



**HILLINGDON**  
LONDON

**Application for the review of a premises licence or club premises certificate under  
the Licensing Act 2003**

I Kiran Seyan, Trading Standards Investigating Officer

**apply for the review of a premises licence under section 51 of the Licensing Act  
2003 for the premises described in Part 1 below**

**Part 1 - Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Guru Kirpa Traders Ltd Ahujas Superstore 1-3 Redmead Road	
<b>Post town</b> Hayes	<b>Post code (if known)</b> UB3 4AU
<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Mr Rajinder Singh Khurana	
<b>Number of premises licence or club premises certificate (if known)</b> LBHIL 592/05	

**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 (please complete (A) below)

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Please tick ✓ yes

Mr  Mrs  Miss  Ms  Other title  
(for example, Rev)

**Surname**

**First names**

**I am 18 years old or over**

Please tick ✓ yes

**Current postal  
address if  
different from  
premises  
address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address  
(optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address  Kiran Seyan Trading Standards Investigating Officer Trading Standards Service London Borough of Hillingdon Civic Centre High Street Uxbridge UB8 1UW
Telephone number (if any) 01895 250164
E-mail address (optional) kseyan@hillingsdon.gov.uk

**This application to review relates to the following licensing objective(s)**

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓



**Please state the ground(s) for review:**

This application to review relates to the licensing objective; the *prevention of crime and disorder*. It concerns the premises Guru Kirpa Traders Ltd, trading as 'Ahujas Superstore' at 1-3 Redmead Road, Hayes UB3 4AU under the following legislation:

- *The Trade Marks Act 1994*  
*Section 92 - Unauthorised use of trade mark*

*(1) A person commits an offence who with a view to gain for himself or another, or with intent to cause loss to another, and without the consent of the proprietor - ...  
(c) has in his possession, custody or control in the course of a business any such goods with a view to the doing of anything, by himself or another, which would be an offence..'*

Mr Rajinder Singh Khurana is the Director for Guru Kirpa Traders Ltd which is the Premises Licence Holder (PLH) for this off-licence premise. He is also the Designated Premises Supervisor (DPS) and holds a personal licence issued by the London Borough of Hillingdon, number 2237. Mr Khurana currently trades under licence number LBHIL 592/05, granted by the London Borough of Hillingdon to permit the sale of alcohol at the premises Guru Kirpa Traders Ltd on 1-3 Redmead Road, Hayes since 14<sup>th</sup> October 2015.

On 7<sup>th</sup> December 2016, officers from the Trading Standards Service and the Metropolitan Police, accompanied by Canine sniffer dogs conducted inspections of premises suspected to sell illicit goods. Concealed tobacco products were seized by Trading Standards; full details of the seized items are listed in the additional information. Counterfeit DVDs were also seized at the time of visit.

As a result of this visit the following breaches of legislation have been reported:

- Having in possession in the course of a business, goods with unauthorised trade marks contrary to *The Trade Marks Act 1994*.

I believe this indicates a flagrant disregard of the law which raises questions as to whether the business is managed in accordance with licensing objectives. Further it raises concerns under the Section 182 Guidance, which states '*There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of licensed premises:.... for the sale or storage of smuggled tobacco and alcohol*'.

In the circumstances, the London Borough of Hillingdon, Trading Standards Service feel that it would be a necessary and proportionate response to request a review of the premises licence with a view to fully revoke the licence.

However if the Committee are minded not to revoke the licence, then we would request they consider a suspension with the following conditions to be added to their licence:

- No alcoholic drinks or tobacco will be purchased by the premises from unannounced sellers calling at the premises.
- All alcohol and tobacco products will be purchased from established and bona fide VAT registered traders, who provide invoices or receipts.
- Invoices for all stock bought will be kept on file for a minimum of 12 months and will be made available to the Police, HMRC officers and Authorised Local

Licensing Act 2003  
Sections 51

Authorities Officers upon request.

