



Meeting of the

LICENSING SUB COMMITTEE

Tuesday, 26 October 2010 at 6.30 p.m.

A G E N D A

VENUE

M71, 7th Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London,
E14 2BG

Members:	Ward Represented
Chair: Councillor Carlo Gibbs	Bethnal Green North;
Councillor Rajib Ahmed	East India & Lansbury;
Councillor Amy Whitelock	Mile End & Globe Town;

If you require any further information relating to this meeting, would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact:

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LONDON BOROUGH OF TOWER HAMLETS

LICENSING SUB COMMITTEE

Tuesday, 26 October 2010

6.30 p.m.

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF INTEREST (Pages 1 - 2)

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Chief Executive.

	PAGE NUMBER	WARD(S) AFFECTED
3. RULES OF PROCEDURE	3 - 14	
To note the rules of procedure which are attached for information.		
4. UNRESTRICTED MINUTES	15 - 48	
To confirm as a correct record of the proceedings the unrestricted minutes of the Licensing Sub-Committees held on 31 st August, 7 th September, 14 th September, 21 st September and 30 th September 2010.		
5. ITEMS FOR CONSIDERATION		
5 .1 Application to Review the Premises Licence for Low Cost Food and Wine, 367 Mile End Road, London E3 4QS (LSC 40/011)	49 - 192	Bow West;
5 .2 Application for New Premises Licence for Favourite Chicken Ribs, 255 Bethnal Green Road, London, E2 6AH (LSC 41/011)	193 - 252	Weavers;
6. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT		

Agenda Item 2

DECLARATIONS OF INTERESTS - NOTE FROM THE CHIEF EXECUTIVE

This note is guidance only. Members should consult the Council's Code of Conduct for further details. Note: Only Members can decide if they have an interest therefore they must make their own decision. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending at a meeting.

Declaration of interests for Members

Where Members have a personal interest in any business of the authority as described in paragraph 4 of the Council's Code of Conduct (contained in part 5 of the Council's Constitution) then s/he must disclose this personal interest as in accordance with paragraph 5 of the Code. Members must disclose the existence and nature of the interest at the start of the meeting and certainly no later than the commencement of the item or where the interest becomes apparent.

You have a **personal interest** in any business of your authority where it relates to or is likely to affect:

- (a) An interest that you must **register**
- (b) An interest that is not on the register, but where the well-being or financial position of you, members of your family, or people with whom you have a close association, is likely to be affected by the business of your authority more than it would affect the majority of inhabitants of the ward affected by the decision.

Where a personal interest is declared a Member may stay and take part in the debate and decision on that item.

What constitutes a prejudicial interest? - Please refer to paragraph 6 of the adopted Code of Conduct.

Your personal interest will also be a prejudicial interest in a matter if (a), (b) and either (c) or (d) below apply:-

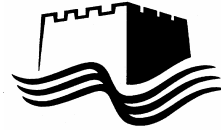
- (a) A member of the public, who knows the relevant facts, would reasonably think that your personal interests are so significant that it is likely to prejudice your judgment of the public interests; AND
- (b) The matter does not fall within one of the exempt categories of decision listed in paragraph 6.2 of the Code; AND EITHER
- (c) The matter affects your financial position or the financial interest of a body with which you are associated; or
- (d) The matter relates to the determination of a licensing or regulatory application

The key points to remember if you have a prejudicial interest in a matter being discussed at a meeting:-

- i. You must declare that you have a prejudicial interest, and the nature of that interest, as soon as that interest becomes apparent to you; and
- ii. You must leave the room for the duration of consideration and decision on the item and not seek to influence the debate or decision unless (iv) below applies; and

- iii. You must not seek to improperly influence a decision in which you have a prejudicial interest.
- iv. If Members of the public are allowed to speak or make representations at the meeting, give evidence or answer questions about the matter, by statutory right or otherwise (e.g. planning or licensing committees), you can declare your prejudicial interest but make representations. However, you must immediately leave the room once you have finished your representations and answered questions (if any). You cannot remain in the meeting or in the public gallery during the debate or decision on the matter.

TOWER HAMLETS



LICENSING COMMITTEE

**RULES OF PROCEDURE
GOVERNING APPLICATIONS FOR
PREMISES LICENCES
AND OTHER PERMISSIONS
UNDER THE LICENSING ACT 2003**

1. Interpretation

- 1.1 These Procedures describe the way in which hearings will be conducted under the Licensing Act 2003, as set out in the Licensing Act 2003 (Hearings) Regulations 2005 (as amended). The Procedures take into account the Licensing Act (Premises Licences and Club Premises Certificates) Regulations 2005. The Procedures also include the time limits within which a hearing must commence (see Appendix A) and will be used by the Licensing Committee and Licensing Sub-Committee when conducting hearings.
- 1.2 The Hearings Regulations provide (Regulation 21) that a Licensing Authority shall, subject to the provisions of those Regulations, determine for itself the procedure to be followed at a hearing.
- 1.3 These Procedures, therefore, set out the way in which Licensing Sub-Committee Meetings will be conducted under the Licensing Act 2003, following the requirements of the Hearings Regulations. Wherever appropriate they have included the procedures followed successfully when determining licence applications under previous legislation.
- 1.4 Proceedings will not be rendered void only as the result of failure to comply with any provision of the Hearings Regulations (Regulation 31).

2. Composition of Sub-Committee

- 2.1 The Sub-Committee will consist of no less than three members and no business shall be transacted unless at least three members of the Licensing Committee are present and able to form a properly constituted Licensing Sub-Committee. In such cases the Chair shall have a second or casting vote. The Councillor for the ward in which the applicant's premises are situated, or where either the applicant or the objector resides, shall not normally form part of the Sub-Committee for that item on the agenda.

3. Timescales

- 3.1 Most hearings must take place within 20 working days from the last date for representations to be made with the following exceptions:

Within 10 working days from the last date for the police to object to:

- conversion of an existing licence;
- conversion of an existing club certificate;
- an application for a personal licence by an existing justices licence holder;
- and

Within 10 working days from the date the Licensing Authority receives the notice for a review of the premises licence following a closure order.

Within 7 working days from the last date for the police to object to:

- a temporary event notice.

Within 5 working days from the last date for the police to object to:

- an interim authority notice (Note: the police must give notice of their objection within 48 hours of being given a copy of the notice).

Note: Where a hearing is likely to take longer than one day, the Authority must arrange for the hearing to take place on consecutive days.

3.2 **Timescale for notice of hearings to be given**

In most cases, the Authority shall give notice of a hearing no later than 10 working days before the first day on which the hearing is to be held. The following are exceptions to that rule:

At least five working days notice must be given to the parties of the date of a hearing for determination of:

- conversion of an existing licence
- conversion of an existing club certificate
- application for a personal licence by the holder of a justices licence
- review of a premises licence following a closure order

At least two days notice must be given to the parties to a hearing for determination of:

- police objection to an interim authority notice
- police objection to a temporary event notice

3.3 **Persons who must be notified of a hearing**

The persons who must be notified of a hearing are set out below as a summary:

- any applicant for any licence or certificate or a temporary event notice.
- any person who has made relevant representations about an application for a licence or for review of a licence (note for any representations deemed frivolous, vexatious or repetitious under Section 18(7)(c) or similar sections of the Licensing Act 2003 the objector must be notified of the Authority's decision as soon as possible and in any event before any hearing).
- Any police officer who has given notice of objection to:
 - a person specified as a Designated Premises Supervisor
 - an interim authority

- transfer of a premises licence
 - a temporary event notice
 - a personal licence
- Any holder of a premises licence or club premises certificate where:
- application is made for review

Note: Anyone given notice of a hearing is a party and that is how that expression is used in these Rules of Procedure.

3.4 Information to be provided in a notice of hearing

The information that must be included in a notice of hearing includes:

- The procedure to be followed at the hearing;
- The right of the party to attend and to be assisted or represented by any person whether legally qualified or not;
- The ability to give further information in support of their application where the Authority has sought clarification;
- The right to question any other party if given permission by the Authority;
- The right to address the Authority;
- Notice of any particular points on which the Authority will want clarification at the hearing;
- The consequences if a party does not attend or is not represented at the hearing;
- For certain hearings particular documents must accompany the notice which is sent to parties informing them of the hearing. Reference must be made to Schedule 3 of the Hearings Regulations for this purpose.

3.5 Failure of Parties to Attend the Hearing

If a party has informed the Authority that they will not be attending or be represented at the hearing, it may proceed in their absence.

If a party does not give notice that they will not be attending but fails to attend and is not represented, the Authority may either:

- a) adjourn the hearing if it considers it to be necessary in the public interest or
- b) hold the hearing in the party's absence

If the Authority holds the hearing in the absence of a party, it will consider at the hearing the application, representation or notice given by the party.

If the Authority adjourns the hearing to a specified date it must forthwith the parties of the date, time and place to which the hearing has been adjourned.

Note: Transition hearings cannot be adjourned to a date beyond the date that which causes an application to be deemed as determined by default.

4. Procedure at the Hearing

4.1 The usual order of proceedings will be as set out below. The Sub-Committee will allow the parties an equal maximum time period in which to give further information in support of their application, representation or response. Where the Authority has given notice that it will seek clarification on that point at the hearing or where permission has been given to call any further persons to give supporting evidence, the Sub-Committee may allow the parties to question any other party and to address the Licensing Sub-Committee. The Sub-Committee will seek, in all cases, to avoid repetition of points (whether included in written material or otherwise), irrelevancy, or any abuse of the procedure.

At the beginning of the hearing the procedure to be followed will be explained to the parties. The hearing will, so far as is possible, take the form of a discussion, led by the Sub-Committee. Cross-examination will not be permitted unless the Sub-Committee considers it necessary.

- i) The Chair will begin by explaining how the proceedings will be conducted, and indicate any time limits that may apply to the parties to the application.
- ii) The report will be briefly introduced by an Officer of the Licensing Section summarising the application.
- iii) The Sub-Committee will then consider any requests by a party for any other person to be heard at the hearing in accordance with the Regulations. Permission will not be unreasonably withheld provided proper notice has been given.
- iv) A summary of the nature and extent of the application by the applicant or their representative. This should be brief, avoid repetition of material already available to the Committee in the Officer's report or otherwise, and include any reasons why an exception should be made to the Council's Licensing Policy, where appropriate. The submission may be followed by the evidence of any person who has been given permission by the Committee to give supporting evidence on behalf of the applicant.
- v) A summary of the reasons for making representations about the application by any interested party. This should be brief and avoid any repetition of information already made available to the Committee either in the Officer's report or otherwise. That will be followed by the evidence of any person who has been given permission by the Panel to give supporting evidence on behalf of the objectors.
- vi) A summary of the reasons for making representations by or on behalf of any Responsible Authority. This should be brief and avoid any repetition of information already made available to the Licensing Sub-Committee

either in the Officer's report or otherwise. That will be followed by the evidence of any person who has been given permission by the Panel to give supporting evidence on behalf of the Responsible Authority.

- vii) Members of the Sub-Committee may ask any questions of any party or other person appearing at the hearing.

4.2 The following requirements of the Hearing Regulations will also be followed by the Licensing Sub-Committee:

- a) The Sub-Committee will be guided by legal principles in determining whether evidence is relevant and fairly admissible. In particular, hearsay evidence may be admitted before the Sub-Committee but consideration will always be given to the degree of weight, if any, to be attached to such evidence in all the relevant circumstances.
- b) The Sub-Committee may impose a time limit on the oral representations to be made by any party. In considering whether to do so, and in considering the length of any such time limit, the Sub-Committee will take into account the importance of ensuring that all parties receive a fair hearing, and the importance of ensuring that all applications are determined expeditiously and without undue delay.
- c) In considering the time limits referred to in (b) above, regard must be had to the requirement to allow each party an equal amount of time.

4.3 When considering any representations or notice made by a party, the Authority may take into account documentary or other information produced by a party in support of their application, representation or notice, either:

- a) before the hearing, or
- b) with the consent of all other parties, by the Sub-Committee at the hearing

The Authority will disregard any information given by a party, or any other person appearing at the hearing, which is not relevant to:

- a) their application, representation or notice; and
- b) the promotion of the licensing objectives or the crime prevention objective where notice has been given by the police.

4.4 All hearings shall take place in public save that:

- a) The Licensing Sub-Committee may exclude the public from all or part of a hearing where it considers that, on balance, it is in the public interest to do so.
- b) The parties and any person representing them may be excluded in the same way as another member of the public

c) The Licensing Sub-Committee may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may:

- refuse to permit the person to return; or
- allow them to return only on such conditions as the authority may specify.

4.5 Any person so excluded may, before the end of the hearing, submit to the Authority in writing, any information which, they would have been entitled to give orally had they not been required to leave. Where there are a number of items on the agenda, the adjournment of that item for a short period, whilst another item is heard, may allow this process to be carried out effectively.

5. Determination of Application – Time Limits

5.1 The Licensing Sub-Committee must make its determination at the conclusion of the hearing where the application is for:

- a) Conversion or variation of an existing licence during transition
- b) Conversion or variation of an existing club certificate during transition
- c) A review of a premises licence following a closure order
- d) A personal licence by the holder of a justices licence
- e) A counter notice following police objection to a temporary event notice

5.2 In any other case the Authority must make its determination within the period of five working days, beginning with the day, or the last day, on which the hearing was held.

5.3 Where a hearing has been dispensed with because all of the parties have agreed that a hearing is unnecessary (and the Authority has agreed, giving notice to the parties in writing), then the Authority must make its determination within 10 working days beginning with the day the authority gives such notices to the parties. The Team Leader (Licensing) shall be authorised to make the determination on behalf of the Authority.

6. Record of Proceedings

6.1 The Authority must arrange for a record to be taken of the hearing in a permanent and intelligible form and for that record to be kept for six years from the date of determination. Where an appeal is brought against a determination by the Authority, the record must be kept for six years from the date of disposal of the appeal.

7. Irregularities

7.1 Proceedings will not be rendered void only as the result of failure to comply with any provision of the Hearings Regulations

7.2 Clerical mistakes in any document recording a determination of the Authority, or errors arising in such a document as the result of an accidental slip or omission, may be corrected by the Authority.

8. Notices

8.1 In accordance with the Regulations, any notices must be given in writing. Such a notice may be sent electronically, providing:

- a) it can be accessed by the recipient in a legible form;
- b) it is capable of being reproduced as a document for future reference;
- c) the recipient has agreed in advance to receive it in such form;
- d) a copy is sent in documentary form forthwith to the recipient.

9. Appeals

9.1 Either those who have made an application or those who have made representations on an application may appeal to the Magistrates Court.

Note: An appeal must be commenced within twenty one days beginning with the day on which the appellant was notified by the Licensing Authority of their decision.

