supplies

**Sale by retail off premises
Part 2**

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Amrik Singh Arora
40 Badgers Close
Hayes
UB3 1LQ

Telephone: 07956213111

Telephone

Email:

Email:

Registered number of holder, for example company number, charity number (where applicable):

N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol:

**Amrik Singh Arora
40 Badgers Close
Hayes
UB3 1LQ**

Telephone: 07956213111

Personal licence number and issuing authority of personal licence held by designated premises supervisor – where the premises licence authorises for the supply of alcohol:

Hounslow H03056

Annex 1 – Mandatory Conditions

****PLEASE NOTE: MANDATORY CONDITIONS IN GREY DO NOT APPLY****

Mandatory conditions where licence authorises supply of alcohol:

- 1 No supply of alcohol may be made under the premises licence -
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every supply or sale of alcohol made under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory condition where licence requires door supervision:

Where one or more individuals are required to be at the premises to carry out a security activity, such individual(s) must be licensed by the Security Industry Authority.

Mandatory Conditions Order 2010

- 1.—(1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 4.—(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml

(b) customers are made aware of the availability of these measures.

Mandatory Condition order 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a);

(b) “permitted price” is the price found by applying the formula—

$$P = D \div (D + V)$$

where—

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(b).

Mandatory conditions where licence authorises exhibition of films:

(1) The admission of persons under the age of 18 years to exhibitions of films must be restricted in accordance with any recommendation made by the British Board of Film Classification, except where condition 2 applies.

(2) The admission of persons under the age of 18 years to exhibitions of films must be restricted in accordance with any recommendation made by the relevant licensing authority regarding the film in question

Annex 2 - Conditions consistent with the operating Schedule

CONDITION 1: THE CCTV SYSTEM TO BE MAINTAINED AND OPERATED IN GOOD ORDER AND TO THE SATISFACTION OF MET POLICE CRIME PREVENTION OFFICER'S REASONABLE REQUESTS. THE MEDIUM UPON WHICH THE IMAGES ARE RECORDED WILL BE CLEARLY IDENTIFIABLE, STORED SECURELY, RETAINED FOR A PERIOD OF NOT LESS THAN 31 DAYS, AND IT WILL BE MADE AVAILABLE TO COUNCIL AND POLICE OFFICERS ON REQUEST.

CONDITION 2: THE PREMISES WILL ONLY ACCEPT ANY TRADE DELIVERIES OR RUBBISH COLLECTIONS DURING NORMAL WORKING HOURS.

CONDITION 3: THE DPS SHALL ENSURE THAT THE EXTERIOR OF THE PREMISES IS CLEAR OF LITTER.

CONDITION 4: THE PREMISES SHALL OPERATE A "CHALLENGE 21" POLICY FOR SALE OF ALCOHOL.

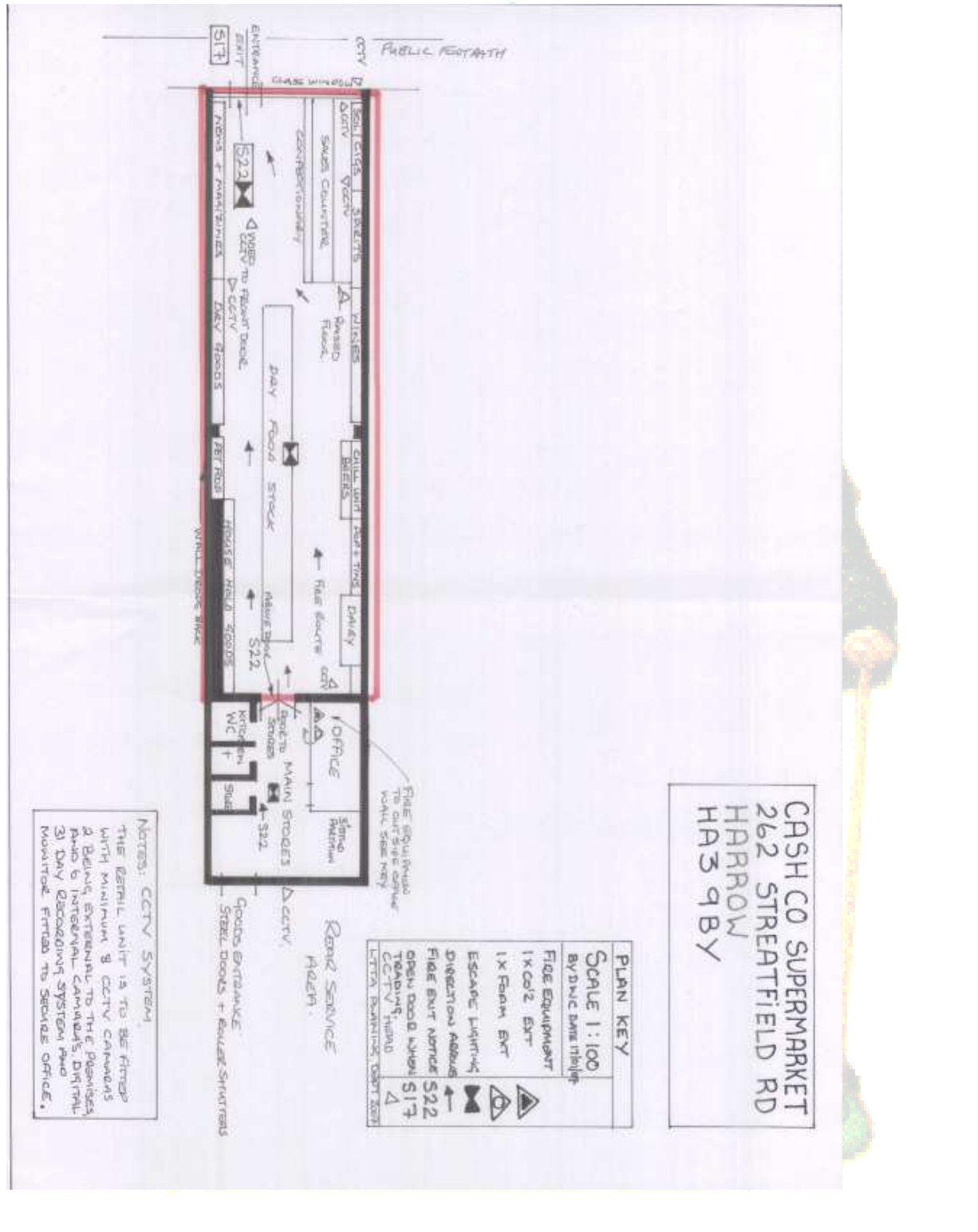
CONDITION 5: THE PREMISES WILL KEEP A REFUSAL REGISTER, ALL REFUSALS BY ANY MEMBER OF STAFF OR THE DPS WILL BE RECORDED. THE REGISTER WILL BE KEPT ON THE PREMISES FOR A MINIMUM OF 24 MONTHS AND MADE AVAILABLE ON REQUEST TO THE POLICE, LOCAL AUTHORITY LICENSING OFFICER & TRADING STANDARDS OFFICERS.

