

Licensing Panel

SUPPLEMENTAL AGENDA

DATE: Wednesday 3 July 2019

AGENDA - PART I

5. **APPLICATION FOR REVIEW OF THE PREMISES LICENCE FOR HR FOOD AND WINE, 120 HIGH STREET, WEALDSTONE, HA3 7AL** (Pages 3 - 4)

Additional Information to the report of the Corporate Director Community.

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

5. HR Food and Wine, 120
High Street, Wealdstone,
HA3 7AL

Special Circumstances/Grounds for Urgency

The applicant has provided this information yesterday and requested that this be put forward to the panel for consideration. Members are requested to consider this item, as a matter of urgency.

AGENDA - PART II - Nil

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RESTRICTED (when complete)

MG11C

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: PC Frankie DOWNES

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

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

Witness Signature: Date: 26/06/2019

I am the above named officer and my current role is as licensing officer on the North West Basic Command Unit. I have been in my role for approximately four (4) years. This statements refers to a licensing visit at 120 HIGH STREET WEALDSTONE, HA3 7AL.

On WEDNESDAY 19th JUNE 2019 I was on duty in plain clothes in company with PC WILCOCK 1349NW, conducting licensing visits at two properties in Wealdstone High Street – 1 Masons Avenue, HA3 5AH and 120 High Street, HA3 7AL. The premises licence holder for both venues is Mr Dijeet Singh KAPOOR. Mr KAPOOR is also the premises licence holder for 27 High Street, Wealdstone, HA3 5BY. All three venues are off licences. Officers from the HMRC Individuals and Small Business Compliance Team were also conducting inspections at the same venues. The purpose of the visits was to follow up after an amount of non-duty paid and counterfeit tobacco was found by police at 27 HIGH WEALDSTONE on SATURDAY 18th MAY 2019. The goods seized on this occasion were handed to over to HMRC.

At approximately 1100 hours, I entered 1 MASONS AVENUE, HA3 5AH with PC WILCOCK to find officers from HMRC already on scene at the back of the store. They informed us that they had found some evidence that the owners of the store had been only been paying the duty on some the alcohol purchased from the cash and carry, BERKSHIRE BEVERAGES. We were shown invoices detailing alcohol purchased legitimately, but attached to each invoice was a handwritten receipt which showed the cost of alcohol which had been purchased 'off book' i.e. without the duty being paid. It was also pointed out to me that the price of some of the high strength beer was low, indicating further that the duty had not been paid on some of the stock. Upon being told this information, PC WILCOCK and I made our way to 120 HIGH STREET, WEALDSTONE to speak with staff and preserve any evidence of similar offences. The walk from 1 MASONS AVENUE to 120 HIGH STREET, WEALDSTONE is approximately 2 – 3 minutes. Upon arrival there was a male and female behind the till, and both were rifling through a bag of paper documents. PC WILCOCK and I introduced and identified ourselves as police officers and asked the male and female to put down the paperwork and step out from behind the till. We were then able to see that invoices specifically from BERKSHIRE BEVERAGES were being pulled out and put to one side, with the handwritten receipts, similar to those at the 1MASONS AVENUE store, being ripped and separated from the invoices. I strongly suspect that somebody had placed a call to the male and female to warn them about what was being found at the other venues owned by Mr KAPOOR and had told them to conceal or destroy any similar evidence. Once they were out

Witness Signature:

Signature Witnessed by Signature:.....

Continuation of Statement of:

from behind the till, I explained to the male and female that we were there to conduct a licensing inspection and to look for any non-duty paid or smuggled tobacco or alcohol. I asked them to temporarily close the store for the duration of the visit to which they obliged.

On previous visits to this store, I had encountered staff members who had no right to work in the UK so I asked the male the female to provide me with some form of identification. The female was able to show me her Home Office issued residence permit which identified her as [REDACTED]. I noted that her permit allowed her to work no more than 20 hours per week. I asked her how many hours she works at the store, to which she stated she works whenever she is needed with no set days. I asked her how she manages her hours to ensure that she does not breach her visa, and she stated that she thinks her employer keeps a record but was not sure. She was not able to provide me with this record as it was not on the premises.

The male provided me with a picture of his Home office issued residence permit which identified him as [REDACTED]. The permit showed he was allowed to work in the UK. Both informed me that they are paid in cash and are paid £6.50 an hour. The minimum wage as of April 2019 is £8.21 for those aged 25 and over and £7.70 for those aged 21 to 24.

I proceeded to conduct a licensing inspection as there had been breaches of the conditions of the premises licence at the previous visit on 4th April 2019. On this occasion all of the conditions were being adhered to and no breaches were found. I then noticed that a door at the back of the premises was open and looked to lead to a rear yard and outbuilding. I went to see if there was anything or anyone outside and saw a large amount of stock, mostly beer and other alcohol stacked up in the outbuilding. PC WILCOCK placed a call to the HMRC officers who were still in the process of seizing alcohol at the 1 MASONS AVENUE store to inform them of what had been found. They advised that the outbuilding should be locked and no alcohol removed until they were able to attend the store. After waiting for around an hour for HMRC officers to attend, it was decided that the staff would lock the outbuilding and provide us with the key. The key would be given to HMRC in order that they could go back and seize items as necessary. Both staff members were notified of this and understood that no one was to be allowed to remove or sell any alcohol from the out building until HMRC had concluded their visit. PC WILCOCK and I then left the premises and walked back to 1 MASONS AVENUE to hand the outbuilding key and BERKSHIRE BEVERAGES invoices to HMRC officers.

We were made aware that the goods from this store would be seized on 21st June 2019.

Witness Signature

[REDACTED]

Signature Witnessed by Signature:

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