APPENDIX A

Application Type	Period of Time within which Hearing to be Held (after reps have closed)	Notice Period of Hearing	Notice Sent To	Attendee Reply Form Back In
Section 18 (3)(a) (determination of application for premises licence)	20 working days	10 working days	Applicant; People who have made representations	5 working days
Section 35(3)(a) (determination of application to vary premises licence).	20 working days	10 working days	Applicant; People who have made representations	5 working days
Section 39(3)(a) (determination of application to vary premises licence to specify individual as premises supervisor).	20 working days	10 working days	Applicant (premises holder); Chief Officer of Police who has given notice; The proposed premises supervisor	5 working days
Section 44(5)(a) (determination of application for transfer of premises licence).	20 working days	10 working days	Applicant; Chief Officer of Police who has given Notice; The present holder of the premises licence	5 working days
Section 52(2) (determination of application for review of premises licence).	20 working days	10 working days	The holder of the premises licence of where application applies; People who have made representations; Applicant	5 working days
Section 120(7)(a) (determination of application for grant of personal licence).	20 working days	10 working days	Applicant; Chief Officer of Police who has given Notice	5 working days
Section 121(6)(a) (determination of application for the renewal of personal licence).	20 working days	10 working days	Applicant; Chief Officer of Police who has given Notice	5 working days
Section 124(4)(a) (convictions coming to light after grant or renewal of personal licence).	20 working days	10 working days	The holder of the licence; Chief Officer of Police who has given Notice	5 working days
Paragraph 26(3)(a) of Schedule 8 (determination of application by holder of a justices' licence for	10 working days	5 working days	Applicant; Chief Officer of Police who has given Notice	2 working days

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grant of personal licence).				
Section 31(3)(a) (determination of application for a provisional statement).	20 working days	10 working days	Applicant; People who have made representations	5 working days
Section 48(3)(a) (cancellation of interim authority notice following police objection).	5 working days	2 working days	The person who has given Notice; Chief Officer of Police who has given Notice	1 working day
Section 72(3)(a) (determination of application for club premises certificate).	20 working days	10 working days	Applicant (club); People who have made representations	5 working days
Section 85(3) (determination of application to vary club premises certificate).	20 working days	10 working days	Applicant (club); People who have made representations	5 working days
Section 88(2) (determination of application for review of club premises certificate).	20 working days	10 working days	Club that holds club premises certificate; People who have made representations; Applicant	5 working days
Section 105(2)(a) (counter notice following police objection to temporary event notice)	7 working days	2 working days	The premises user; Chief Officer who has given Notice	1 working day
Section 167(5)(a) (review of premises licence following closure order).	10 working days	5 working days	The holder of the premises licence; People who have made representations	2 working days
Paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence).	10 working days	5 working days	Applicant; Chief Officer of Police who has given Notice	2 working days
Paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate).	10 working days	5 working days	Applicant (club) Chief Officer who has given Notice	2 working days

APPENDIX B

Regulation 8

Action Following receipt of notice of hearing	
1.	A party shall give to the authority within the period of time provided for in the following provisions of this regulation a notice stating:
(a)	whether he intends to attend or be represented at the hearing;
(b)	whether he considers a hearing to be unnecessary.
2.	In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request.
3.	In the case of a hearing under:
(a)	section 48(3)(a) (cancellation of interim authority notice following police objection), or
(b)	section 105(2)(a) (counter notice following police objection to temporary event notice),
	the party shall give the notice no later than one working day before the day or the first day on which the hearing is to be held.
4.	In the case of a hearing under:
(a)	section 167(5)(a) (review of premises licence following closure order),
(b)	paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence),
(c)	paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate), or
(d)	paragraph 26(3)(a) of Schedule 8 (determination of application by holder of justices' licence for grant of personal licence),
	the party shall give the notice no later than two working days before the day or the first day on which the hearing is to be held.
5.	In any other case, the party shall give the notice no later than five working days before the day or the first day on which the hearing is to be held.

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING SUB COMMITTEE

HELD AT 6.30 P.M. ON TUESDAY, 31 AUGUST 2010

**COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor Peter Golds (Chair)

Councillor Ohid Ahmed
Councillor Zara Davis

Officers Present:

Paul Greeno	- (Senior Advocate)
Nick Kemp	- (Licensing Officer)
Kerry Mure	- (Senior Lawyer)
Caroline Chalklin	- (Committee Officer, Chief Executives')
Simmi Yesmin	- (Senior Committee Officer)

Applicants In Attendance:

Ian Moseley	- (Trading Standards)
Andy Jackson	- (Metropolitan Police)
Ian Wareing	- (Environmental Health)
Peter Matysik	- (Resident)
Donald Mullis	- (Resident)
Ryan Green	- (Resident)

Objectors In Attendance:

Ibrahim Aytac	- (Mile End Food & Wine)
Hasan Cetin	- (Mile End Food & Wine)
Peter Glazebrook	- (5B Urban Bar)
Mark Slankard	- (5B Urban Bar)
Lorraine Slankard	- (5B Urban Bar)

The Chair welcomed everyone to the meeting, ensured that introductions were made and then briefly outlined the procedure of the meeting. He announced that at 7.53pm he would adjourn the meeting for a comfort break.

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF INTEREST

Councillor Ohid Ahmed, declared a personal interest in agenda item 5.1, application for review of the premises license for Cost Cut, 219 East India Dock Road, London E14 0ED on the basis that the premises was in his ward.

3. RULES OF PROCEDURE

The Rules of Procedures were noted.

4. UNRESTRICTED MINUTES

The unrestricted minutes of the Licensing Sub Committee meeting held on 3rd August 2010 were agreed as a correct record of proceedings.

5. ITEMS FOR CONSIDERATION**5.1 Application to Review the Premises Licence for Cost Cut, 219 East India Dock Road, London E14 0ED (LSC 20/011)**

The application was **ADJOURNED** at the request of the Premises License Holder. Neither the applicant nor the person making representations in support of the application objected to the request.

5.2 Application to Review the Premises Licence for Mile End Food & Wine, 93 Burdett Road, London, E3 4JN (LSC 21/011)

At the request of the Chair, Mr Nick Kemp, Licensing Officer, introduced the report which detailed the review application for Mile End Food & Wine, 93 Burdett Road, London E3 4JN. It was noted that the review had been triggered by the Metropolitan Police.

At the request of the Chair, Mr Andy Jackson, Metropolitan Police explained that the review related to a series of operations run jointly between the Police, Trading Standards and Customs & Excises. It was noted that Mile End Food & Wine was visited on 21st April 2010 and on entry to the premise, a total of 38.5 litres (55 bottles) of counterfeit mixed spirits and 136 bottles of non duty paid mixed wine were found on the premises these were then seized. There had been no receipts produced for the goods at the time of seizure and when the Premises Licence Holder was questioned about where he had brought the goods from, he confirmed that he had brought the goods from a door to door salesman who came to the shop in a white van.

It was noted that the goods seized amounted to a total duty evaded of £826.32. Mr Jackson referred Members to the DCMS guidance which stated that the sale of smuggled tobacco and alcohol should be treated particularly seriously. He urged members to revoke the license in this instance in order to send a powerful message to the premises and to all other off licenses in the area.

Mr Ian Moseley, Trading Standards, explained that having examined records held by Trading Standards Services, that there were three allegations received between 09/01/2008 to 27/05/2009 that underage sales of alcohol was taking place from the premises however five test purchase attempts had been correctly refused from 2008 to date. He explained that counterfeit and non duty paid alcohol not only represented a loss to the national revenue from the failure to pay duty, that it also introduced a health risk as the goods may have been defective or contain contaminants. He then detailed some conditions to restrict the purchase of alcohol if Members were not minded to revoke the license.

Mr Ibrahim Aytec, legal representative for the Premises License Holder urged Members not to grant revocation of the licence. He explained that there had never been any complaints or problems since the shop was opened in 2007 and had five test purchases which were correctly refused. Mr Aytec stated that the Premises Licence Holder acknowledged his mistake for purchasing the goods and welcomed the conditions suggested by Trading Standards. Mr Aytec concluded by highlighting the financial effects the business would have if revocation was granted.

In response to questions it was noted that all the alcohol was bought in one purchase, the Premises Licence Holder did have a receipt for the goods, however can no longer find it. In response to further questions, the Premises License Holder explained that since the review application he had changed his purchasing methods and was now only buying stock from wholesalers and not purchasing on the premises. It was also confirmed that it was the Premises Licence Holder who had purchased the alcohol.

The Chair advised that the Sub Committee would at 7.00pm adjourn to consider the evidence presented. Members reconvened at 7.10pm. The Chair reported;

After hearing representations from both parties, Members reached the decision to GRANT the application and grant the revocation of the licence for sale of alcohol. Members noted the guidance that they were referred to by Metropolitan Police in particular the guidance issued by the Department for Culture Media and Sport under Section 182 of the Licensing Act 2003.

Members acknowledged that five test purchases attempts had been correctly refused. They noted, however that a large amount of counterfeit and smuggled alcohol had been found within the premises and were very concerned about the associated health risks with counterfeit alcohol being made available for purchase at the premises.

Although the licensee did admit to purchasing the goods, he was unable to provide receipts or any proper justification for not being able to provide such receipts. It was noted that it was a large amount of alcohol which were non duty paid, thus affecting the overall revenue of the country.

Members felt that they heard no specific reassurances from the Licensee to satisfy them that appropriate steps would be taken and followed and that they could not be satisfied that the Licensee would promote the licensing objectives of crime and disorder. Therefore Members felt that there was no other option but to revoke the sale of alcohol license.

RESOLVED

That the review application for the premises license for Mile End Food & Wine, 93 Burdett Road, London E3 4JN be **GRANTED** with the revocation of the license for the sale of alcohol.

5.3 Application to Review the Premises Licence for The Urban Bar, 27 Three Colt Street, E14 8HH (LSC 22/011)

At the request of the Chair, Mr Nick Kemp, Licensing Officer, introduced the report which detailed the review application for the premises licence for the Urban Bar, 27 Three Colt Street, E14 8HH. It was noted that the review had been triggered by the police and Environmental Health.

At the request of the Chair, Mr Andy Jackson of the Metropolitan Police explained that there had been complaints to the Environmental Health Section from residents. Mr Slankard (the licensee) was in contact with Mr Wareing from Environmental Protection, and therefore was aware of the problems.

Anti-social behaviour had been observed outside the bar, this included a patron urinating in the street, and shouting; measures discussed to reduce this were:

- Adequate door staff
- Control over the numbers of smokers
- Control over taxis collecting home going patrons

Mr Slankard disputes that there is noise caused by his patrons.

Mr Jackson continued, stating that police officers had undertaken observation of the premises. Mr Jackson opposed 'drinking up' time, in his opinion patrons would merely order larger drinks to extend the time of drinking.

Mr Wareing said that he felt a sound limiter was required in the bar.

One of the applicants, Mr Matysik, said he had moved to Three Colts Street in August 2009. That there were problems with the Urban Bar was evident from the start. Nightly loud music was both heard and the vibrations of it felt. The landlord appeared in breach of his licensing hours. Mr Matysik finally complained to Environmental Protection. Since the last review, Tuesday, Wednesday and Thursday nights were sheer hell.

Mr Mullis, another applicant, said there was evidence of noise nuisance and anti-social behaviour in what was a residential street. The licence was applied for in 2005, and was badly drawn up. Mr Mullis sought a mutually agreeable consensus. At present the Urban Bar attracts patrons from 11pm to 1 am, and Mr Mullis understood that 50% of the takings were derived from Friday and Saturday nights from 12 midnight to 2 am. Mr Mullis felt there was irresponsible sale of alcohol, and late night customers were noisy arriving and leaving.

Mr Mullis felt that Mr Slankard was only just coming round to dealing with the noise. Initially a banner was put up warning or threatening that there was licensed premises. Since then there were always glasses and bottles, vomiting, slamming of taxi doors until the early hours of the morning. The Bar was surrounded by residential blocks.

Mr Green, another applicant, said the Urban Bar was a community asset; the issue was with late night noise (loud noise, screaming and violence), not the existence of the bar.

Mr Glazebrook, solicitor for the objector, said that Mr Slankard had been running the public house for 14 years, and the surroundings had changed more than the Bar. The Urban Bar was converted in 2005, and there had been no problems with John Lauder House. Unfortunately, the newly built Gateway House was cheek by jowl with the Bar. Members should note that the local MP and the Vicar of St Ann's Limehouse wrote in support of the Bar. The Bar was run by a high spirited landlord, and was independent of the chains of licensed premises. Gateway House has 18 households, only 4 of which object to the Bar. The review had started on the wrong foot with crime and disorder; however there were only minor breaches of licensing conditions, for example, a doorman not wearing his badge and a variation in the opening hours. Mr Slankard will agree to install a sound limiter.

A number of conditions had voluntarily been introduced to reduce the problems experienced by the Bar's neighbours, and this had reduced the problems. The Urban Bar was a community public house, and the business was at risk if the opening hours were curtailed.

Mr Slankard said that taxis which double parked and hooted late at night were indulging in criminal behaviour. The Urban Bar could not be blamed for this as other residents of the area used taxis and minicabs at night. Some of the properties in the area were let to recovering alcoholics, who sometimes drank in the street, causing problems that could be attributed to the Bar. Providence Row Housing Association had since applied new rules to their tenants. Mr Slankard said that the Urban Bar had a working lavatory, there was no need for any patron to use the street as a urinal. The Urban Bar now has 2 doormen to prevent glasses being taken into the street. It was unfortunate that anti-smoking legislation put smokers outside a sound proofed public house. Mr Slankard said he wanted to be a responsible landlord and get on with his neighbours.

Mrs Slankard said the Bar's customers often were shift workers, and wanted to go to a bar for late night drinks. There was no need to have glasses or bottles in the street.

Ms Walsh, a supporter, said that she lived next to the Urban Bar, and was aware of its opening hours, but had not experienced any problems from patrons.

Mr O'Neill, a supporter, said that he worked shifts, and lived next to the Urban Bar with his two young children. He felt people could choose not to live near public houses if they didn't want the noise.

Mr Klein, a supporter, who lived in Gateway House, said that people should expect some noise, the Urban Bar is a public house, but the disturbance is not enough to stop him sleeping. He had been told about the opening hours before he moved in. The people who complained should be rehoused.

Mr Slankard said that the opening hours made a difference to his takings; there were no customers during the day. If the Bar shut at 11pm, it would lose the most profitable time of day.

In response to a question, Mr Jackson said that residents of Providence Row Housing Association were on the street and in the park in the day, but not in the small hours; the anti-social behaviour then must be the patrons of the Urban Bar.

In response to Councillor Golds, Mr Green (applicant) said that the number of people outside the bar was not the point, the closing hours were the crucial issue. However, it would be helpful if the number of people outside was reduced.

Mr Matysik said that he lived in Block 7 right next door to the Bar, he had no choice over the location of his flat. He just needed people to be quieter. Mr Mullis said that a closing time of 2am would not make much difference.

The Chair said that CCTV evidence showed there had been a lock-in: Mr Slankard said it had just been bar staff and friends.

In response to a question, Mr Glazebrook said that movements in the public house may not be the customers. Mr Slankard said that allowing 'drinking up time' allowed for a quiet exodus. There was confusion over the closing time, which was the same time as alcohol could no longer be sold.

In response to questions, Mr Slankard said he had originally wanted a closing time of 3pm, but had compromised at 2pm, and the sale of alcohol ceased at 1pm.

The Chair advised that the Sub Committee would adjourn at 9pm to consider the evidence presented. Members reconvened at 9.10pm. The Chair reported:

Members had heard from all parties and were grateful to all parties for trying to reach agreement prior to the meeting as it had helped narrow the issues. Members considered that they were satisfied that there was both public nuisance and crime and disorder arising from the premises although they accepted that regarding the latter it was disorder as opposed to crime.