**RESPONSIBLE AUTHORITY:** Section 13(4) of the Licensing Act 2003 and Regulation 7 of the Licensing Act 2003 (Premises Licenses and Club Premises Certificates) Regulations 2005 makes a local weights and measures authority a Responsible Authority for the purposes of the legislation. The London Borough of Hillingdon is a local weights and measures authority and that function is carried out by the Trading Standards Service.

Please provide as much information as possible to support the application:

Trading Standards referral:

15<sup>th</sup> August 2016 - Phone call received from an anonymous complainant alleging the sale of illegal tobacco under the counter at this premise.

Inspection visit:

7<sup>th</sup> December 2016: Inspection and seizure visit carried out during a Multi Agency Operation. Officers from Trading Standards and the Metropolitan Police were accompanied by a brand representative and Canine tobacco sniffer dog during inspection. This was an intelligence led visit following receipt of a recent Trading Standards referral mentioned above.

Seized by Trading Standards were the following:

<b>Cigarettes</b>	<b>number</b>
Winston	100
Marlboro	440
Marlboro Gold	1825
Benson & Hedges	2200
	<b>4565</b>

<b>Hand Rolling Tobacco</b>	<b>Quantity (g)</b>
Amber Leaf	1500g
Golden Virginia	1550g
	<b>3050g</b>

<b>Oral Tobacco</b>	<b>Quantity (g)</b>
Tusli Royal	44g
Chaini Khaini	104g
RMD Gutkha	116g
Al Fakher Mint	200g
Kuber	255g
Mirage	490g
Tulsi Mix	1380g
	<b>2589g</b>

Also found were assorted Indian cinema (Bollywood) DVDs, approximately 450 in quantity.

Confirmation of status:

Samples of the seized tobacco were sent to their respective brand representatives to confirm they were legal for sale.

<b>Cigarettes</b>	<b>Status</b>
Winston	Counterfeit
Marlboro	Counterfeit
Marlboro Gold	Counterfeit
Benson & Hedges	Counterfeit

<b>Hand Rolling Tobacco</b>	<b>Status</b>
Amber Leaf	Counterfeit
Golden Virginia	Counterfeit

<b>Oral Tobacco</b>	<b>Status</b>
Tusli Royal	Non Duty Paid
Chaini Khaini	Non Duty Paid
RMD Gutkha	Non Duty Paid
Al Fakher Mint	Non Duty Paid
Kuber	Non Duty Paid
Mirage	Non Duty Paid
Tulsi Mix	Non Duty Paid

The assorted Indian cinema (Bollywood) DVDs were confirmed as counterfeit.

Other supporting evidence:

- Witness statement from Kiran Seyan (Trading Standards)
- Legal notices issued.

Licensing Act 2003  
Sections 51

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

--	--	--	--	--	--	--	--

**If you have made representations before relating to the premises please state what they were and when you made them**

Non applicable

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

[Redacted Signature]

Date 12/05/17

Capacity Trading Standards Investigating Officer

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 6)