Annex 3 - Conditions attached after a hearing by the licensing authority

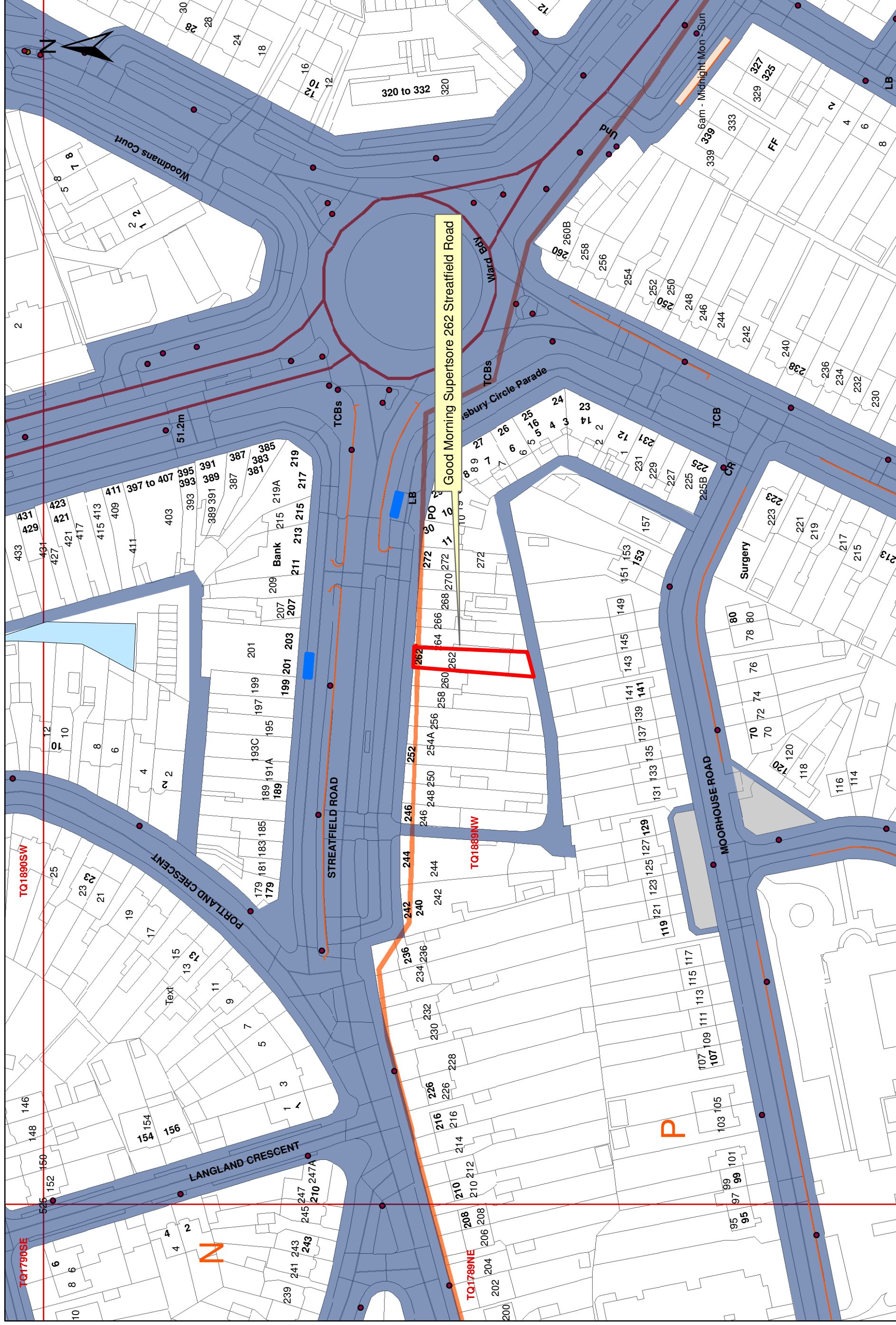
N/A



Annex 4 – Plan



| | |
|------------------------------------|---|
| Date of original grant: 19/02/2007 | Reason for issue: Transfer & Variation Of DPS |
| Date of issue: 24th September 2014 | Issue Number: 4 & 5 |



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