On balance, it was considered that the review application could be granted but in part only with a reduction in hours and with additional conditions.

RESOLVED

That the review application for the premises license for 5B Urban Bar, 27 Three Colt Street, London E14 8HH be **GRANTED in part** with conditions.

Sale of Alcohol, Late Night Refreshments, Regulated Entertainment (including the provision for dancing and recorded music)

Sunday to Wednesday from 11:00 hours – 00:00 hours (midnight)
Thursday to Saturday from 11:00 hours – 01:00 hours (the following day)

Hours Premises is Open to the Public

Sunday to Wednesday from 11:00 hours – 00:30 hours (the following day)
Thursday to Saturday from 11:00 hours – 01:30 hours (the following day)

Amendments to existing Conditions

Condition 4 - Two door supervisors are to be on duty after 21:00 hours on Thursday to Saturday inclusive.

Condition 7 – At all times the premises are open to the public a holder of a personal license will be present on the premises.

Condition 16 – The beer garden will be emptied of customers and closed to the general public at 22:00 hours, staff will be allowed to use this area to smoke after 22:00 hours.

Condition 17 – Deleted.

New Conditions

1. A CCTV camera system is to be installed covering both internal and external to the premises.
2. The CCTV recordings are to be maintained for 30 days and to be provided upon request to either a Police Officer or an officer of a Responsible Authority.
3. At all times the premises is open, a person who can operate the CCTV system must be present on the premises.

4. All customers are required to leave the premise by closing time and only staff or the management of the premises may remain.
5. No drinks (either alcoholic or soft) sold within the premises are to be consumed on the street outside the premises
6. A noise limiter is to be installed and a level to be agreed with Environmental Health. If an agreement cannot be reached it will need to come back to a Licensing Sub Committee for final determination.
7. After 21:00 hours, no more than 8 customers to be permitted to smoke outside the premises at any one time.

6. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There was no other business considered urgent by the Chair.

The meeting ended at 9.20 p.m.

Chair, Councillor Peter Golds
Licensing Sub Committee

LONDON BOROUGH OF TOWER HAMLETS**MINUTES OF THE EXTRAORDINARY LICENSING SUB COMMITTEE****HELD AT 2.00 P.M. ON TUESDAY, 7 SEPTEMBER 2010****THE COUNCIL CHAMBER, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG****Members Present:**

Councillor Peter Golds (Chair)

Councillor Kabir Ahmed
Councillor Rajib Ahmed**Officers Present:**Kathy Driver – (Acting Principal Licensing Officer)
Kerry Mure – (Senior Lawyer)
Cain Ormondroyd – (Legal Advisor)
Simmi Yesmin – (Senior Committee Officer)**Applicants In Attendance:**Andy Jackson - (Metropolitan Police)
Ian Moseley - (Trading Standards)**Objectors In Attendance:**Nick Arron - (Teviot Food & Wine)
Balteg Singh - (Teviot Food & Wine)
Gurnaid Singh - (Teviot Food & Wine)
Safdar Hussain - (Fairprice Cash & Carry)
Bee Hamid - (Parnell Mini Market)
Rizwana Miah - (Parnell Mini Market)
Mr Malik - (Parnell Mini Market)
Caner Akin - (Montana & Co)

The Chair welcomed everyone to the meeting, ensured that introductions were made and then briefly outlined the procedure of the meeting.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Aminur Khan for whom Councillor Kabir Ahmed substituted for.

2. DECLARATIONS OF INTEREST

Councillor Rajib Ahmed declared a personal interest in agenda item 4.1, application for a review of the premises licence for Teviot Food and Wine, 173 – 175 Teviot Street, London E14 6PY on the basis that the premises was in his ward, however he confirmed that he had not had any discussions regarding this application prior to the hearing.

3. RULES OF PROCEDURE

The Rules of Procedures were noted.

4. ITEMS FOR CONSIDERATION

4.1 Application to Review the Premises Licence for Teviot Food & Wine, 173-175 Teviot Street, E14 6PY (LSC 23/011)

At the request of the Chair, Ms Kathy Driver, Acting Principal Licensing Officer, introduced the report which detailed the application for a review of the premises license for Teviot Food and Wine, 173 – 175 Teviot Street, London E14 6PY. It was noted that the review had been triggered by the Metropolitan Police.

At the request of the Chair, Mr Andy Jackson explained that the review related to a series of operations run jointly with Police, Trading Standards and HRMC Customs. It was noted that certain off licences were identified following a review of intelligence from all three agencies. The premise was visited on 21st April 2010, on entry to the premises, a total of 89.6 litres (128 bottles) of mixed spirits were found, which displayed counterfeit duty stamps. Further examination of the wine on sale revealed that there were 305 bottles (228.75 litres) of mixed wine which were non duty paid, these were then seized. There had been no receipts produced for the goods at the time the goods were seized and nor within the 28 day period. It was noted that the goods seized amounted to total duty evaded of £1512.62.

Mr Jackson referred Members to the DCMS guidance which stated that the sale of smuggled tobacco and alcohol should be treated particularly seriously. Due to the large amount of goods found, he urged members to revoke the license in this instance in order to send a powerful message to the premises and to all other off licenses in the area.

At the request of the Chair, Mr Nick Arron, Legal Representative for the Premise License Holder, presented the Sub Committee with some receipts for the purchase of alcohol, he explained that the premises was a well run business where large quantities are sold. Mr Arron explained that the alcohol was purchased in good faith legitimately from wholesalers. It was noted that the quantities of wine were also brought legitimately from MDD Trading wholesalers. He explained that from the 89.6 litres of spirits, 56 litres have

receipts which show that these were brought from the wholesalers, however the remaining 35.6 litres of spirits were left over from a family wedding which was held on 20th October 2007, where large quantities were purchased for the wedding and the remaining bottles were stored at the shop, not on the shop premise but in the store room.

Mr Arron then referred to supporting documents, which highlighted the Premises License Holder's good character, his responsible attitude and his award for bravery. It was noted that he had been trading since 1984, he had helped the Police on many occasions, by obtaining a number of Anti-Social Behaviour Orders within the area, and in 1991 he was held at gun point and shot at the shop for which he was awarded a Gallantry Award from the Police for his bravery.

Mr Arron suggested some amendments to the conditions set out in page 83 of the agenda from Trading Standards. He explained that the alcohol was brought in good faith. He was an experienced shop keeper, a family shop with no issues of crime and disorder and that two underage sales test were correctly refused in the last 6 months and therefore felt that revocation was not proportionate.

In response to questions it was noted that the Police were only made aware of the receipts from the wholesalers two weeks ago, however it had been difficult to get hold of customs to vary this. It was noted that 54 litres of the mixed spirits and the wine was accounted for in the receipts, however the 36.5 litres of spirits could not be accounted for as they were left over from the wedding. In response to a further question, Mr Jackson did confirm that most of the alcohol seized was found in the storage area. It was noted that HRMC Customs were investigating into MDD Trading.

After hearing the representation on behalf of the Premise License Holder, Mr Andy Jackson recommended suspension, and additional conditions should be considered in this instance.

The Chair advised that the Sub Committee would at 2.45pm adjourn to consider the evidence presented. Members reconvened at 3.05pm. The Chair reported that;

Having heard representations from the Metropolitan Police and from the Premise Licence Holder, Members decided to SUSPEND the licence for a period of one calendar month running from receipt of the decision notice and to MODIFY the conditions on the licence by imposing further conditions as listed below. Both actions were in order to further the licensing objective of preventing crime and disorder.

Members had regard to the relatively large quantities of non-duty paid wine and spirits that had been found on the premises, and the correspondingly large sums that had been lost to the revenue. They had regard to the statutory guidance which provides that the sale of smuggled tobacco and alcohol should be treated "particularly seriously" when reviewing a licence (paragraph 11.26).

They also had regard to the fact that this appeared to be the first case of illegal activity at the premises, and that the licence holder had now been able to account for the presence of the wines by production of a relevant receipt.

They therefore decided that a period of suspension was necessary to promote the relevant licensing objective, in view of the seriousness of the problem in Tower Hamlets and in order to deter similar incidence of crime.

The Premise Licence Holder suggested that further conditions be imposed. Members considered that these conditions were necessary for the prevention of similar incidence of illegal activity at the premises in future.

RESOLVED

That the review application for Teviot Food and Wine, 173 – 175 Teviot Street, London E14 6PY, be **GRANTED** with the suspension of the sale of alcohol license for a period of one calendar month running from receipt of the decision notice and with the following conditions;

Conditions

- 1) The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers unless a valid receipt is supplied at the time of the purchase.
- 2) If stock is purchased from a door-to-door seller the premises licence holder shall ensure that a record is kept of the seller's vehicle registration number.
- 3) The premises licence holder shall ensure that all receipts for goods bought include the following details:
 - a. Seller's name and address
 - b. Seller's company details, if applicable
 - c. Seller's VAT details, if applicable
- 4) Copies of the documents referred to in 3) shall be made available to officers on request.
- 5) An appropriate device for checking the authenticity of duty stamps (such as an ultra-violet lamp) shall be installed on the premises and retained in working order.

6) The authenticity of the duty stamp on any goods shall be checked on receipt of those goods.

7) The premises licence holder shall inform the police in the event that they are sold counterfeit goods or goods with a fake duty stamp.

4.2 Application to Review the Premises Licence for: Fairprice Cash & Carry, 524 Roman Road, E3 5ES (LSC 24/011)

Having considered the letter dated 6 September 2010 from Stainforth Solicitors on behalf of the licence holder, and the accompanying evidence, members decided that it was necessary in the public interest to **ADJOURN** the review application for consideration on 30 September 2010.

4.3 Application to Review the Premises Licence for Parnell Mini Market, 117a Parnell Road, E3 2RT (LSC 25/011)

At the request of the Chair, Ms Kathy Driver, Acting Principal Licensing Officer, introduced the report which detailed the application for a review of the premises license for Parnell Mini Market, 117a Parnell Road, London E3 2RT. It was noted that the review had been triggered by the Metropolitan Police.

At the request of the Chair, Mr Andy Jackson, Metropolitan Police explained that the review related to a series of operations run jointly between the Police, Trading Standards and Customs & Excises. It was noted that Parnell Mini Market was visited on 21st April 2010 and on entry to the premise, a total of 77.25 litres (103 bottles) of non duty paid mixed wine were found on the premises these were then seized. There had been no receipts produced for the goods at the time of seizure to prove that they were brought from a wholesaler. The owners were given 28 days to produce the receipts for the goods seized, however this period have expired and the receipts have not yet been produced.

It was noted that the goods seized amounted to a total duty evaded of £173.76. Mr Jackson referred Members to the DCMS guidance which stated that the sale of smuggled tobacco and alcohol should be treated particularly seriously. In this instance where there had been a smaller amount of smuggled goods, a suspension of the licence was sought and the length of suspension was to be decided by the Sub Committee in order to send a powerful message to the premises and to all other off licenses in the area.

Mr Ian Moseley, Trading Standards stated that there had been one incident of underage sale of alcohol and a written warning had been issued. He also suggested possible conditions set out in his representation.

At the request of the Chair, Ms Bee Hamid, Counsel, presented on behalf of the Premises License Holder, Ms Rizwana Miah, she explained that Ms Miah was not aware that the goods were counterfeit. She then referred Members to the statement from Ms Miah, which explained that she was very remorseful, that she always purchased from wholesalers and that the seller had misled her into buying these goods which were thought to be legitimate and was told that the receipt book had run out and would be brought back the next day with a receipt for the goods, unfortunately the seller did not return and Ms Miah did not think of taking down sellers car details at the time.

Ms Hamid asked the Sub-Committee not to suspend the license but to impose conditions to promote the licensing objectives, she explained that Ms Miah regrets what happened and is currently running her business at a loss, and if her license is suspended this would highly impact on her business financially.

In response to questions it was confirmed that Ms Miah had been trading for over two years and not had any previous complaints prior to this and that a refusal book is maintained in the premises.

The Chair advised that the Sub Committee would at 3.30pm adjourn to consider the evidence presented. Members reconvened at 3.40pm. The Chair reported that;

Having heard representations from the Metropolitan Police, the Trading Standards Officer and the Premises Licence Holder, Members decided to SUSPEND the licence for a period of one weekend following receipt of the decision notice and to MODIFY the conditions on the licence by imposing further conditions as listed below. Both actions were in order to further the licensing objective of preventing crime and disorder.

Members had regard to the amount of non-duty paid wine that had been found on the premises, and the sums that had been lost to the revenue. They had regard to the statutory guidance which provides that the sale of smuggled tobacco and alcohol should be treated "particularly seriously" when reviewing a licence (paragraph 11.26).

They also had regard to the fact that this appeared to be the first case of illegal activity at the premises (save for an under age sale in April 2010 which had been dealt with by way of a written warning).

They therefore decided that a period of suspension was necessary to promote the relevant licensing objective, in view of the seriousness of the problem in Tower Hamlets and in order to deter similar incidence of crime. A short period of suspension would be proportionate to the seriousness of the situation.

The Premise Licence Holder and Trading Standards Officer suggested that further conditions be imposed. Members considered that the conditions listed below were necessary for the prevention of similar incidence of illegal activity at the premises in future.

RESOLVED

That the review application for Parnell Mini Market, 117a Parnell Road, London E3 2RT, be **GRANTED** with the suspension of the sale of alcohol license for a period of one weekend following receipt of the decision notice and with the following conditions;

Conditions

- 1) The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers unless a valid receipt is supplied at the time of the purchase.
- 2) If stock is purchased from a door-to-door seller the premises licence holder shall ensure that a record is kept of the seller's vehicle registration number.
- 3) The premises licence holder shall ensure that all receipts for goods bought include the following details:
 - a. Seller's name and address
 - b. Seller's company details, if applicable
 - c. Seller's VAT details, if applicable
- 4) Copies of the documents referred to in 3) shall be made available to officers on request.
- 5) An appropriate device for checking the authenticity of duty stamps (such as an ultra-violet lamp) shall be installed on the premises and retained in working order.
- 6) The authenticity of the duty stamp on any goods shall be checked on receipt of those goods.
- 7) The premises licence holder shall inform the police in the event that they are sold counterfeit goods or goods with a fake duty stamp.

4.4 Application to Review the Premises Licence for: Montana & Co, 101 Burdett Road, E3 4JN (LSC 26/011)

At the request of the Chair, Ms Kathy Driver, Acting Principal Licensing Officer, introduced the report which detailed the application for a review of the premises license for Montana & Co, 101 Burdett Road, London E3 4JN. It was noted that the review had been triggered by the Metropolitan Police.

At the request of the Chair, Mr Andy Jackson explained that he had been produced with some receipts by the Premises License Holder which was for the appropriate time period and amount of alcohol which were seized. He therefore suggested that conditions, those which were suggested by Trading Standards be imposed in order to deter such incidents possibly occurring in the future.

At the request of the Chair, Mr Caner Akin, Premise License Holder apologised for not bringing these receipts earlier, however stated that his Accountant had sent a letter together with these receipts to HRMC Customs a couple of weeks after the seizure in April 2010, as the receipts were with the accountant at the time of seizure. At this point the Sub Committee were shown the letter and receipts.

In response to questions it was confirmed that the letter and receipts were sent by the Accountant a couple of weeks after the seizure. The police accepted these receipts however was disappointed that these had not been produced sooner.