Post town

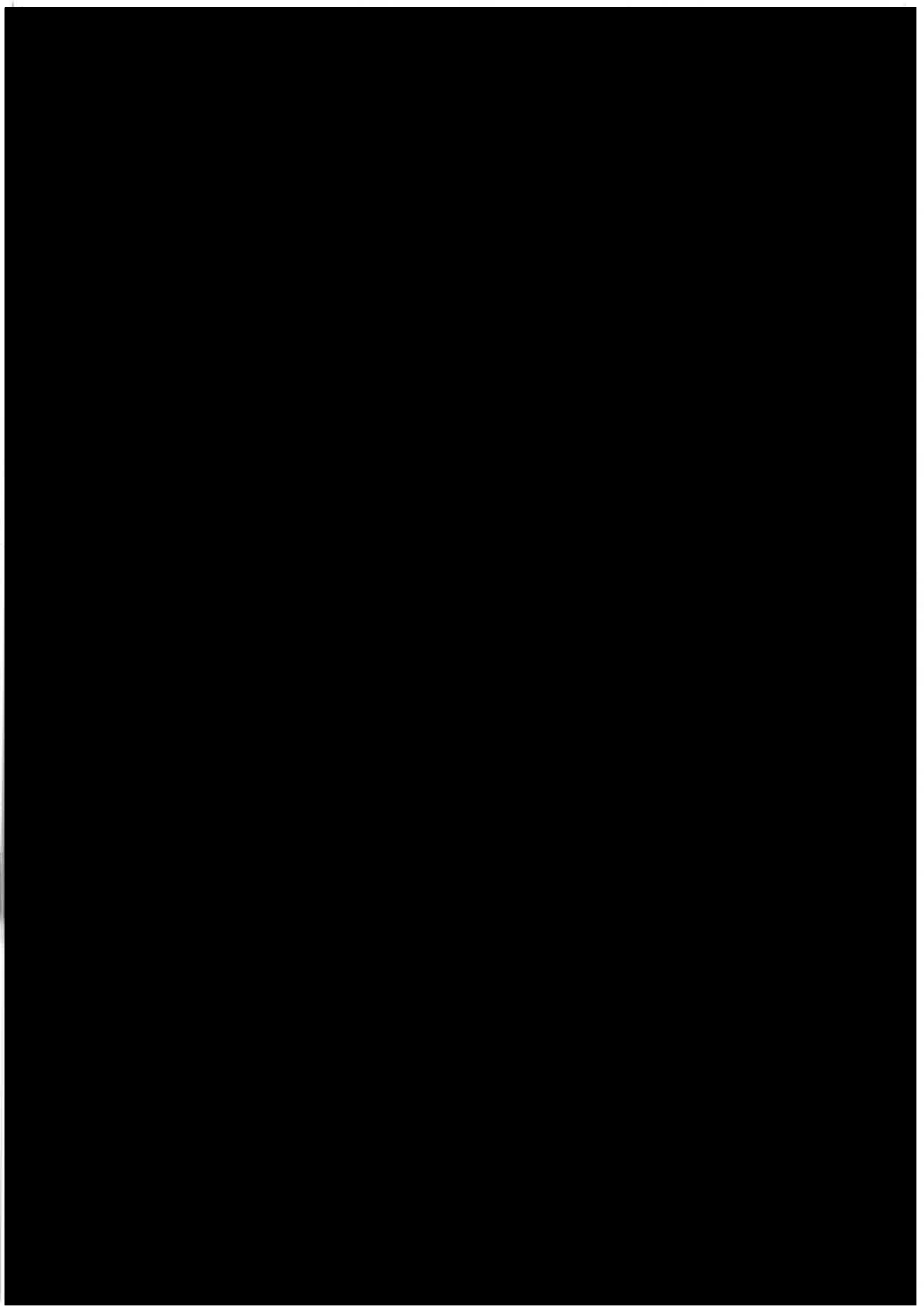
Post Code

