

Licensing Act 2003  
Sections 51 and 87



**HILLINGDON**  
LONDON

**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 King-Yip Cheung, 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 (delete as applicable)**

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

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

Costcutter  
24 High Street  
Harefield  
UB9 6BU

**Post town**  
Harefield

**Post code (if known)**  
UB9 6BU

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

Taranjit Kaur Tal

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

484/05

**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)

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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  King-Yip Cheung Senior Trading Standards Officer Civic Centre (2E/07) High Street Uxbridge UB8 1UW
Telephone number (if any)
E-mail address (optional) kcheung@hillington.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 | <input checked="" type="checkbox"/> |
| 2) public safety                        | <input type="checkbox"/>            |
| 3) the prevention of public nuisance    | <input type="checkbox"/>            |
| 4) the protection of children from harm | <input type="checkbox"/>            |

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

This application to review relates to the business trading as Costcutter, 24 High Street, Harefield, UB9 6BU. The business is owned by a company Harefield Food & Wine Limited (Company Number: 08502403) incorporated on 24 April 2013.

The Director of the business is Mrs Taranjit Kaur Tal. She is also the Designated Premises Supervisor and the Premises Licence Holder for the business. She has a personal licence issued by the London Borough of Hounslow, number 2043. Mrs Tal currently trades under licence number LBH484/05, granted by the London Borough of Hillingdon to permit the sale of alcohol at the above premises since 2013.

This application is submitted under the **Licensing objective; the prevention of crime and disorder**. It is believed that the business has contravened the following trading standards legislation: the Trade Marks Act 1994 (possession of counterfeit tobacco); the Consumer Protection from Unfair Trading Regulations 2008 (possession of non duty paid alcohol and tobacco); the Tobacco and Related Products Regulations 2016 (possession of tobacco containing health warnings in languages other than English); and the Standardised Packaging of Tobacco Products Regulations 2015 (possession of tobacco not in standardised packaging).

Also, **Section 182 Guidance under the Licensing Act 2003 paragraph 11.27**, 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.'*

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On 27 August 2019, acting on intelligence received, Trading Standards Officers inspected the premises of Costcutter, 24 High Street, Harefield in order to establish if illegal tobacco and alcohol was being sold.

A quantity of illegal tobacco and alcohol were found concealed on the premises. These were seized by Trading Standards Officers. As a result of this inspection, breaches of the aforementioned legislation has been recorded.

The Trading Standards Service believes that this indicates a complete disregard of the law which raises questions as to how the business is managed.

In the circumstances, the Trading Standards Service feels that it would be a proportionate response to request the review of the premises licence. The Trading Standards Service recommends that the premises licence is suspended for a period of three months to allow the owner to bring his business into compliance.

The Trading Standards Service would also like the Licensing Sub-Committee to consider adding the following conditions to the premises licence:

- All alcohol and tobacco products will be purchased from established and bona fide VAT registered traders who provide receipts and invoices;
- Invoices for all stock will be kept on file for a minimum of 12 months and will be made available to police officers, HMRC officers, and authorised local authority officers (including Trading Standards 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 (please read guidance note 3)**

The Trading Standards Service received information that the business "Costcutter" were supplying illicit tobacco. In order to investigate this allegation, on 27 August 2019, Costcutter was subject to an enforcement visit by officers of the Trading Standards Service. Also present was a tobacco detection dog (with handler) from B.W.Y. Canine to identify any illicit tobacco that might be stored at the premises.

Illicit tobacco was found on the retail premises concealed in a carrier bag under the till counter. There was also illicit tobacco concealed in the stock room of the shop. Non duty paid Smirnoff Vodka, Glens Vodka and High Commissioner Whisky was found on the shelf display and also in the rear stock room of the shop.

All suspected illicit tobacco and alcohol was seized by Trading Standards. Samples of the seized products were submitted to their respective brand representatives to confirm whether the goods were genuine, counterfeit or non duty paid. Some tobacco products were found to be genuine and legal. These were returned to the business.

The following illegal products were found contained in a black plastic bag located under the counter by the till.

<b>Product description</b>	<b>Number of packs (quantity of cigarettes)</b>	<b>Status</b>
Marlboro White (20 pack)	4 (80)	Counterfeit / non-plain packaging
Marlboro Gold (20 pack)	4 (80)	Counterfeit
B&H Switch Blue (20 pack)	2 (40)	Non-plain packaging
L&M Link (20 pack)	4 (80)	Non-plain packaging
<b>TOTAL</b>	<b>14 (280)</b>	

The following illegal products were found contained in a Tesco plastic bag located in the rear red door store room.

<b>Product description</b>	<b>Number of packs (quantity of cigarettes)</b>	<b>Status</b>
Marlboro White (20 pack)	12 (240)	Counterfeit / non-plain packaging
Marlboro Gold (20 pack)	8 (160)	Counterfeit
B&H Switch Blue (20 pack)	6 (120)	Non-plain packaging
L&M Link (20 pack)	10 (200)	Non-plain packaging
<b>TOTAL</b>	<b>36 (720)</b>	

The following illegal products were found on the shelf behind the counter.

<b>Product description</b>	<b>Number of bottles</b>	<b>Status</b>
70 cl High commissioner whisky	4	Non-duty paid
1 Litre High commissioner whisky	3	Non-duty paid
1 Litre Glens Vodka	5	Non-duty paid
1 Litre Smirnoff No. 21 Vodka	4	Non-duty paid
70 cl Smirnoff No. 21 Vodka	4	Non-duty paid
<b>TOTAL</b>	<b>20</b>	

The following illegal products were found in the rear red door store room.

Product description	Number of bottles	Status
1 Litre Glens Vodka	6	Non-duty paid
1 Litre Smirnoff No. 21 Vodka	5	Non-duty paid
1 High Commissioner whisky	3	Non-duty paid
<b>TOTAL</b>	<b>14</b>	

It should be noted the Marlboro and L&M Link tobacco samples were submitted to Marks & Clerk Solicitors the brand representative for these tobacco brands. The Trading Standards Service still await confirmation from Marks & Clerk Solicitors that the tobacco is counterfeit and, or non duty paid / non-plain packaging. However, it is clear the Marlboro White and Marlboro Gold is counterfeit as all the packets have the same serial number printed on the packaging. Genuine product has different serial numbers on each pack. Also it is evident the L&M Link tobacco is in non-plain packaging, and has non English health warnings, and non duty paid.

Marlboro White cigarettes - Counterfeit as all seized 16 packs have the same serial number.



Marlboro Gold cigarettes - Counterfeit as all seized 12 packs have the same serial number.





8 packets B&H Switch Blue and 14 packets L&M Link cigarettes all seized - B&H Switch Blue non-plain packaging and intended for sale in Nigeria; L&M Link non-plain packaging, non duty paid and non English health warnings.



**Total quantity of illicit products seized**

50 packets of cigarettes  
34 Bottles of Alcohol

Also attached to this application are photographs taken during the inspection of the premises and the seized products.





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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

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**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

.....

Date 10 June 2020

.....

Capacity Senior Trading Standards 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.