The Chair advised that the Sub Committee would at 3.55pm adjourn to consider the evidence presented. Members reconvened at 4.05pm. The Chair reported that;

Having heard representations from the Metropolitan Police, the Trading Standards Officer and the Premise Licence Holder, Members decided to MODIFY the conditions on the licence by imposing further conditions as listed below, in order to further the licensing objective of preventing crime and disorder.

Members had regard to the relatively small amounts of non-duty paid wine and spirits that had been found on the premises, and the sums that had been lost to the revenue. They had regard to the statutory guidance which provides that the sale of smuggled tobacco and alcohol should be treated "particularly seriously" when reviewing a licence (paragraph 11.26).

They also had regard to the fact that this appeared to be the first case of illegal activity at the premises (save for the presence of a small quantity of counterfeit condoms in August 2009) which had been dealt with by way of a written warning).

Members were conscious that it was not their role to determine the guilt or innocence of any individual. Nevertheless, they were of the view that the premise licence holder in this case had not been guilty of any intentional wrong doing in respect of the wines at least. They had regard to the fact that the responsible authorities were no longer seeking suspension of the licence.

Members were concerned about the presence of non-duty paid alcohol at the premises and considered that it was necessary in order to promote the relevant licensing objective that further conditions should be imposed on the licence. This would help to prevent crime and disorder associated with the sale of counterfeit and non-duty paid items on the premises in the future.

RESOLVED

That the review application for Montana & Co, 101 Burdett Road, London E3 4JN, be **GRANTED** with the following conditions;

Conditions

- 1) The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers unless a valid receipt is supplied at the time of the purchase.
- 2) If stock is purchased from a door-to-door seller the premises licence holder shall ensure that a record is kept of the seller's vehicle registration number.
- 3) The premises licence holder shall ensure that all receipts for goods bought include the following details:
 - a. Seller's name and address
 - b. Seller's company details, if applicable
 - c. Seller's VAT details, if applicable
- 4) Copies of the documents referred to in 3) shall be made available to officers on request.
- 5) An appropriate device for checking the authenticity of duty stamps (such as an ultra-violet lamp) shall be installed on the premises and retained in working order.
- 6) The authenticity of the duty stamp on any goods shall be checked on receipt of those goods.
- 7) The premises licence holder shall inform the police in the event that they are sold counterfeit goods or goods with a fake duty stamp.

The meeting ended at 4.15 p.m.

Chair, Councillor Peter Golds
Licensing Sub Committee

LONDON BOROUGH OF TOWER HAMLETS
MINUTES OF THE LICENSING SUB COMMITTEE

HELD AT 6.30 P.M. ON TUESDAY, 14 SEPTEMBER 2010

**M71, 7TH FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG**

Members Present:

Councillor Amy Whitelock (Chair)

Councillor Carlo Gibbs
Councillor David Snowdon

Officers Present:

Thomas Doyle	- (Planning Enforcement Officer)
Kathy Driver	- (Acting Principal Licensing Officer)
Paul Greeno	- (Senior Advocate)
Derrick Harrington	- (Principal Environment Health Officer)
Simmi Yesmin	- (Senior Committee Officer)

Applicants In Attendance:

Andy Jackson	- (Metropolitan Police)
Jayasakila Baskaran	- (Favourite Chicken Ribs)
Jun Simon	- (Favourite Chicken Ribs)

Objectors In Attendance:

Humza Boyraz	- (Cornucopia Market)
David Dadds	- (Cornucopia Market)
Selcan Tekin	- (Cornucopia Market)
Ted Jeory	- (Resident)
Angus Harvey	- (Resident)
Edward Van Reenen	- (Resident)

The Chair welcomed everyone to the meeting, ensured that introductions were made and then briefly outlined the procedure of the meeting.

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF INTEREST

There were no declarations of interests made.

3. RULES OF PROCEDURE

The Rules of Procedures were noted.

4. ITEMS FOR CONSIDERATION

4.1 Application to Review the Premises Licence for Cornucopia Market, 246 Tredegar Road, London E3 2GP (LSC 27/011)

At the request of the Chair, Ms Kathy Driver, Acting Principal Licensing Officer, introduced the report which detailed the application for a review of the premises license for Cornucopia Market, 246 Tredegar Road, London E3 2GP. It was noted that the review had been triggered by the Metropolitan Police. Ms Driver explained that there had been additional letters of support for the Premise Licence Holder, other than those in the agenda, however these were invalid due to lack of information. A supporting statement was tabled at the meeting on behalf of Hewison Street (South) Leaseholders Association which gave reference of the Premises License Holder's good practice and good character. Mr. Greeno confirmed that it was clear from this statement that it was made by residents who lived in the vicinity and therefore should have been included with the agenda papers.

At the request of the Chair, Mr Andy Jackson explained that the review related to a series of operations run jointly with Police, Trading Standards and HRMC Customs. It was noted that certain off licences were identified following a review of intelligence from all three agencies. The premise was visited on 21st April 2010, on entry to the premises, a total of 23 bottles of whiskey were found which displayed counterfeit duty stamps, further examination of the wine on sale revealed that there were 36 bottles of mixed wine which were non duty paid, and these were all seized. There had been no receipts produced for the goods at the time of seizure to prove that they were brought from a wholesaler. The owners were also given 28 days to produce the receipts for the goods seized, however this period had expired and the receipts have not yet been produced. It was noted that the goods seized amounted to total duty evaded of £214.00.

Mr Jackson referred Members to the DCMS guidance which stated that the sale of smuggled tobacco and alcohol should be treated particularly seriously. In this instance where there had been a smaller amount of smuggled goods, a suspension of the licence was sought and the length of suspension was to be decided by the Sub Committee and a suggestion for additional conditions to be imposed on the license was recommended in order to send a powerful message to the premises and to all other off licenses in the area.

At the request of the Chair, Mr David Dadds, Counsel for the Premises Licence Holder explained that these were allegations and not a matter of fact, he referred Members to the seizure notice which had been altered by the Customs Officer, to explain that the Customs Officer was unclear on what was counterfeit and what was not. It was noted that the shop was a successful business with a high turnover, and that alcohol amounted to 30% of its business. He then referred to a number of receipts from wholesalers justifying the counterfeit goods, he stated that all the receipts for the goods that had been seized were sent via recorded delivery to HRMC Customs, however could not confirm that this was received.

Mr. Dadds made an application for the press and public to be excluded for part of his presentation. Members considered the application and decided that it was in the public interest to exclude the press and public but only for that part of the presentation.

When the meeting reconvened with press and public allowed back in attendance, Mr. Dadds stated that the goods were brought from reputable wholesalers in good faith and noted that in some cases counterfeit goods could come from wholesalers themselves. Mr. Dadds concluded by explaining every application was different and should be considered on its own merits and that there were no grounds for suspension and if conditions are to be imposed then it had to be necessary and proportionate to do so.

In response to questions it was noted that the receipts produced were valid and on the balance of probabilities could account for the goods that were seized. Mr Jackson confirmed that the duty stamps were tested by UV lamp and numbers checked and found to be counterfeit. It was also accepted that there was always the possibility that counterfeit goods could be brought from wholesalers.

It was confirmed by Mr Jackson that the correct procedure was followed during the operation process. It was also confirmed that the receipts weren't available to hand during the time of seizure and Mr Dadds confirmed that receipts had been set to HRMC Customs within the 28 day period.

Mr Greeno, advised the Sub-Committee on the statutory process and gave guidance on the Licensing Act.

The Chair advised that the Sub Committee would at 7.40pm adjourn to consider the evidence presented. Members reconvened at 8.00pm. The Chair reported that;

Members accepted the fact that just because duty labels may be counterfeit, it did not mean goods themselves had been counterfeit. On balance it was accepted that the 23 bottles of whiskey had UK duty counterfeit labels, however from receipts supplied it was accepted that the goods came from reputable suppliers.

Due to the small numbers of items and what had been accepted on the supply of the goods. Members did not consider suspension of the license, however, did consider it necessary and proportionate to impose additional conditions.

RESOLVED

That the review application for Cornucopia Market, 246 Tredegar Road, London E3 2GP, be **GRANTED** with the following conditions;

Conditions

- 1) The premises licence holder shall ensure that all receipts for goods bought include the following details:
 - a. Sellers name and address
 - b. Sellers company details, if applicable
 - c. Sellers VAT details, if applicable
- 2) Copies of the documents referred to in 3) shall be made available within one (1) week to officers on request.
- 3) An appropriate device for checking the authenticity of duty stamps (such as an ultra-violet lamp) shall be installed on the premises and retained in working order.
- 4) The authenticity of the duty stamp on any goods shall be checked on receipt of those goods.
- 5) The premises licence holder shall inform the police in the event that they are sold counterfeit goods or goods with a fake duty stamp.

4.2 Application for New Premises Licence for Favourite Chicken Ribs, 255 Bethnal Green Road, London, E2 6AH (LSC 28/011)

At the request of the applicant and with agreement of all parties, Members **Adjourned** the consideration of the application. It was agreed that the application would be rescheduled for the Licensing Sub Committee meeting on 26 October 2010.

5. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There was no other business.

The meeting ended at 8.20 p.m.

Chair, Councillor Amy Whitelock
Licensing Sub Committee

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING SUB COMMITTEE

HELD AT 7PM ON TUESDAY, 21 SEPTEMBER 2010

**THE COUNCIL CHAMBER, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor Peter Golds (Chair)
Councillor Rofique U Ahmed
Councillor Oliur Rahman

Other Councillors Present:

None.

Officers Present:

Mohshin Ali	– (Acting Senior Licensing Officer)
Cain Duncan	– (Planning Enforcement Officer)
Paul Greeno	– (Senior Advocate)
Kerry Muré	– (Senior Lawyer)
Caroline Chalklin	– (Committee Officer, Chief Executives')

Applicants In Attendance:

Mr Juned Ahmed
Mr Dinesh Kanzaria

1. APOLOGIES FOR ABSENCE

No apologies were received.

2. DECLARATIONS OF INTEREST

Councillor Oliur Rahman declared that he had been approached by both objectors and a Councillor supporting the application to Review the Premises License for Low Cost Food and Wine, 367 Mile End Road, E3 4QS; Councillor Rahman reminded both the objectors and the Councillor that he was unable to discuss the Review.

3. RULES OF PROCEDURE

The Chair outlined the procedures to be followed during the meeting.

4. ITEMS FOR CONSIDERATION

4.1 Application to Review the Premises Licence for Low Cost Food and Wine, 367 Mile End Road, London E3 4QS (LSC 29/011)

This item was adjourned by request of the Premises License holder and would be considered on 26th October 2010.

4.2 Application to Vary the Premises Licence for Real Flavour, 221 East India Dock Road, London E14 0ED (LSC 30/011)

At the request of the Chair, Mr Moshin Ali, presented the report which detailed the application to Vary the Premise License for Real Flavour, 221 East India Dock Road, London 14 0ED. It was noted that there had been an e-mail in objection.

At the request of the Chair, the applicant's brother, Mr Walia Selman spoke on the application. Mr Selman made the following points:

- There was a 24 hour bus stop outside the premises
- To prevent public nuisance and crime, there would be CCTV both inside and outside the premises
- The business needed to be open until 2pm in order to survive
- Mr Selman requested permission to present a petition in support of his application; the Chair explained that Members could not accept the petition unless there was agreement from all parties as it meet procedural timescales. Mr Greeno, the Legal Officer stated that Members would accept the petition unseen
- Mr Selman referred to the extractor fan mentioned in the objector's e-mail on page 139 of the Agenda; he said that the fan was switched on to 'High' when the shop was busy, when the shop was quiet the fan would be switched to 'Low'

In response to a question, the applicant said that a condition requiring reduction of noise from the fan to the satisfaction of Environmental Health officers and would accept a condition on the times of opening.

At the invitation of the Chair, Mr Duncan, Planning Enforcement Officer, explained why there was an objection from the Planning Service.

Mr Duncan explained that planning permission had not formally be granted, but obtained through a Certificate of Lawfulness; thus there had been no opportunity for conditions to be applied. Whilst understanding the need for a night time economy, there would be a real detriment to residents' peace and quiet, supplying hot food late at night would cause a nuisance. Mr Duncan asked Members to consider whether there had been sufficient detail in the application for variance; his concern was there would be noise from customers leaving the premises at night, and that customers would loiter outside. The 2am closing time was not in balance with the environment of the shop; more reasonable opening hours would be:

Sunday – Thursday 11am – 11.30pm
Friday and Saturday 11 am – 12.30pm

In response to questions, Mr Duncan responded:

- The current hours of operation were from 11am to 22.30pm, seven days a week
- There was a late opening licensed premises opposite All Saints DLR station open until 2am, seven days a week

In response to questions, the applicant responded:

- The applicant would clear up litter in front of the shop; the shop faced the main road, and hence there would be no reason for loitering outside

In response to further questions:

- Mr Duncan had not visited the premises after receiving the objection, but had written to the objector asking for more details of noise pollution
- People were living right beside the premises

The Chair advised that the Sub Committee would at 7:35pm adjourn to consider the evidence presented. Members reconvened at 7.45 pm. The Chair reported that:

Having heard from the applicant and officers representing Planning Enforcement, the decision was to grant the application in part with a number of conditions that were considered necessary and proportionate to impose.

The Sub Committee considered the application based on the information that was provided at the meeting, giving due weight to environmental issues in this instance. However the decision was ultimately decided in regard to the licensing objectives, in this case, the prevention of crime and disorder and the prevention of public nuisance.

RESOLVED

That the variation application for the Premise License for Real Flavour, 221 East India Dock Road, London 14 0ED be **GRANTED in part**, with the following conditions;

Late Night Refreshment

Sunday – Thursday 11:00 to 23:30 hours
Friday and Saturday 11:00 to 00:30 hours

Hours premises are open to the public

Sunday – Thursday 11:00 to 23:30 hours
Friday and Saturday 11:00 to 00:30 hours

Conditions

1. That litter be removed from the front of the premises on a regular basis throughout the hours of operation.
2. That signs be erected on the premises asking patrons to respect the neighbouring residents by being quiet on leaving the premises at night.
3. That the Environmental Protection department be requested to send officers to visit the premises to assess the noise from the premises' extractor fan in respect of night time ambient noise, and the owner to carry out works to reduce noise pollution to officers' satisfaction.

4.3 Application to Vary the Premises Licence for Denni's News, 15 Swaton Road, London E3 4ES (LSC 31/011)

At the request of the Chair, Mr Moshin Ali, presented the report which detailed the application to Vary the Premise License for Denni's News, 15 Swaton Road, London E3 4ES. A petition had been received in objection to the variation.

At the request of the Chair, Mr Paul Greeno, Senior Advocate for the Council, advised Members that they were considering the physical extension, not whether the applicant is selling alcohol or the hours of operation of the premises.

At the request of the Chair, Mr Tom Watson spoke as representative for the applicant, Mr Dinesh Kanzaria, on why the variation should be granted. Mr Watson explained that the Premises License had been granted in February 2009, however Mr Kanzaria had not sold any alcohol from the shop, deciding to make alterations and install CCTV first. Delays had been caused by problems with the builders.

A complaint had been received about drinkers outside the shop; but the shop itself was not open for business during that time. Concerns about the potential for groups of youths to gather at the side of the premises should be alleviated by the installation of CCTV covering the area. Mr Kanzaria was an experienced off-license proprietor.