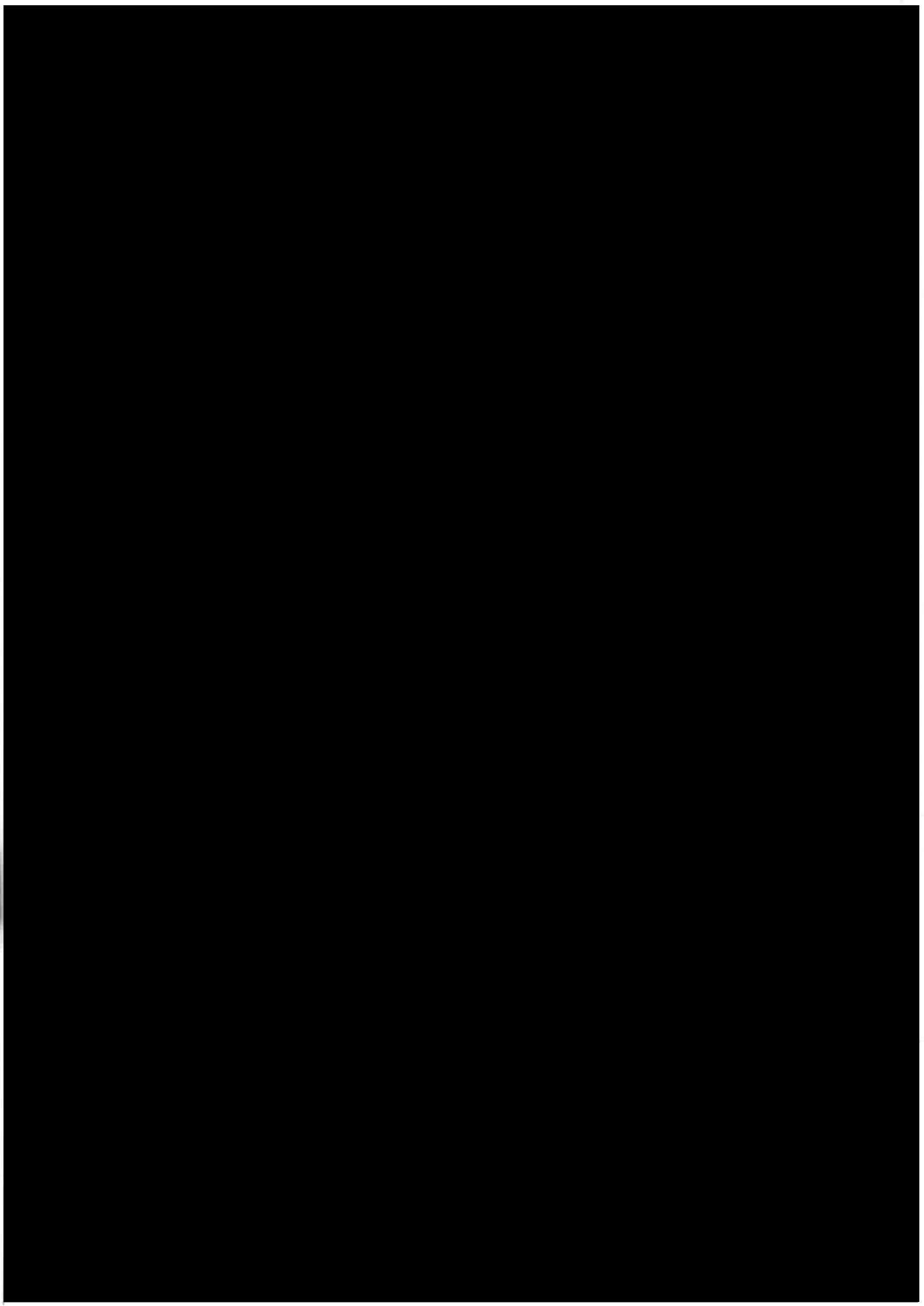
Telephone number (if any)

