

# TITLE: TRADING STANDARDS ENFORCEMENT UPDATE

**Committee**

Licensing Committee

**Officer Contact**

Sue Pollitt

**Papers with report**

Appendix 1: Schedule of prosecutions

**Ward(s) affected**

All

## SUMMARY

In April and June 2011, Trading Standards Officers, working in Partnership with the Police and Officers of HMRC, visited a total of 29 off licences/ general grocers in the London Borough of Hillingdon. The purpose of the visits was to detect any illegal alcohol on sale. This report provides details of prosecutions brought by the Council as a result of discovering counterfeit alcohol during those visits.

## RECOMMENDATION

The Committee notes the information contained in the Report.

## INFORMATION

1. On the 7<sup>th</sup> April and the 16<sup>th</sup>, 17<sup>th</sup> and 21<sup>st</sup> June 2011, Trading Standards Officers accompanied by HMRC and Police Officers visited 29 off licences/general grocers in the Borough.
2. The purpose of the visits was to detect any illegal alcohol which may have been on sale or in possession for sale by the traders. This may have been non-duty paid alcohol, to be dealt with by HMRC, or counterfeit alcohol, to be dealt with by Trading Standards.
3. The following table shows the number of premises by findings:

	Number of premises
Non-duty paid alcohol	10
Counterfeit alcohol	7
Both	7
Neither	5

4. In accordance with the Trading Standards Enforcement Policy, taking into account various factors such as the quantity of counterfeit alcohol found, the previous history of the trader, the totality of infringing alcohol (ie was there also duty free alcohol found), 9 Premise licences were called in by Trading Standards for review by the Licensing Committee. Each of these licences was revoked by the Committee. (A number of other licences were called in by the Police.)

5. In addition, in accordance with the Enforcement Policy, further investigations were carried out and 6 infringement reports covering 9 premises were drawn up. In all cases, it was

recommended that criminal proceedings were instigated, alleging offences against the Trade Marks Act 1994.

6. Details of these proceedings and the outcome, where available, are contained in Appendix 1 to this report.

## **BACKGROUND PAPERS**

None

<b>PREMISES</b>	<b>PERSONS PROSECUTED</b>	<b>OUTCOME</b>
<b>Best Food &amp; Wine</b> 61 Station Road West Drayton	1. Aay Kay Ltd  2. Pal Singh Kapoor (Director, Premise Licence holder and DPS)	1. Charges dropped as company was being wound up  2. Fined: 4 x £180, Costs: £500; Victim surcharge: £15
<b>West Drayton Food &amp; Wine</b> 19 Station Road West Drayton	1. Mangalam Ltd  2. Pal Singh Kapoor (Director, Premise Licence holder and DPS)	1. Charges dropped as company was being wound up  2. Fined: 5 x £180; Costs: £500; Victim surcharge: £50
<b>Kwality Foods</b> 670-674 Uxbridge Road Hayes	1. 674 Foods Ltd  2. Satpal Singh Arora (director and DPS)	1. Fined: 6 x £150; Costs: £1463.50; Victim surcharge: £15  2. Fined: 6 x £150; Costs: £1463.50; Victim surcharge: £15
<b>A) Aujla Cash and Carry</b> 266 Yeading Lane Hayes  <b>B) Costcutter</b> 268 Yeading Lane Hayes  <b>C) Aujla Food &amp; Wine</b> 710 Field End Road Eastcote	1. Karamjit Singh Aujla Partner (Premise Licence holder for A and B)  2. Barinderjit Aujla Partner (Premise licence holder and DPS for A and B)	1. Has pleaded Not Guilty to the alleged offences – case management hearing to be held on the 25 <sup>th</sup> September 2012  2. Has pleaded Not Guilty to the alleged offences – case management hearing to be held on the 25 <sup>th</sup> September 2012
<b>A) H&amp;P Food Stores</b> 115-117 Falling Lane West Drayton	Mohammed Sarwar (Sole Trader, Premise Licence holder and DPS)	First hearing to be held on 2 <sup>nd</sup> October 2012

B) Food Booze 123 Falling Lane West Drayton		