



**HILLINGDON**  
LONDON

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

I Kiran Seyan, Senior Trading Standards 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**

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

Best Food & Wine  
61 Station Road

**Post town**  
West Drayton

**Post code (if known)**  
UB7 7LR

**Name of premises licence holder or club holding club premises certificate (if known)**

Mr Harmeet Khaneja

**Number of premises licence or club premises certificate (if known)**

**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)

Licensing Act 2003  
Sections 51 and 87

**(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)

Licensing Act 2003  
Sections 51 and 87

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

Name and address Kiran Seyan Trading Standards Service London Borough of Hillingdon Civic Centre High Street Uxbridge UB8 1UW
Telephone number (if any) 01895 277423
E-mail address (optional) kseyan@hillington.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 grounds for review**

This application to review by the Trading Standards Service (TSS), relates to the business trading as Best Food & Wine at 61 Station Road, West Drayton UB7 7LT.

It has been submitted under the **Licensing objective; the prevention of crime and disorder.**

And for consideration under the **Licensing Act 2003 - Section 183 Guidance**, which states that:

*'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'*

And under the **Trading Standards** legislation:  
[relating to the seized goods]

- **The Trade Marks Act 1994**  
*Section 92 - unauthorized used of trade mark in relation to goods*  
This applies to counterfeit tobacco, which is smuggled tobacco.
- **The Consumer Protection from Unfair Trading Regulations 2008**  
*Regulation 3 - prohibition of unfair commercial practices - stating or otherwise creating the impression that a product can legally be sold when it cannot.*  
This applies to non-duty paid tobacco, which is smuggled tobacco.
- **The Standardised Packaging of Tobacco Products Regulations 2015**  
*Regulation 15 - Offences*  
This applied to non-standardised tobacco products
- **The Tobacco and Related Products Regulations 2016**  
*Part 2 - Labelling / General and Health Warnings*  
This applies to the incorrect labelling / warnings on tobacco products.

The premise currently trades under the licence number MAU014130, granted by the London Borough of Hillingdon to permit the sale of alcohol since 20<sup>th</sup> February 2017. Mr Harmeet Khaneja is the Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) for Best Food & Wine. Mr Khaneja also holds a personal licence, obtained from the London Borough of Hillingdon no.

On 27<sup>th</sup> August 2019 acting on intelligence received, the Trading Standards Service accompanied by tobacco detection dogs conducted inspections of premises suspected of selling illicit goods. Illegal tobacco products and medicinal products were found concealed on the premises, and were seized by officers. Full details of the seized items are listed in the additional information. As a result of this visit breaches of the above mentioned legislation have been recorded.

The Service believes that this indicates a disregard of the legislation which raises questions as to how the business is managed. Also it is noted that Mr Khaneja is also the owner of another off-licence premises located in the Borough.

In the circumstances, the London Borough of Hillingdon Trading Standards Service feel that it would be a proportionate response to request the review of the premises licence with a view to suspend the licence for a 3 month period to allow the owner to bring his business into compliance.

Also to consider the addition of conditions to the licence:

- All alcohol and tobacco products will be purchased from established and bonafide VAT registered traders, who provide invoices / 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 Authorities officers (including Trading Standards) 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 measure 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**

On 27<sup>th</sup> August 2019, an inspection and seizure visit was carried out by officers from Trading Standards. They were accompanied by tobacco detection dogs to identify concealments of tobacco.

This was an intelligence led visit following receipt of a recent complaint from a concerned parent who had found non-standardised Amber Leaf product on their child. The trader was visited by an officer earlier in the year who provided advice with regards to age restricted goods. A tobacco test purchase was also conducted on 30<sup>th</sup> August 2019 and they did not sell to the underage volunteer.

Seized by Trading Standards were the following:

(\* = Further status info pending)

<b>Cigarettes</b>	<b>number</b>	<b>status</b>
Marlboro Gold	1560	* Non-standardised Incorrect Warning
Benson & Hedges	400	Non-Duty Paid Non-standardised
KENT Core	320	Non-Duty Paid Non-standardised Incorrect Warning
Lambert & Butler	140	Counterfeit
L&M Link Blue	120	* Non-standardised Incorrect Warning
Marlboro Ice Blast	80	* Non-standardised
Royals Filter	19	Non-standardised
Richmond Superkings	10	Non-standardised
Superkings	10	Non-standardised
<b>TOTAL</b>	<b>2659</b>	

[They were found in:- a box on top shelf of left side of shop, and under the tobacco gantry in amongst genuine stock]

<b>Handrolling Tobacco</b>	<b>g</b>	<b>status</b>
Amber Leaf	500	Counterfeit Non-standardised Incorrect Warning
Golden Virginia	250	Counterfeit Non-standardised Incorrect Warning
Clan Aromatic	225	Non-standardised
Ashford Bright	100	Non-standardised
<b>TOTAL</b>	<b>1075g</b>	

[They were found in:- a box on top shelf of left side of shop, and under the tobacco gantry in amongst genuine stock]

Oral Tobacco	g	status
Tulsi	32	Non-Duty Paid Incorrect Warning
<b>TOTAL</b>	<b>32g</b>	

[They were found in:- shelf under shop counter]

Medicinal Products	number	status
Sildenafil citrate (Viagra)	59	Trader is not registered to sell this product
<b>TOTAL</b>	<b>59 tablets</b>	

[They were found in:- in draw under counter and in cash till]

Status of seized products:

Samples of seized products were sent to their respective brand representatives to confirm whether they were legal for sale. Those already received are noted above. Where marked with an asterix, we are still awaiting confirmation on certain status information.

Medicinal products have been raised with the Medicines and Healthcare products Regulatory Agency (MHRA). Sildenafil citrate (Viagra) is a medicinal product that is available without prescription but only at pharmacies.

Estimated pricing of products:

An average 20 pack of cigarettes is sold for approximately £10, on this basis the estimated profit for the cigarette packets would be **£1320**.

An average 50g pouch of handrolling tobacco is sold for approximately £10, on this basis the estimated profit for the pouches would be **£210**.

Oral tobacco packets sell for an average of 50p per 10g pack, on this basis the estimated profit would be **£1.60**

Viagra is sold by traders under the counter for approximately 50p per tablet, on this basis the estimated profit would be **£30**.

The total amount is therefore = **£1562**

Other supporting evidence:

Photos taken on the day of inspection and seizure



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**

**Signature of applicant or applicant's solicitor or other duly authorised agent**

Signature **K Seyan**

Date **12<sup>th</sup> December 2019**

Capacity **Senior Trading Standards Officer**

<b>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)</b>	
<b>Post town</b>	<b>Post Code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	

**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.

Appendix 1

Appendix 1







Appendix 1