In response to questions, Mr Watson responded that:

- the proposed hours of operation were to 11pm
- the objectors to the application lived in the same street
- the applicant was going to keep a log of refusals to sell alcohol to underage customers
- Mr Watson would be advising the applicant on refusing underage requests for alcohol, and supplying him with posters, a log for refusals and training. He confirmed that Mr Kanzaria did not wish to add to this problem
- Mr Kanzaria would give out his phone number to local residents, so they could contact him with problems

The Chair advised that the Sub Committee would at 7.50pm adjourn to consider the evidence presented. Members reconvened at 8.05pm pm. The Chair reported that:

Having heard from the applicant and officers representing Planning Enforcement, the decision was to grant the application with a number of conditions that members considered were necessary and proportionate to add.

The Sub Committee considered the application based on the information that was provided at the meeting, giving due weight to environmental issues in this instance. However the decision was ultimately decided in regard to the licensing objectives, in this case, the prevention of crime and disorder and the protection of children

RESOLVED

That the variation application for the Premise License for Denni's News, 15 Swaton Road, London E3 4ES be **GRANTED**, with the following conditions:

1. That a 'Challenge 21' policy be implemented;
2. That the alcoholic beverages be only sold from the racks and coolers as laid down on page 201 of the agenda and the alcohol on sale constitute no more than 10% of the stock on display in the shop.

The meeting ended at 8.10 pm

Chair, Councillor Peter Golds
Licensing Sub Committee

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING SUB COMMITTEE

HELD AT 6.30 P.M. ON THURSDAY, 30 SEPTEMBER 2010

**COUNCIL CHAMBER, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG**

Members Present:

Councillor Peter Golds (Chair)

Councillor Shafiqul Haque
Councillor Amy Whitelock

Officers Present:

Mohshin Ali – (Acting Senior Licensing Officer)
Paul Greeno – (Senior Advocate)
Simmi Yesmin – (Senior Committee Officer)

Applicants In Attendance:

Mr Baylis - (Strada)
Mr Toreas - (Strada)
Andy Jackson - (Metropolitan Police)

Objectors In Attendance:

Riffat Malik - (Fairprice Cash & Carry)
Safdar Hussain - (Fairprice Cash & Carry)
Ian Stewart - (Resident Representative)
Enzo Testa - (Resident Representative)
Victoria Norval - (Resident Representative)

The Chair welcomed everyone to the meeting, ensured that introductions were made and then briefly outlined the procedure of the meeting.

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. RULES OF PROCEDURE

The Rules of Procedures were noted.

4. UNRESTRICTED MINUTES

The unrestricted minutes of the Licensing Sub Committee meetings held on 19th August were agreed as a correct record of proceedings.

5. ITEMS FOR CONSIDERATION

The order of the business was varied in order to accommodate the late arrival of an applicant, however the minutes are in the same order as the agenda for ease of reference.

5.1 Application to Review the Premises Licence for Fairprice Cash & Carry, 524 Roman Road, E3 5ES (LSC 32/011)

At the request of the Chair, Mr Mohshin Ali, Acting Senior Licensing Officer introduced the report which detailed the application for a review of the premises license for Fairprice Cash & Carry, 524 Roman Road, London E3 5ES. It was noted that the review had been triggered by the Metropolitan Police.

At the request of the Chair, Mr Andy Jackson explained that the review related to a series of operations run jointly with Police, Trading Standards and HRMC Customs. It was noted that certain off licences were identified following a review of intelligence from all three agencies. The premise was visited on 21st April 2010, on entry to the premises, a total of 46.2 litres of mixed spirits were found, which displayed counterfeit duty stamps. Further examination of the wine on sale had also revealed that there were 30 bottles (22.5 litres) of mixed wine which were non duty paid, these were then seized. There had been no receipts produced for the goods at the time the goods were seized and nor within the 28 day period. It was noted that the goods seized amounted to total duty evaded of £527.68.

Mr Jackson then referred to the supporting documents submitted by the Mr Safdar Hussain, Premises Licence Holder consisting of receipts and invoices from cash and carries dating a few months prior to the visit at the premises. Mr Jackson explained that whilst it did not prove that the alcohol was purchased from wholesalers it did confirm that Mr Hussain did purchase alcohol from wholesalers on a regular basis.

Mr Jackson referred Members to the DCMS guidance which stated that the sale of smuggled tobacco and alcohol should be treated particularly seriously. Due to the small amount of goods found, compared to other premises that had been reviewed, Mr Jackson suggested that in this instance a series of conditions be imposed.

At the request of the Chair, Ms Riffat Malik, Legal Representative for the Premise License Holder, explained that they were happy for the suggested conditions to be imposed and that Mr Hussain was happy to cooperate with the police. She explained that Mr Hussain had purchased the alcohol as a mistake and was unaware of the fact that they were counterfeit goods. She explained that Mr Hussain had always purchased from reliable cash and carries and referred to the supporting documents (receipts from the wholesalers). She then addressed the issues raised by trading standards in relation to underage sale and confirmed that the following training programmes were already in place to prevent this from happening again, such as staff training to discourage underage sale of alcohol and tobacco, knowledge of licensing law, awareness of licensing policies and procedures, guidance on how to assess age and advice on handling refusals.

In response to a question Mr Hussain stated that he would comply with all rules and regulations, taking extra precautions when purchasing alcohol and would adhere to the new conditions that had been suggested by the Police.

The Chair advised that the Sub Committee would at 7.40pm adjourn to consider the evidence presented. Members reconvened at 7.50pm. The Chair reported that;

Having heard representations from the Metropolitan Police and from the Premise Licence Holder, members decided to MODIFY the conditions on the licence by imposing further conditions as listed below, in order to further the licensing objective of preventing crime and disorder.

Members had regard to the relatively small amounts of non-duty paid wine and spirits that had been found on the premises, and the sums that had been lost to the revenue. They had regard to the statutory guidance which provides that the sale of smuggled tobacco and alcohol should be treated "particularly seriously" when reviewing a licence (paragraph 11.26).

Members were conscious that it was not their role to determine the guilt or innocence of any individual. Nevertheless, they were of the view that the licence holder in this case had not been guilty of any intentional wrong doing and would introduce measures to promote the licensing objectives. They had regard to the fact that the responsible authority was no longer seeking suspension of the licence.

Members were concerned about the presence of non-duty paid alcohol at the premises and considered that it was necessary in order to promote the relevant licensing objective that further conditions should be imposed on the licence. This would help to prevent crime and disorder associated with the sale of counterfeit and non-duty paid items on the premises in the future.

RESOLVED

That the review application for Fairprice Cash & Carry, 524 Roman Road, London E3 5ES, be **GRANTED** with the following conditions;

Conditions

- 1) The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers unless they are from a bona fide company.
- 2) The premises licence holder shall ensure that all receipts for goods bought include the following details:
 - i) Seller's name and address
 - ii) Seller's company details, if applicable
 - iii) Seller's VAT details, if applicable
 - iv) Seller's vehicle details, if applicable
- 3) Copies of the documents referred to in 2) shall be retained on the premises and made available to officers on request within 1 week of the request.
- 4) An ultra violet light will be used at the store to check the authenticity of all stock purchased which bears a customs stamp.
- 5) The premises licence holder shall inform the Police and LBTH Trading Standards if any counterfeit goods are found.

5.2 Application for a New Premises Licence for Strada, Unit E1, 12 Hertsmere Road, West India Quay, London E14 4AF (LSC 33/011)

At the request of the Chair, Mr Mohshin Ali, Acting Senior Licensing Officer, introduced the report which detailed the application for a new premises license for Strada, Unit E1, 12 Hertsmere Road, West India Quay, London E14 4AF. It was noted that objections had been received by local residents. It was also noted that Planning Enforcement had withdrawn their objection due to the amended application submitted by the applicant with the reduction in hours.

At the request of the Chair, Mr Baylis, Legal Representative for the applicant referred Members to page 117 of the agenda which had amendments to the license application which included a reduction in hours and the removal of background music. He explained that alcohol would be served at tables with food, that it would primarily be a restaurant was a small bar area, with customers spending £30 on average.

The Chair then invited residents who wished to address the Committee, Ian Stewart, Enzo Testa and Victoria Norval, were among the resident representatives who spoke in objection to the application, each addressing similar concerns in relation to noise nuisance, public disorder, anti-social behaviour, and crime and disorder.

In response to questions it was noted that Wednesday to Friday was the best nights for restaurant trade and therefore the applicant was applying for later hours on those days, that the age and fabric of the building meant that noise did travel up to flats above the restaurants with noise permeating throughout the building, as well as noise from customers congregating outside the premises. It was further noted that the residents were not objecting to Strada as a whole but were objecting to the hours applied for as they wanted to get the right balance for residents and local businesses. It was also noted that the applicant was happy for a condition to be imposed to restrict customers from vertical drinking.

The Chair advised that the Sub Committee would at 7.05pm adjourn to consider the evidence presented. Members reconvened at 7.25pm. The Chair reported that;

Having heard representations from all interested parties, members decided to GRANT the application in part and imposed a condition in order to promote the licensing objective of preventing crime and disorder and preventing public nuisance.

Members had regard to the concerns of residents, but they had to base their decision on evidence presented before them and not speculation. Members noted the concerns raised by those making representations regarding crime and disorder and public nuisance but it was considered, however, that these were very much future concerns regarding what could happen if more late night premises were to open in the local area. Members had considered the application based on the current position. Members had taken note however of the evidence given by residents as to the disturbance caused to the residents from noise being caused within venues already operating and therefore that the application could be granted but on reduced hours and with an additional condition.

RESOLVED

That the new application for Strada, Unit E1, 12 Hertsmere Road, West India Quay, London E14 4AF, be **GRANTED in part** with the following hours and condition;

Sale of Alcohol

Saturday to Thursday from 09:00 hours to 23:00 hours
Friday from 09:00 hours to 00:00 hours (midnight)

Late Night Refreshments

Saturday to Thursday from 23:00 hours to 23:30 hours
Friday from 23:00 hours to 00:30 hours

Hours Premises are Open to the Public

Saturday to Thursday from 07:00 hours to 23:30 hours

Friday from 07:00 hours to 00:30 hours

Condition

1) All drinks to be taken to tables by waiting staff, with no vertical drinking permitted.

6. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There was no other business considered urgent by the Chair.

The meeting ended at 8.00 p.m.

Chair, Councillor Peter Golds
Licensing Sub Committee

Agenda Item 5.1

Committee: Licensing Sub-Committee	Date: 26 October 2010	Classification: UNRESTRICTED	Report No. LSC 40/011	Agenda Item No.
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Report of: Colin Perrins Head of Trading Standards and Environmental Health (Commercial) Originating Officer: Mohshin Ali Acting Senior Licensing Officer	Title: Licensing Act 2003 Application to Review the Premises Licence for Low Cost Food and Wine, 367 Mile End Road, London E3 4QS Ward affected: Bow West
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1.0 Summary

Name and Address of premises:	Low Cost Food and Wine 367 Mile End Road London E3 4QS
Licence under review:	Premises Licence - Licensing Act 2003 <ul style="list-style-type: none">• Sale by retail of alcohol
Review triggered by:	Metropolitan Police
Representations:	Local residents - (Supporting the premises)

2.0 Recommendations

- 2.1 That the Licensing Committee considers the application for review and then adjudicates accordingly.

LOCAL GOVERNMENT 2000 (Section 97)
LIST OF "BACKGROUND PAPERS" USED IN THE DRAFTING OF THIS REPORT

Brief description of "background paper"	Tick if copy supplied for register	If not supplied, name and telephone number of holder
<ul style="list-style-type: none">• Guidance Issued under Section 182 of the Licensing Act 2003• Tower Hamlets Licensing Policy• File		Mohshin Ali 020 7364 5498

3.0 Review Application

- 3.1 This is an application for a review of the premises licence for Low Cost Food and Wine, 367 Mile End Road, London E3 4QS.
- 3.2 The review was triggered by the Metropolitan Police. A copy of the review application is attached in **Appendix 1**.
- 3.3 Due to recent directions from Information Governance, personal details have been redacted from the report, however, the originals are on file and can be produced by the Licensing Officer if required.

4.0 The Premises

- 4.1 The premises licence was issued on 16th January 2006. A copy of the current premises licence is contained in **Appendix 2**.
- 4.2 Maps showing the premises and the surrounding areas are included in **Appendix 3**.

5.0 Representations

- 5.1 This hearing is required by the Licensing Act 2003, because a review has been triggered by the Metropolitan Police. The review documents include witness statements from the following Officers:
- Please see **Appendix 4** for the witness statement of Benjamin Cooper, H.M. Revenue and Customs Officer.
 - Please see **Appendix 5** for the witness statement of Alan Richards, Trading Standards Officer.
- 5.2 A representation in support of the premises has been received from Mark Rogers who is the security/receptionist at Queen Mary's University of London. Please see **Appendix 6**
- 5.3 In addition, a petition has also been received in support of the premises (please see **Appendix 7**). Please see **Appendix 8** for a list of residents on the petition on an excel spreadsheet.

- 5.4 This Service respectfully refers the Licensing sub-committee to the Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary for State for Culture, Media and Sport. In particular the Service requests that you consider paragraphs 11.23 to 11.28, Reviews arising in connection with crime, making reference to paragraph 11.26. Paragraph 11.26 states that there is certain criminal activity that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. These are the use of the licensed premises for, amongst other things, the sale of smuggled tobacco. **In paragraph 11.27 the guidance advises that revocation of the licence should seriously be considered, even at first instance.**
- 5.5 Only representations that relate to the following licensing objectives are relevant:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 5.6 In the view of the responsible authority it is necessary to achieve the licensing objective of the prevention of crime & disorder.

6.0 Review Explained

- 6.1 The Licensing Act 2003 was described by the Government at the time as “light touch” but as Baroness Blackstone stated in the Lords at the time of the second reading (26 Nov 2002) “Local residents and businesses as well as expert bodies, will have the power to request that the licensing authority review existing licences where problems arise. Such a review could result in the modification of the licence, its suspension, or ultimately, revocation.”
- 6.2 The Department for Sport, Culture and Media Affairs has issued guidance under Section 182 of the Licensing Act 2003 in relation to reviews and that is contained in **Appendix 9**. It is available on the Government’s website, www.culture.gov.uk. It was last revised on 29th March 2010.
- 6.3 Members are particularly asked to note the comments in relation Crime and Disorder. In particular the DCMS advice is that “The role of the licensing authority when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure that the crime prevention objective is promoted.”

