



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 Northwood Food & Wine 13 The Broadway Joel Street	
Post town Northwood	Post code (if known) HA6 1NU

Name of premises licence holder or club holding club premises certificate (if known) Mr Ramandeep Singh

Number of premises licence or club premises certificate (if known) LBHIL 628/06

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

Please tick ✓ yes

I am 18 years old or over

**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 Service London Borough of Hillingdon Civic Centre High Street Uxbridge UB8 1UW
Telephone number (if any) 01895 277423
E-mail address (optional) kseyan@hillingdon.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 ✓

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Please state the ground(s) for review:

This application to review by the Trading Standards Service relates to the licensing objective; *the prevention of crime and disorder*. It concerns the business Mansheen Enterprises Limited trading as Northwood Food & Wine at 13 The Broadway, Joel Street, Northwood HA6 1NU.

Mr Ramandeep Singh is the sole Director of Mansheen Enterprises Limited. He is the Designated Premises Supervisor (DPS) and Premises Licence Holder for the retail premises. Mr Singh holds a personal licence issued to him by the London Borough of Ealing, no. 03640. Mr Singh currently trades under licence number LBHIL 628/06, granted by the London Borough of Hillingdon to permit the sale of alcohol at the premises Northwood Food & Wine at 13 The Broadway, Joel Street, Northwood HA6 1NU since 10th December 2012.

On 20th November 2019, the Trading Standards Service accompanied by a representative from the Alcohol Spirit industry and tobacco detection dogs plus handler conducted inspection visits at premises suspected to be selling illicit goods. Northwood Food & Wine was inspected on this day and concealments of tobacco products were found and seized by Trading Standards; full details of the seized items are listed in the additional information.

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

- Having in possession in the course of a business, tobacco products bearing a registered trademark contrary to *The Trade Marks Act 1994*. (This applies to counterfeit tobacco.)
- Engaging in a commercial practice; creating the impression that a product can legally be sold when it cannot contrary to *The Consumer Protection from Unfair Trading Regulations 2008*. (This applies to the non-duty paid tobacco)

The Service find this to indicate a disregard of the law which raises concerns as to whether the business is managed in accordance with licensing objectives. Therefore, we must consider 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 the Committee to consider a suspension of up to 3 months with the following conditions to be added to their licence:

- All alcohol and tobacco products be purchased from established 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 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)

Trading Standards referral:

1st October 2019 - Complaint alleging the sale of individual cigarettes to underage children from Northwood Food & Wine.

13th October 2019 - Trading Standards visit conducted to provide underage sales advice. Met with the store manager, Mr Amit Patel. Owner not present at time of visit. Officer reported that they felt that potential illegal activity may be taking place at the premises.

Inspection visit:

20th November 2019 – Inspection and seizure visit carried out by Trading Standards officers and tobacco detection dog unit. This was an intelligence led visit following receipt of recent referral and advice visit, mentioned above.

Owner, Mr Ramandeep Singh not present at the time of visit but arrived before we left. Spoke with the Manager Mr Amit Patel. Oral tobacco found in M&M containers behind the counter till. Cigarettes and hand rolling tobacco found inside a blue metal cabinet located in the storeroom.

Seized by Trading Standards were the following:

Cigarettes	Quantity (no.)	Status
Marlboro Gold	720	Counterfeit
Marlboro (Red)	400	Counterfeit
Marlboro Icons edition	100	Non-Duty (Poland)
Richmond	200	Counterfeit
Rothmans	120	Non-Standardised
Total	1,540	

Hand Rolling Tobacco	Quantity (g)	Status
Amber Leaf	1,500	Counterfeit
Total	1,500g	

Oral Tobacco	Quantity (g)	Status
Mirage	320	Non-Duty
Udta Panche	240	Non-Duty
Tulsi	170	Non-Duty
Kuber	525	Non-Duty
RMD Gutka	264	Non-Duty
Total	1,519g	

Confirmation of tobacco status:

Samples of seized tobacco were sent to their respective brand representatives to confirm whether they were legal for sale. Due to the CoVID Lockdown period, there was a delay in obtaining results for Marlboro products, only received on 28th August 2020. Hence why the review application has been submitted in September.

Estimated value of seized goods:

The cigarettes seized were 1540 in total; with 1320 confirmed counterfeit, 100 non-duty paid. None were in the required standardised packaging and are likely to have sold for approximately £5 per 20 cigarette pack. These would be valued at 77 packets x £5 = **£385.00**

The hand rolling tobacco was in foreign labelled, non-standardised packaging and confirmed counterfeit. It would be sold on average for £5-7 per 50g pouch. There were 30 pouches of 50g seized. These would be valued at 30 x £6 = **£180.00**

The oral tobacco, all non-duty paid was labelled with selling prices noted on the M&M box in which they were contained: -

Priced at	Quantity		Total
Mirage £1.20	16 packs of 20g	16 x £1.20 =	£19.20
Udta Panche £1	16 packs of 15g	16 x £1 =	£16
Tulsi £0.40	85 packs of 2g	85 x £0.40 =	£34
Kuber £1	35 packs of 15g	35 x £1 =	£35
RMD Gutka £0.60	66 packs of 4g	66 x £0.60 =	£39.60
TOTAL			£143.80

Therefore, I estimate the total value of the goods seized to be =
£385.00 + £180.00 + £143.80 = **£708.80**

Interview under caution:

Due to the CoVID Lockdown, Mr Singh was interviewed under caution by letter. In his responses to the question posed regarding his possession of illicit tobacco he stated that the cigarettes were from duty free purchases made during his visits abroad. That they were not meant for retail purposes or to be part of business sales. These were for gifts and personal consumption of friends.

The oral tobacco was purchased from a private vendor who did not provide a receipt for the sale. He was not aware that these are not legal for sale.

Have you made an application for review relating to the premises before

Please tick ✓ **yes**

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

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 K Seyan

Date 2nd September 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.