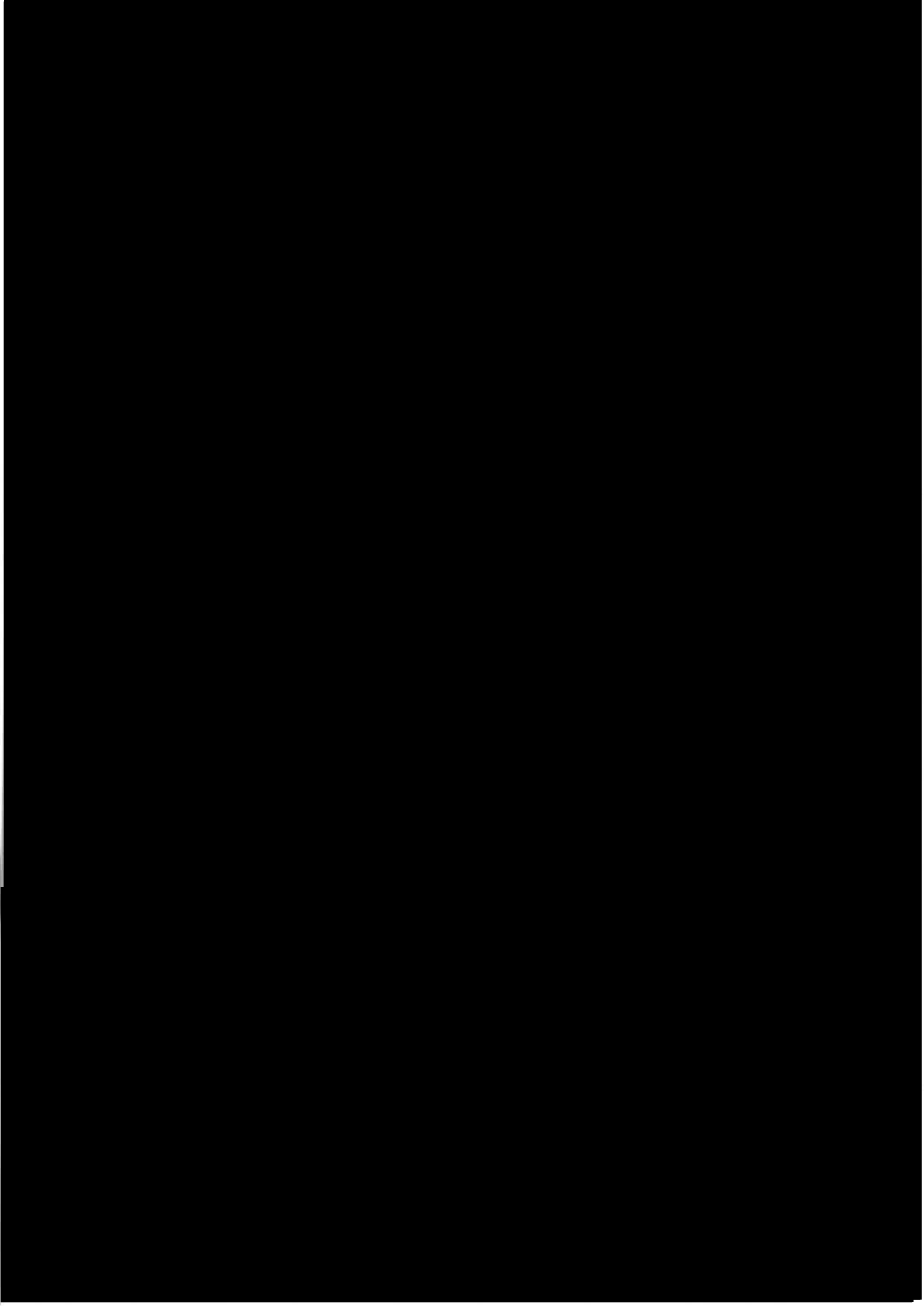
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

**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.







GKS/1



Notice No: 0059

APP Ref: 8587

# HILLINGDON

LONDON

## NOTICE OF POWERS AND RIGHTS

Business/trader name: BURM KIRPA TRADERS LTD / AHUNAS SUPERSTORE

Address of business/trader: 1-3 REDMEAD ROAD  
HAYES UBS 4AU

Officer issuing notice: K. SEYAN Date notice issued: 7/12/16

Advance notice of entry to premises already given: YES (number) ..... NO

Justice's warrant used: YES  NO

This notice is issued under (tick box & enter time of visit as appropriate):