- 6.4 In relation to its advice on representations the DCMS has also advised that “there is no requirement for an interested party or responsible authority to produce a recorded history of problems at a premises to support their representations.” It has also issued revised guidance about Crime and Disorder, and the pool of conditions which might be considered in relation to any identified problems. **See Appendix 10.**
- 6.5 Members should also note the Council’s Licensing Policy in relation to Crime and Disorder, the relevant parts of which are contained in **Appendix 11.** The Pool Conditions in the Policy are the same as the Government’s.
- 6.6 In relation to the prevention of Public Safety the DCMS advises Licensing Authorities under article 43 of the Regulatory Reform (Fire Safety) Order 2005 any conditions imposed by the licensing authority that relate to any requirements or prohibitions that are or could be imposed by the Order have no effect and should therefore not seek to impose fire safety conditions where the Order applies.
- 6.7 The DCMS has advised that in relation to reviews “It is important to recognise that the promotion of licensing objectives relies heavily on a partnership between licence holders, authorised persons, interested parties and responsible authorities in pursuit of common aims. It is therefore equally important that reviews are not used to drive a wedge between those groups in a way that would undermine the benefits of co-operation. It would be good practice for authorised persons and responsible authorities to give licence holders early warning of their concerns about problems identified at the premises concerned and of the need for improvement. It is expected that a failure to respond to such warnings would lead to a decision to request a review.”
- 6.8 The licensing authority itself cannot trigger a review; that can only be done by a responsible authority or an interested party (local resident, business or a Ward councillor).
- 6.9 An interested party or a responsible authority can trigger a review at any time, but the grounds must be relevant to the licensing objectives. The form of the application, and the advertisement of the review are the subject of regulations (The Licensing Act 2003 (Premises Licences and Club Premises Certificate) Regulations 2005). In addition, the licensing authority has to satisfy itself of certain matters in relation to the Licensing Act 2003. The Licensing Services Manager Ms Jacqueline Randall is the delegated officer who deals with this on behalf of the licensing authority. All the matters stated in 6.10 were considered before any representations were accepted for inclusion in this report.

- 6.10 The Licensing Act 2003 requires that the Licensing Authority satisfies itself that it should reject the grounds for a review because:
- The ground is not relevant to one or more of the licensing objectives
 - In the case of an application by a local resident that the application is frivolous, vexatious or repetitious.

7.0 Review Advertisement

- 7.1 The review was advertised by a blue poster, next to the premises, by the Licensing Section. This was periodically monitored by the Section to ensure it was on continuous display, and replaced as necessary. It was also advertised at Mulberry Place, 5 Clove Crescent, London E14 2BG.
- 7.2 The party that triggers the review must notify the licence holder and responsible authorities. The review documents were sent to the licence holders.
- 7.3 The procedure for a review can be summarised as follows:
- A review is triggered by a responsible authority or interested party
 - Consultation is conducted for 28 full days
 - Other responsible authorities or interested parties may join in the review
 - Members conduct a hearing
 - Members make a determination
 - All the parties to the review have the right of appeal to the magistrates court (i.e. the licence holder, the person who triggered the review and those who have made a representation).

8.0 Licensing Officer Comments

- 8.1 Members must consider all the evidence and then decide from the following alternatives:
- Take no further action as they do not consider it proportionate to do so
 - Impose conditions (including altering existing permissions) that relate to problems which they consider have been identified and which are necessary and proportionate to ensure that the licensing objectives are met
 - Suspend the licence for a period
 - Revoke the licence completely

- 8.2 The licence should only be suspended or revoked if Members believe that alterations to the existing licence, including imposing new conditions does not have a reasonable prospect of ensuring that the licensing objectives are met.
- 8.3 Members should bear in mind that conditions may not be imposed for any purpose other than to meet the licensing objectives.
- 8.4 In all cases the Members should make their decision on the civil burden of proof that is “the balance of probability.”
- 8.5 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.

9.0 Legal Comments

- 9.1 The Council’s legal officer will give advice at the hearing.

10.0 Finance Comments

- 10.1 There are no financial implications in this report.

11.0 Appendices

- Appendix 1** Copy of the review application
- Appendix 2** Current Premises Licence
- Appendix 3** Maps of the premises and surrounding area
- Appendix 4** Witness statement of Benjamine Cooper, H.M. Revenue and Customs Officer.
- Appendix 5** Witness statement of Alan Richards, Trading Standards Officer.
- Appendix 6** Representation of Mark Rogers
- Appendix 7** A petition has also been received in support of the premises
- Appendix 8** A list of residents on the petition
- Appendix 9** Guidance issued under Section 182 by the Department for Sport, Culture and Media Affairs for reviews
- Appendix 10** Guidance Issued by the Department for Culture Media and Sport under Section 182 of the Licensing Act 2003 concerning Crime and Disorder
- Appendix 11** London Borough of Tower Hamlets Licensing Policy in relation to the prevention of Crime and Disorder
- Appendix 12** Supporting documents from Alan Richards, Trading Standards Officer.

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Appendix 1



This form should be completed and forwarded to:

London Borough of Tower Hamlets,
Licensing Section, Mulberry Place (AH), PO BOX 55739, 5 Clove Crescent, London E14 1BY

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 Alan Cruickshank PC 189HT 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 club premises, or if none, ordnance survey map reference or description	
Low Cost Food and Wine 367 Mile End Road	
Post town London	Post code (if known) E3 4QS

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

Mr Shahidur RAHMAN

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

11288-374

STANDARDS
09 JUL 2010

Part 2 - Applicant details

Please tick yes

I am

- 1) an interested party (please complete (A) or (B) below)
 - a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 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)

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 **Postcode**

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

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

Surname	First names
<input type="text"/>	<input type="text"/>

I am 18 years old or over Please tick yes

Current postal address if different from premises address

Post Town **Postcode**

Daytime contact telephone number

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Licensing Unit Metropolitan Police Bethnal Green Police Station 12 Victoria Park Square London E2 9NZ
Telephone number (if any) 0208 217 6699
E-mail (optional) Alan.Cruickshank@met.police.uk

BLANK

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 provide as much information as possible to support the application (please read guidance note 2)

On the 22nd April 2010, a joint operation was conducted at a number of off licences. Taking part in this multi-agency approach were H.M. Revenue and Customs, LBTH Trading Standards and Bethnal Green Police Licensing Unit.

At about 1205 we entered Low Cost Food and Wine, 367 Mile End Road, E3 4QS. After identifying myself to a man I now know to be a Mr Moshahid Ahmed, Mr Razu RASID and later to a man I now know to be a Mr Shahidur Rahman, the current DPS, a search took place throughout the shop. "Smuggled goods" were found on the shop's shelving and in the stock room.

The total amount found was 435 bottles (326.25 litres) of mixed Italian wine .They were selling two bottles for £5.

I produce a statement from Ben Cooper of H.M Revenue and Customs. He seized the above bottles under Customs related legislation. The calculated total amount of duty evaded was £ 733.85, plus 17.5% VAT.

Also seized on that day by LBTH Trading Standards was 114 bottles of Glen's vodka. I believe the bottles had fake labels attached, trying to indicate that the duty had been paid but this was not the case.

I produce a statement from Alan Richards, a LBTH Trading Standards Officer who seized the vodka.

However it can also be noted that an under-age sale was refused on the 1st July 2010

As a result of our joint operation on the 21st and 22nd of April 2010 this is one of three off-licences in Tower Hamlets who are currently being reviewed over the offence of smuggled goods. Five others are being reviewed by this office with a recommendation that the licence be suspended. I am also aware Trading Standards are reviewing two premises.

Prior to the April operation four other off licences were revoked by the licensing committee after similar offences were committed on 17th and 18th November 2009.

This would seem to be an ongoing problem in Tower Hamlets and further joint operations will take place.

DCMS guidelines state that the selling of smuggled goods is deemed a serious offence and should be viewed as such by licensing committees.

As this is a crime of dishonesty, no conditions can be imposed on the premises licence that would deter further criminal activity.

In light of this I would ask the Committee to consider revoking their premise licence.

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

Please tick yes

If yes please state the date of that application

Day	Month	Year

If you have made representations before relating to this 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 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature

[Redacted Signature]

Date

7th July 2010

Capacity

Police Licensing Officer

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)	
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 1. The ground(s) for review must be based on one of the licensing objectives.
- 2 2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
- 3 3. The application form must be signed.
- 4 4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 5 5. This is the address which we shall use to correspond with you about this application.

Appendix 2



TOWER HAMLETS

Licence / Registration

Certificate Number

11288

367 Mile End Road
London
E3 4QS

Licensable Activities authorised by the licence

The sale by retail of alcohol

See the attached licence for the licence conditions

Signed by

John Cruse
Team Leader Licensing



Date: 16/01/2006

FOR OFFICE USE

Receipt Number	Fee Paid	Fee Req.	Date	Initial
497\2003 LicAct certs & lies\Prem Lic\ MileEndRoad367.doc				

161953

2196

Page 71

115106

Page 1 of 7

MT



Part A - Format of premises licence

Premises licence number

11288

Part 1 - Premises details

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

367 Mile End Road

Post town

London

Post code

E3 4QS

Telephone number

[REDACTED]

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

Alcohol

- Monday to Sunday, 07:00 hours to 07:00 hours (24 hours)

The opening hours of the premises

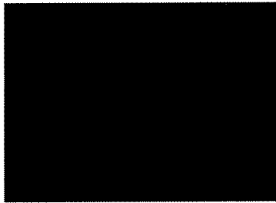
- Monday to Sunday, 07:00 hours to 07:00 hours (24 hours)

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

Off sales

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence



Registered number of holder, for example company number, charity number (where applicable)

N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol



Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Shahidur Rahman
London Borough Tower Hamlets **Licence No. 10408**

Annex 1 - Mandatory conditions

No supply of alcohol may be made under the premises licence-

- a) at a time where there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

Times

Alcohol

- Monday to Sunday, 07:00 hours to 07:00 hours (24 hours)

Annex 2 - Conditions consistent with the operating Schedule

1. CCTV will be operating inside and outside the premises 24 hours a day
2. Spirits will be kept behind the till

Annex 3 - Conditions attached after a hearing by the licensing authority

N/A

Annex 4 - Plans

The plans are those submitted to the licensing authority on the following date:

14 December 2005



TOWER HAMLETS

Licensing Act 2003

Part B - Premises licence summary

Premises licence number

11288

Premises details

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

367 Mile End Road

Post town
London

Post code
E3 4QS

Telephone number
[REDACTED]

Where the licence is time limited
the dates

N/a

Licensable activities authorised
by the licence

The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

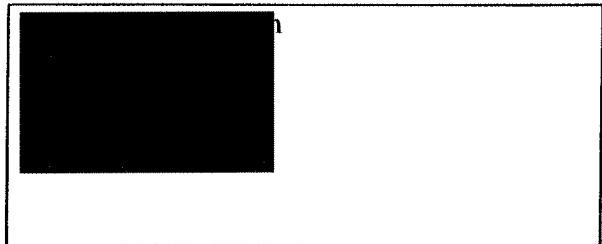
Alcohol

- Monday to Sunday, 07:00 hours to 07:00 hours (24 hours)

The opening hours of the premises

- Monday to Sunday, 07:00 hours to 07:00 hours (24 hours)

Name, (registered) address of holder of premises licence

A rectangular box containing a solid black redaction covering the name and address of the licence holder.

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Off sales

Registered number of holder, for example company number, charity number (where applicable)

N/A

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

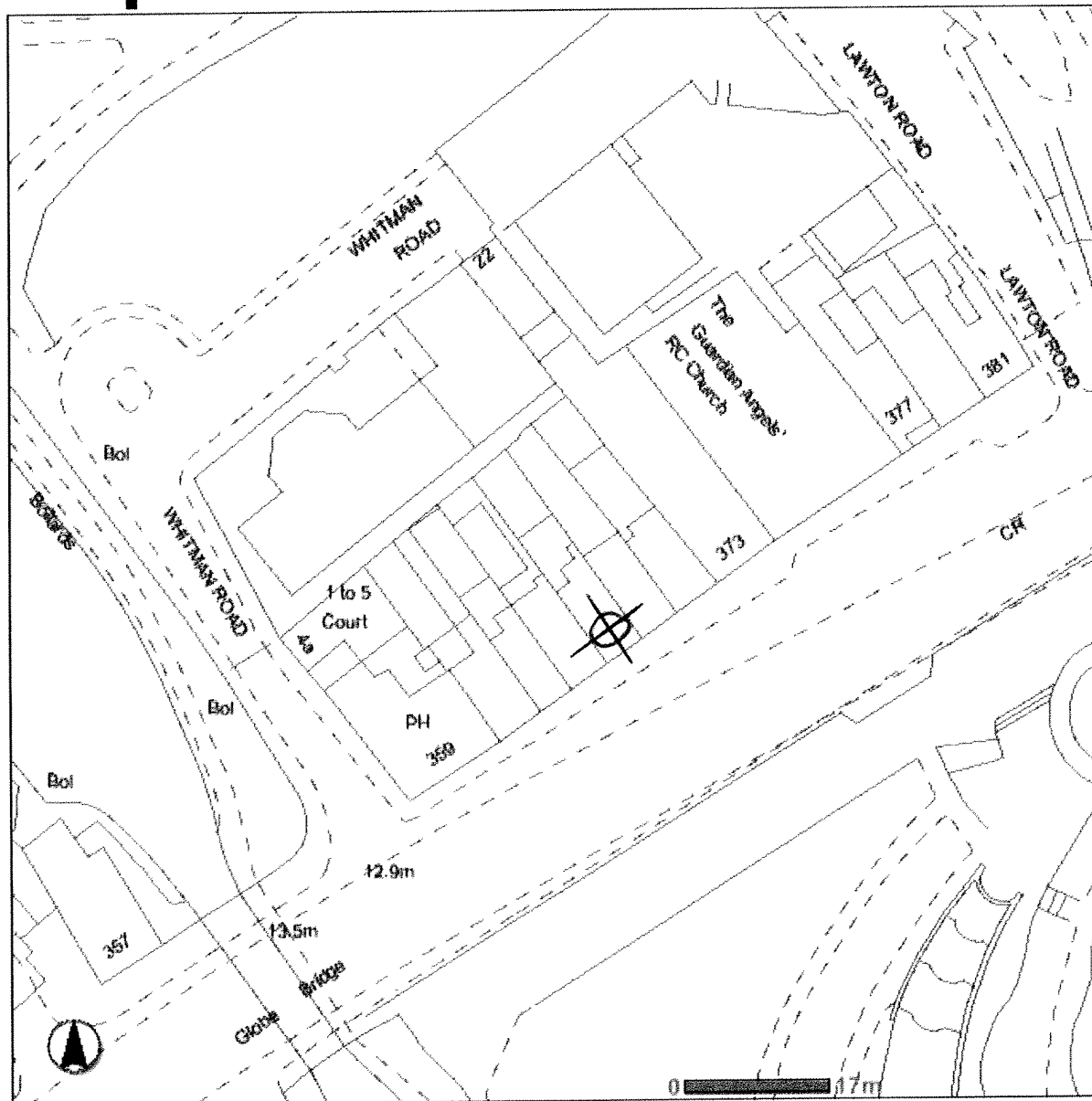
Mr Shahidur Rahman

State whether access to the premises by children is restricted or prohibited

No

Appendix 3

Map



Scale 1:750

Map of:

367 Mile End Road

Notes:

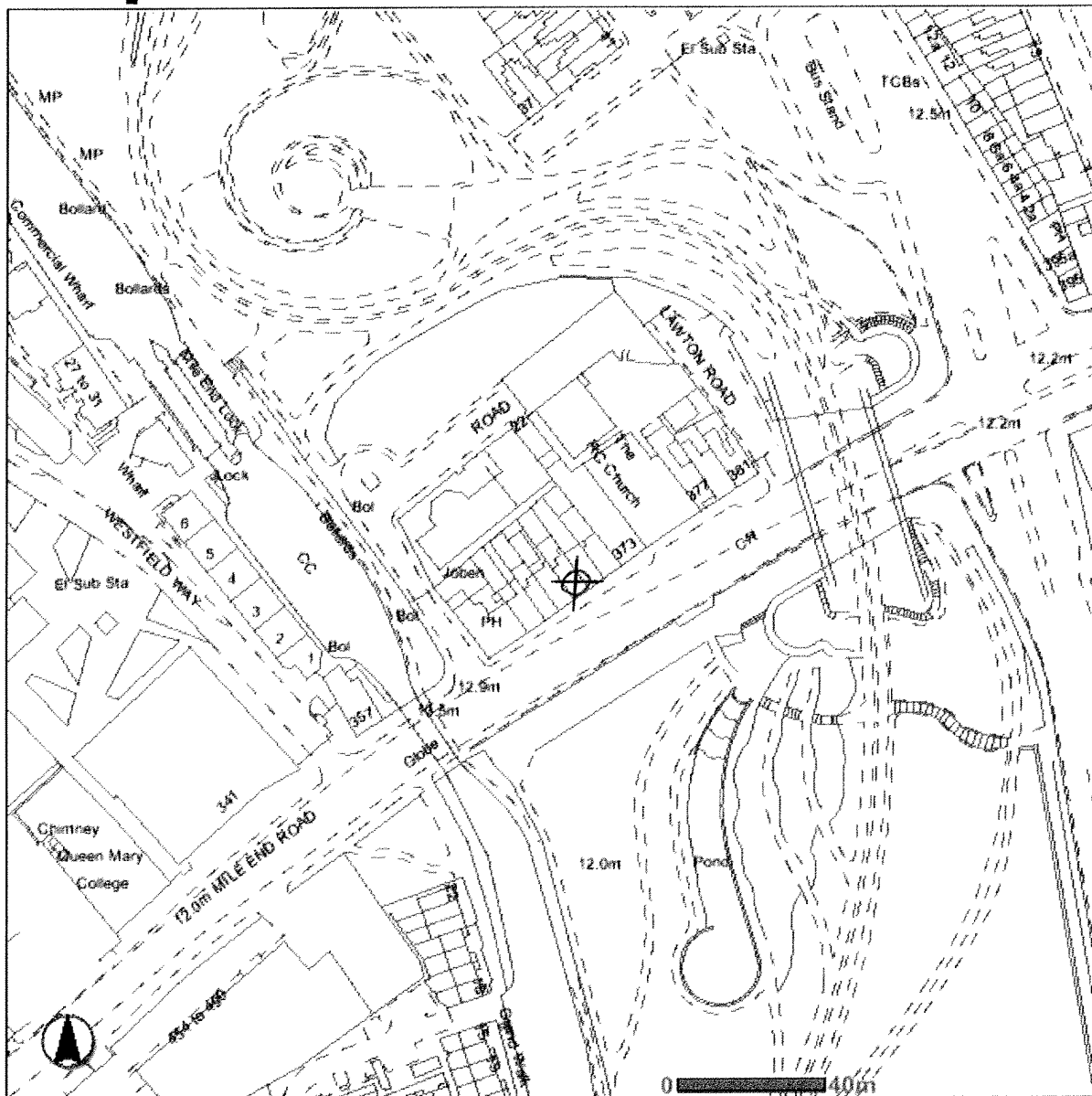
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Supplied by London Borough of Tower Hamlets

Licence Number: LA100019288

Map



Scale 1:1750

Map of:

Notes:

367 Mile End Road

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Licence Number: LA100019288

Appendix 4

WITNESS STATEMENT

ENGLAND AND WALES ONLY

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

Statement of: Benjamine Cooper

Age if under 18: OVER 18 (If over 18 insert 'over 18')

Occupation: OFFICER OF H.M. Revenue & Customs

This statement (consisting of one page) signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature: Ben Cooper

Date: 17th June 2010

I am an Officer of H.M. Revenue & Customs based at Jubilee House, Stratford, London, E15 1AT.

On 22nd April 2010, Officer Clark from H.M. Revenue & Customs and I, with Officers from Tower Hamlets Police Licensing Unit (Bethnal Green) and Trading Standards (Tower Hamlets) conducted a joint operation targeting various Off Licences within the area.

At 12:00 hours, Officers from the above mentioned agencies and I entered the premise at Low Cost Food & Wine, 367 Mile End Road, Mile End, London, E3 4QS.

We all identified ourselves accordingly and explained the reasons for the visit (checks on UK Duty Paid stickers/stamps on both alcohol and cigarettes) to a man I now know to be Mr Razu Rasid.

A search was conducted under Customs & Excise Management Act 1979, s.112.

Found on shop shelving and the stock room below was a total of 435 bottles (326.25 litres) of mixed Italian wine. This was being sold as 2 bottles of wine for £5. When asked for documentary evidence, such as purchase invoices for the wine, none was forthcoming/available.

At 12:20 hours, all the above mentioned goods were seized under CEMA 1979, s.139.

Forms C156 (Notice of Seizure) and C162 (Warning letter) were issued to and signed by Mr R. Rasid.

At approximately 13:05 hours, all officers exited the premises.

It has been calculated that the total amount of Duty evaded equates to £733.85, plus 17.5% VAT.

Date: 17th June 2010

Signature: [Redacted]

(signature of witness)

Signature: _____

(signature witnessed by)

STATEMENT OF WITNESS: ENGLAND AND WALES ONLY

Page 1 of 1

Appendix 5

Witness Statement

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN:

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Statement of: ALAN EDWARD RICHARDS

Age if under 18 (if over insert "over 18"): OVER 18

Occupation: TRADING STANDARDS OFFICER

This statement (consisting of Pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Name / Signature:

Date:

Tick if witness evidence is visually recorded:

(Supply witness details on last page)

Statement

I am Alan Richards and I am employed as a Trading Standards Officer by the London Borough of Tower Hamlets Trading Standards Service, and as such I am authorised to enforce a number of pieces of Trading Standards legislation including the Trade Marks Act 1994 and the Consumer Protection from Unfair Trading Regulations 2008. I qualified as a Trading Standards officer in 1994 and have considerable experience in dealing with items produced without the authority of the Trade Mark holders, commonly known as counterfeits.

Background

The Trading Standards department, in conjunction with officers from HM Revenue and Customs (HMRC) and the local Police Licensing Team, are carrying out a series of joint visits targeting off licences in the borough looking at a number of potential problems including illicit tobacco, counterfeit goods, alcohol duty evasion and licensing offences. These visits are mainly targeted as a result of intelligence received from any of the agencies involved.

On the 22nd April 2010 I was in the company of Kevin MAPLE (Trading Standards Seconded), four officers from HMRC led by Benjamin COOPER and Police licensing Officer Alan CRUICKSHANK carrying out a number of these visits.

At around 11:20 am I received a telephone call from Anita Davis from the Trading Standards Office informing me that during a visit to a café called 'Munch' at 365 Mile End Road, Environmental Health Officer Ken MARSHALL had noted a quantity of Glens Vodka stored on the premises, possibly stored on behalf of an off licence next door called Low Cost Food and Wine. I am well aware that Glens Vodka is frequently counterfeited and/or smuggled in order to evade

Name / Signature:

Signature Witnessed by:

Witness Statement

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

duty, so as a result of receiving this information we decided to visit these premises.

Visit to 'Munch' 365 Mile End Road

At approximately 12:05, accompanied by an officer from HMRC, I entered Munch. After showing our identification and explaining the purpose of our visit to the manager we went into the storage basement. There was no alcoholic drink, including Glens, on the premises so we then left.

Visit to Low Cost Food and Wines 367 Mile End Road

At approximately 12:10 I entered Low Cost Food and Wines at 367 Mile End Road, London E3 4QS where the other officers were already present and in conversation with the employees/management of the shop. I went down a set of stairs to the side of the counter which led to a large basement storage area consisting of two rooms. In the smaller and first of these two rooms I could see a variety of cases of both alcoholic and non-alcoholic drinks including a number of boxes of Glens vodka and various brands of wine. In the larger second room were further quantities of both alcoholic and non-alcoholic drinks in boxes and loose on shelving, including some bottles of Glens vodka. I then went back upstairs to the shop and informed the officers from HMRC, one of whom came back down with me and we carried out an initial examination of the alcohol and specifically looked at the Glens vodka. The customs officer carried out a screen test on the rear duty labels and was of the opinion that the duty label was counterfeit. Because of this and due to other printing anomalies on the rear label I formed the opinion that the 1 ltr and 70cl bottles of Glens vodka may be counterfeit. We therefore moved the cases of Glens vodka from the first storeroom upstairs into the main area of the store. This comprised of four (4) cases of twelve (12) one litre bottles and four (4) cases of twelve (12) seventy (70) centilitre bottles. From the second storeroom I also bought up seven (7) bottles of one (1) litre and eight (8) bottles of seventy (70) centilitre bottles of Glens vodka.

Within the store I was informed by Kevin Maple that he had located three (3) seventy (70) centilitre bottles of Glens vodka behind the counter which he had sealed in a bag with the unique seal number P00409761.

Within the store I could see that officers from HMRC were examining and seizing a large quantity of wine, which they believed that required duty had not been paid on, and further quantities of the same brands of wine were also being recovered from the basement storage area.

I could also see and hear a quite heated discussion between officers from HMRC and two men, the younger of whom I later learned was Mr Shahid RAHMAN. I interceded into this discussion in order to both deflect it and to more fully

Name / Signature:

Signature Witnessed by:

Witness Statement

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

introduce myself, the purpose of my visit and the actions I intended to take in relation to the Glens vodka. Mr Rahman informed me that he was the owner of the business and the licensee and gave his address as [REDACTED]

[REDACTED] I fully explained to Mr Rahman the interests of both Trading Standards and HMRC and that I was seizing the Glens vodka as I believed it to be counterfeit under the Trade Marks Act 1994. In order to assist in this explanation Benjamin Cooper from HMRC demonstrated the screen test of the duty labels to Mr Rahman. Mr Rahman was adamant that all the products had been purchased from wholesalers and that he could produce paperwork relating to them.

Kevin Maple and I then bagged the Glens vodka and as follows:

No. bottles	Quantity	Seal number	Exhibit number
24	70 cl	LBTH002371	AER/LC/1
5	70 cl	LBTH002379	AER/LC/2
3	70 cl	P00409761	AER/LC/3
12	1 ltr	LBTH002374	AER/LC/4
24	70 cl	LBTH002372	AER/LC/5
12	1 ltr	LBTH002377	AER/LC/6
12	1 ltr	LBTH004603	AER/LC/7
12	1 ltr	LBTH002400	AER/LC/8
7	1 ltr	LBTH002378	AER/LC/9
3	70 cl	P00409760	AER/LC/10

I noted these products, totalling one hundred and fourteen (114) bottles on a seizure notice number B0407 which was signed for by Mr Rahman and the top copy left with him. I produce the carbon copy of this notice as exhibit AER/LC/11.

HMRC had seized a large quantity of wine and some additional spirits upon which they believed duty had been avoided. We then loaded all the items seized by both ourselves and HMRC on the office van and took them to our secure evidence store.

Name / Signature:

Signature Witnessed by:

Witness Statement

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Meeting with Mr Rahman 30th April

On the 30th April 2010 Mr Rahman attended my office and gave me eleven (11) original invoices he said related to the seized stock of the 22nd April. I then photocopied these invoices, issued by EastEnders Cash and Carry Plc and gave the originals back to him. One invoice, number 41799, related solely to the purchase of Alpa wine and was date and time stamped after our seizure and I produce this as exhibit **AER/LC/Invoice1**. The remaining ten invoices, dated between 6th February 2010 and 3rd April 2010, listed purchases of varied drinks and I produce these as exhibits **AER/LC/Invoice2A to AER/LC/Invoice2J**. On the 6th May 2010 I examined these invoices in some detail and produced a schedule listing all purchases of Glens vodka contained on the invoices. I produce this schedule as exhibit **AER/LC/1**.

Examination of Glens vodka

On the 7th May 2010 I went to our evidence store and one by one I opened each of the seized bags to further examine the Glens vodka. I also removed four (4) samples to be sent to the manufacturer, Glen Catrine, for further examination, resealed the remainder and exhibit them as per a schedule which I produce as exhibit **AER/LC/2**. The four samples I marked as exhibits **AER/LC/2378/1, AER/LC/2400/1, AER/LC/9760/1 and AER/LC/2372/1** and sealed within an evidence bag with a unique seal number of LA042711 and sent them to Glen Catrine for examination the same day.

Name / Signature:

Signature Witnessed by:

Appendix 6

Mark Rogers



To The Licensing Authorities

Dear Sir

My name is Mark Rogers, I am the security/receptionist at Queen Marys University of London France house reception.

I am writing to you regarding the Low Cost Food and Wine store at 367 Mile End Road London and the restaurant, Munch next door. I frequent both these properties at least four times a week and have witnessed on numerous occasions juveniles being turned away when attempting to purchase alcohol and cigarettes and I am very impressed with the overall assistance of all the staff of both premises when local youths are causing problems with the university students. I am in consent contact with the owner Mr. Shahidur Rahman and I am very impressed with the assistance I receive from him and all of his staff regarding any possible problems between the local youths and students.

One example of many would be when recently they intervened when some local youths were attempting to steal a foreign student's telephone. This was resolved without the need to call the police thanks to Mr.Rahman and his staff.

Yours faithfully



Mr Mark Rogers.

Appendix 7

Dear to whom this may concern,

The purpose of this letter is to address the issues raised by PC Alan Cruishank which lead to the recommendation for the review and potential revocation of the premises licence of 367 mile end road. On the 22nd of April 2010 at 12:05 HM custom officers accompanied by the metropolitan police and trading standard seized goods from the property which they believed to be counterfeit and non duty paid. This was followed by the recommendation for a review: the application dated 07/07/10. The review raised the following issues (numbered below) and was initiated by the met police based on the crime and prevention objective:

1. Seizure of counterfeit Glens.
2. Seizure of Italian wines.

Following the seizure I the DPS contacted the trading standards officer (Alan Richards) initiating a meeting to follow up the issues raised. I was asked to bring in receipts for the products and the places which I had purchased them. Having passed the previous quarter ending April, all the receipts had been handed to the accountant whom submitted the accounts. Hence I handed in receipts of which I could find. I at this stage contacted my suppliers for receipts this included payless cash and carry however they wrote back to me saying that the company had gone into liquidation and they no longer took liability for anything. Later visits to the cash carry at which stage staff informed me that HM customs had seized all the good due to tax evasion and false duty stamps.

Having gone to the accountant to get receipts and files and rummage through all the other files I had I was able to compile numerous receipts for glens 70cl, Smirnoff 70cl, glens 1ltr, Smirnoff 1ltr and Stolicya and Finlandia other vodka products that had raised issues on the 22nd of April. Having been in regular contact with Alan Richards I was later able to find out that the Glens vodka seized were in fact genuine products which had been labelled with fake duty stamps.

In relation to the wine seized I was unable to find any receipts for the wine as it has to be appreciated that a large number of receipts are banked and continually checked and referred back to for pricing purposes that may have lead to the receipts being misplaced or even the actual file being lost. However the addresses of the cash and carries at which we buy the products from were disclosed and the prices ect. Another issue that was raised was the pricing strategy (2 for £5). As explained to the officer the price of the boxes of wine are on average now £16 inc VAT (during winter periods they are on average about £11+ VAT) but if you purchase 2 then you get the third for free which, essentially means that you get 3 cases of 6 wines (18 total) for £32 + VAT which is £1.85 approx per bottle enabling the business to sell Italian wine 2 for £5 as in business to retain and pull in costumers on certain products only minimal margins are made.