<input checked="" type="checkbox"/>	12.00	Code B of the Police and Criminal Evidence Act 1984 (Paragraph 6.7)
<input checked="" type="checkbox"/>	11.53	Consumer Rights Act 2015 (Schedule 5, Paragraph 23(7))
<input checked="" type="checkbox"/>	11.53	Protection of Freedoms Act 2012 (Home Office 'Code of Practice - Powers of Entry')

**We have not given 48 hours prior Notice of Inspection because:** (not applicable for Code B)

- Consent is given for the inspection to take place
- There is reasonable suspicion of a breach of legislation
- Giving notice would defeat the purpose of the inspection
- Giving notice is not reasonably practicable
- This is a market surveillance visit - see Consumer Rights Act 2015 Schedule 5 Para 23(6)

### Purpose of entry

A duly authorised officer from the Hillingdon Trading Standards Service is conducting this inspection/visit to ensure compliance with legislation that it enforces. The officer may be accompanied by such persons, and may take onto premises such equipment, as the officer thinks necessary. (P.T.O. for further information).

### Obstruction Offence

Obstructing a duly authorised officer is a criminal offence punishable by fine and/or imprisonment. Obstruction includes:

- Where a person intentionally obstructs an officer;
- Intentionally failing to comply with a requirement properly imposed by an officer;
- Without reasonable cause fails to give an officer assistance or information reasonably considered necessary;
- Makes a statement which a person knows is false or misleading in a material respect;
- Recklessly makes a statement that is false or misleading in a material respect;

Nothing requires a person to answer any question or give any information if to do so might incriminate that person.

Handed to: MOHAMED IQBAL Officer: K. SEYAN

Position: STAFF Title: TRADING STANDARDS OFFICER

Signed: [Redacted] Signed: [Redacted] Date: 7/12/16

### Amendments:

Notice amended? YES  Witnessed by: MARTIN KINGS Name: A. SEYAN Position: TSO

[Redacted Signature]



HILLINGDON LONDON

Page 1 of 2

Seizure Notice N° 1224

Name: GURU KIRPA TRADERS LTD / T/A ANNA SUPERSTORE
Address: 3 REDMEAD ROAD HAYES UB3 4AU Date: 7/12/16

TRADE MARKS ACT. THIS IS TO CERTIFY THAT, acting in accordance with powers granted under the legislation mentioned above, an officer from the Trading Standards Service has seized the item(s) listed below\* on the attached Schedule(s) No. ....\* (\*delete as appropriate).
Property: ASSORTED QUANTITY OF TOBACCO.
Location: STORE ROOM SHELVES

Seal N°: A005940
Property: QUANTITY OF MARLBORO GOLD.
Location: STORE ROOM SHELVES
Seal N°: A005934

Recipient: MR RAJINDER SINGH KHURANA. Signed: [Redacted]
Position: OWNER. Name: K. SEYAN
Signed: [Redacted] Title: TRADING STANDARDS OFFICER

Trading Standards Service
Planning, Environment, Education & Community Services
T.01895 250164 F.01895 277443
tradingstandards@hillingdon.gov.uk
www.hillingdon.gov.uk/tradingstandards
London Borough of Hillingdon,
3S/01, Civic Centre, High Street, Uxbridge, UB8 1UW



Trading Standards Service

Page 2

Tel: 01895 250164
Fax: 01895 277443
email: tradstad@hillingdon.gov.uk

Schedule of Seized Property N° 1224

Property: QUANTITY OF ASSORTED HAND ROLLING TOBACCO
Location: STORE ROOM SHELVES
Seal N°: A005838

Property: QUANTITY OF MARLBORO GOLD.
Location: STORE ROOM SHELVES
Seal N°: A005935

Property: QUANTITY OF DVDS ASSORTED.
Location: STORE ROOM SHELVES.
Seal N°: A005807

Property: ASSORTED TOBACCO.
Location: BEHIND COUNTER.
Seal N°: A005949

Property: ASSORTED TOBACCO. OPEN PACKET MARLBORO
Location: BEHIND COUNTER.
Seal N°: A005945

Making a difference

Trading Standards Service, Environmental Services Group, London Borough of Hillingdon
3S/01, Civic Centre, High Street, Uxbridge, UB8 1UW
www.hillingdon.gov.uk



# HILLINGDON LONDON

## Forfeiture Notice - Disclaimer

I ..... **GURU KIRPA TRADERS LTD.**  
trading as ..... **AHUJAS SUPERSTORE**  
at ..... **3 REDMEAD ROAD, HAYES UB3 4AU**  
hereby now, and for all time in the future, renounce completely all claims, rights and ownership in the goods described in the attached, signed schedule(s) in favour of the London Borough of Hillingdon Trading Standards Service. The goods were ~~seized~~/~~suspended~~/~~detained~~\* (\*delete as required)  
at ..... **3 RED MEAD ROAD, HAYES.**  
on ..... **7<sup>th</sup> DECEMBER 2016.**

In furtherance to this disclaimer, I also indemnify the Chief Inspector of Weights and Measures and each member of the London Borough of Hillingdon Trading Standards Service from all claims and demands that may be made in respect thereof, and all proceedings, actions and costs as between solicitor and his client that may arise in connection therewith.

Signed: ..... Date: **7/12/16**

## SCHEDULE OF FORFEITED GOODS

**Description:**  
**ASSORTED TOBACCO } NOTED ON SEIZURE**  
**ASSORTED DVDs } NOTICE #1224 (2 PAGES)**  
**FOR CONTRAVENTION OF TRADE MARKS ACT.**

The London Borough of Hillingdon reserves the right to dispose of the said goods in any manner it deems fitting. Disposal will be effected after a period of not less than six months from the date of this document.

Officer's Name: **K. SEYAN.** Signed: .....  
Title: **TRADING STANDARDS OFFICER** Date: **7/12/16**





Office Copy

# HILLINGDON

LONDON

To: MR RAJINDER SINGH KHURANA.  
GURU KIRPA TRADERS LTD.  
1-3 REDMEAD ROAD  
HAYES  
UB3 4AU.  
 ☎ 07863 115277.

Companies Act	
Consumer Credit Act	
Cons Prot Act (Safety)	
Cons Prot Unf Trading Regs	
Explosives Act(s)	
Hallmarking Act	
Prices Act	
Weights and Measures Act	
(Specify)	
TRADE MARKS ACT	✓
No Infringements	

Dear Sir / Madam

Re: INSPECTION VISIT

Comments: JOINT INSPECTION VISIT WITH  
TRADING STANDARDS + POLICE PLUS  
TOBACCO SNIFFER DOG CANINE UNIT.  
NOTICE OF POWERS # 0059  
AMENDED FOLLOWING DISCOVERY OF CONCEALED TOBACCO  
SEIZURE NOTICE # 1224. (2 PAGES).  
FORFEITURE NOTICE # 0016.

PERSONAL LICENCE - LBHIL2237. ON DISPLAY.  
NO PREMISES. LICENSE ON DISPLAY. COULD NOT FIND

**TAKE NOTICE** that it is alleged that you have contravened the provisions of the legislation indicated above. This notice is to inform you that the matters above need your attention and an officer of this Service may revisit this premises in ..... days to ensure effective action has been taken. (Failure to take corrective action may result in prosecution). If you wish to discuss these, or any other Trading Standards matters, please telephone 01895 250164.

Handed to: MR. RAJINDER S. KHURANA Officer: K. SEYAN

Position: OWNER/DIRECTOR/DPS. Title: TRADING STANDARDS OFFICER

Signed:  Signed:  Date: 7/12/16

Complied with:



INVESTOR IN PEOPLE

Trading Standards Service  
 Planning, Environment, Education and Community Services  
 T.01895 250164 F.01895 277443  
 tradingstandards@hillington.gov.uk www.hillingdon.gov.uk/tradingstandards  
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