The conclusion at this stage is that the legitimate purchase of the vodka has been proved and even though the receipts for the wines were not found the information as to the purchase, the price and the addresses at which the products are bought has been disclosed and also officers have been invited to come cash and carrying with us if they required any further confirmation proving the legitimate purchase of the products seized.

In relation to the issues raised by the met regarding the prevention of crime and disorder the police on the first of July undertook the test of underage purchase at the property however no alcohol was served in this instance or ever at anytime before as disclosed in the letter. In the 5 years this business has been operated there has been no issues regarding the police or at any stage were the police called in due to any complaints or incidences. On this note there has never been any other problems relating to any other issues i.e. public nuisance ect ever been raised. Previous checks for illegal cigarettes fake condoms ect have also been undertaken however never at any stage were this products sold or found in this property.

This business is run under very strict management which takes pride in its customer service skills and the ability to diffuse any situation before it escalates into anything big as will its record show. We as business are also aware of local issues and activities i.e. festivals, funfairs and the University and are in regular contact with these authorities initiating a safe local environment and promoting the prevention of the crime and disorder on the premises and in the local area. All staff are trained to a very high level to maintain and improve our service to the local community and the local authority. Furthermore after this incident we have become better educated as to what to look for in counterfeit labelling and the use of neon light to check the authenticity of the product something that we were not aware of before but have now in place and used in our everyday cash and carrying.

Therefore in conclusion we have provided everything we have to prove the legitimate purchase of the product and in relation to the licensing objective we do everything in our power to promote the objective both on the property and in some instances outside the property were a situation may be happening that can be diffused. Complying with all the expectation of the property from responsible authorities and some beyond what is expected of us as a business and individuals.

Yours Sincerely



Mr. S. Rahman

I hereby sign this petition in regards to the review proposed by Tower Hamlets Council Licensing department for the alcohol licence of 367 mile end road, London, E1 4QS (Lowcost food and wine). I hereby sign this petition in full support of Lowcost food and wine and the steps taken by the business to promote the prevention of crime and disorder at the premises and in the local area. The business and its staff take all the precautions to promote all the licensing objectives and have done so since its operations began 5 years ago i.e. checking I.D., diffusing situations, monitoring the property both inside and outside ect. We are in full support of the business and the way in which it is operated and hereby give support to them in form of our signatures.

<u>Date:</u>	<u>Name:</u>	<u>Address:</u>	<u>Signature:</u>
04/08/10	SIMON MAN	[REDACTED] MILE END RD.	[REDACTED]
7/8/10	RON WEST	[REDACTED] MILE END RD	[REDACTED]
4/8/10	KAMRUL HUSSAIN	6 mile end Rd	[REDACTED]
4/8/10	JONATHAN COH	[REDACTED] MILE END ROAD	[REDACTED]
4/8/10	SARVAEY	[REDACTED] mile end Road	[REDACTED]
04/08/10	DAVE FERRIS	[REDACTED] MILE END ROAD	[REDACTED]
04/08/10	ROBIN SMITH	[REDACTED] MILE END ROAD	[REDACTED]
04/08/10	JIM O'HAGAN	[REDACTED] MILE END ROAD	[REDACTED]
04.08.10	REG. SINGH	[REDACTED] GROVE RD E3.	[REDACTED]
05.08.10	M WARD	[REDACTED] MILE END ROAD	[REDACTED]
05-08-10	KAMAL A. CHODH	[REDACTED] GROVE ROAD London E3 5AX	[REDACTED]
05-08-10	MAYA WITTETON	[REDACTED] Mile End Road	[REDACTED]
05/8/10	SHAHIN SAJJAD	[REDACTED] Mile End Road	[REDACTED]
05/8/10	ROBI RODRIGUEZ	[REDACTED] WHITMAN ROAD	[REDACTED]
05/8/10	AMY MCCARTHY	[REDACTED] MILE END ROAD	[REDACTED]
06/8/10	WILLIAM MCCARTHY	[REDACTED] MILE END ROAD	[REDACTED]
06/08/10	F. RAHMAN	[REDACTED] MILE END RD	[REDACTED]

Appendix 8

List of list of residents/business in support of the premises			
	Name	Address 1	Address 2
		Address 3	
1	Simon Man	Mile End Road	London
2	Ron West	& 373 Mile End Road	London
3	Kamrul Hussain	Mile End Road	London
4	Jonathon Loh	Mile End Road	London
5	Sarvary	Mile End Road	London
6	Dave Ferris	Mile End Road	London
7	Robin Smith	Mile End Road	London
8	Jim O'Hagan	Mile End Road	London
9	Reg Singh	rove Road	London
10	M Ward	Mile End Road	London
11	Kamal Choudhury	rove Road	London
12	Maya Wittleton	a Mile End Road	London
13	Shahin Samad	Mile End Road	London
14	Robi Rodriguez	hitman Road	London
15	Amy McCarthy	Mile End Road	London
16	William Cheung	Mile End Road	London
17	F Rahman	Mile End Road	London

Appendix 9

Guidance Issued by the Department for Culture Media and Sport under Section 182 of the Licensing Act 2003

POWERS OF A LICENSING AUTHORITY ON THE DETERMINATION OF A REVIEW

- 11.16 The 2003 Act provides a range of powers for the licensing authority on determining a review that it may exercise where it considers them necessary for the promotion of the licensing objectives.
- 11.17 The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the holder of the licence. However, where responsible authorities like the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to concerns, licensing authorities should not merely repeat that approach.
- 11.18 Where the licensing authority considers that action under its statutory powers are necessary, it may take any of the following steps:
- to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
 - to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
 - to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
 - to suspend the licence for a period not exceeding three months;
 - to revoke the licence.

- 11.19 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than a necessary and proportionate response.
- 11.20 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.
- 11.21 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems which impact upon the licensing objectives.
- 11.22 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as a necessary means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is necessary and proportionate to the promotion of the licensing objectives.

REVIEWS ARISING IN CONNECTION WITH CRIME

- 11.23 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises or money laundering by criminal gangs or the sale of contraband or stolen goods there or the sale of firearms. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts of law. The role of the licensing authority when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure that the crime prevention objective is promoted. Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. Some reviews will arise after the conviction in the criminal courts of certain individuals but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go behind any finding of the courts, which should be treated as a matter of undisputed evidence before them.
- 11.24 Where the licensing authority is conducting a review on the ground that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licensee and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any necessary steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual holder of the premises licence.
- 11.25 As explained above, it is not the role of a licensing authority to determine the guilt or innocence of individuals charged with licensing or other offences committed on licensed premises. There is therefore no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. As stated above, at the conclusion of a review, it will be for the licensing authority to determine on the basis of the application for the review and any relevant representations made, what action needs to be taken for the promotion of the licensing objectives in respect of the licence in question, regardless of any subsequent judgment in the courts about the behaviour of individuals.

- 11.26 There is certain criminal activity that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crime;
 - for the sale and distribution of illegal firearms;
 - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
 - for the purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
 - for prostitution or the sale of unlawful pornography;
 - by organised groups of paedophiles to groom children;
 - as the base for the organisation of criminal activity, particularly by gangs;
 - for the organisation of racist activity or the promotion of racist attacks;
 - for unlawful gaming and gambling; and
 - for the sale of smuggled tobacco and alcohol.
- 11.27 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered. We would also encourage liaison with the local Crime and Disorder Reduction Partnership.
- 11.28 It should be noted that it is unlawful to discriminate or to refuse service on grounds of race or by displaying racially discriminatory signs on the premises. Representations made about such activity from responsible authorities or interested parties would be relevant to the promotion of the crime prevention objective and justifiably give rise to a review.

Appendix 10

Guidance Issued by the Department for Culture Media and Sport under Section 182 of the Licensing Act 2003

Crime and Disorder Act 1998

- 1.28 All local authorities must fulfil their obligations under section 17 of the Crime and Disorder Act 1998 when carrying out their functions as licensing authorities under the 2003 Act.
- 1.29 Section 17 is aimed at giving the vital work of crime and disorder reduction a focus across the wide range of local services and putting it at the heart of local decision-making. It places a duty on certain key authorities, including local authorities and police and fire and rescue authorities to do all they reasonably can to prevent crime and disorder in their area.
- 1.30 The Government believes that licensing authorities should, as a matter of good practice, involve Crime and Disorder Reduction Partnerships (CDRPs) in decision-making in order to ensure that statements of licensing policy include effective strategies that take full account of crime and disorder implications.

Pool Conditions

Guidance Issued by the Department for Culture Media and Sport under Section 182 of the Licensing Act 2003

Annex D

Conditions relating to the prevention of crime and disorder

It should be noted in particular that it is unlawful under the 2003 Act:

- knowingly to sell or supply or attempt to sell or supply alcohol to a person who is drunk
- knowingly to allow disorderly conduct on licensed premises
- for the holder of a premises licence or a designated premises supervisor knowingly to keep or to allow to be kept on licensed premises any goods that have been imported without payment of duty or which have otherwise been unlawfully imported
- to allow the presence of children under 16 who are not accompanied by an adult between midnight and 5am at any premises licensed for the sale of alcohol for consumption on the premises, and at any time in premises used exclusively or primarily for the sale and consumption of alcohol.

Conditions enforcing these arrangements are therefore unnecessary.

CORE PRINCIPLES

1. When applicants are preparing their operating schedules or club operating schedules, responsible authorities are considering applications and licensing authorities are considering applications following the receipt of relevant representations, they should consider whether the measures set out below are necessary to promote the licensing objectives.
2. Any risk assessment to identify necessary measures should consider the individual circumstances of the premises (including local knowledge) and take into account a range of factors including:
 - the nature and style of the venue;
 - the activities being conducted there;
 - the location; and
 - the anticipated clientele.

Under no circumstances should licensing authorities regard these conditions as standard conditions to be automatically imposed in all cases.

3. Any individual preparing an operating schedule or club operating schedule is at liberty to volunteer any measure, such as those below, as a step they intend to take to promote the licensing objectives. When measures are incorporated into the licence or certificate as conditions, they become enforceable under the law and any breach could give rise to prosecution.
4. Licensing authorities should carefully consider conditions to ensure that they are not only necessary but realistic, practical and achievable, so that they are capable of being met. Failure to comply with any conditions attached to a licence or certificate is a criminal offence, which on conviction would be punishable by a fine of up to £20,000 or up to six months imprisonment or both. As such, it would be wholly inappropriate to impose conditions outside the control of those responsible for the running of the premises. It is also important that conditions which are imprecise or difficult to enforce should be avoided.
5. It should be borne in mind that club premises operate under codes of discipline to ensure the good order and behaviour of members and that conditions enforcing offences under the Act are unnecessary.

CONDITIONS RELATING TO THE PREVENTION OF CRIME AND DISORDER

Text/Radio pagers

Text and radio pagers connecting premises licence holders, designated premises supervisors, managers of premises and clubs to the local police can provide for rapid response by the police to situations of disorder which may be endangering the customers and staff on the premises.

Pagers provide two-way communication, allowing licence holders, managers, designated premises supervisors and clubs to report incidents to the police, and the police to warn those operating a large number of other premises of potential trouble-makers or individuals suspected of criminal behaviour who are about in a particular area. Pager systems can also be used by licence holders, door supervisors, managers, designated premises supervisors and clubs to warn each other of the presence in an area of such people.

The Secretary of State recommends that text or radio pagers should be considered for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These conditions may also be appropriate and necessary in other areas.

It is recommended that a condition requiring the text/radio pager links to the police should include the following requirements:

- the text/pager equipment is kept in working order at all times;
- the pager link is activated, made available to and monitored by the designated premises supervisor or a responsible member of staff at all times that the premises are open to the public;
- any police instructions/directions are complied with whenever given; and
- all instances of crime or disorder are reported via the text/radio pager link by the designated premises supervisor or a responsible member of staff to an agreed police contact point.

Door supervisors

Conditions relating to the provision of door supervisors and security teams may be valuable in:

- preventing the admission and ensuring the departure from the premises of the drunk and disorderly, without causing further disorder;
- keeping out individuals excluded by court bans or by the licence holder;
- searching and excluding those suspected of carrying illegal drugs, or carrying offensive weapons; and
- maintaining orderly queuing outside venues.

Where the presence of door supervisors conducting security activities is to be a condition of a licence, which means that they would have to be registered with the Security Industry Authority, conditions may also need to deal with:

- the number of supervisors;
- the displaying of name badges;
- the carrying of proof of registration;
- where, and at what times, they should be stationed on the premises; and
- whether at least one female supervisor should be available (for example, if female customers are to be given body searches).

Door supervisors also have a role to play in ensuring public safety (see Part 2) and the prevention of public nuisance (see Part 4).

Bottle bans

Glass bottles may be used as weapons to inflict serious harm during incidents of disorder. A condition can prevent sales of drinks in glass bottles for consumption on the premises. This should be expressed in clear terms and include the following elements:

- no bottles containing beverages of any kind, whether open or sealed, shall be given to customers on the premises whether at the bar or by staff service away from the bar;
- no customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public (note: this needs to be carefully worded where off-sales also take place);

In appropriate circumstances, the condition could include exceptions, for example, as follows:

- but bottles containing wine may be sold for consumption with a table meal by customers who are seated in an area set aside from the main bar area for the consumption of food.

Bottle bans may also be a relevant necessary measure to promote public safety (see Part 2).

Plastic containers and toughened glass

Glasses containing drinks may be used as weapons and in untoughened form, can cause very serious injuries. Where necessary, consideration should therefore be given to conditions requiring the use of safer alternatives which inflict less severe injuries.

Location and style of the venue and the activities carried on there are particularly important in assessing whether a condition is necessary. For example, the use of glass containers on the terraces of some outdoor sports grounds may obviously be of concern, and similar concerns may also apply to indoor sports events such as boxing matches. Similarly, the use of plastic containers or toughened glass may be a necessary condition during the televising of live sporting events, such as international football matches, when there may be high states of excitement and emotion fuelled by alcohol.

The use of plastic or paper drinks containers and toughened glass may also be relevant as measures necessary to promote public safety (see Part 2).

Open containers not to be taken from the premises

Drinks purchased in licensed premises or clubs may be taken from those premises for consumption elsewhere. This is lawful where premises are licensed for the sale of alcohol for consumption off the premises. However, consideration should be given to a condition preventing customers from taking alcoholic and other drinks from the premises in open containers (eg glasses and opened bottles) for example, by requiring the use of bottle bins on the premises.

This may again be necessary to prevent the use of these containers as offensive weapons in surrounding streets after individuals have left the premises.

Restrictions on taking open containers from the premises may also be relevant necessary measures to prevent public nuisance (see Part 4).

CCTV

The presence of CCTV cameras can be an important means of deterring and detecting crime at and immediately outside licensed premises. Conditions should not just consider a requirement to have CCTV on the premises, but also the precise siting of each camera, the requirement to maintain cameras in working order, and to retain recordings for an appropriate period of time.

The police should provide individuals conducting risk assessments when preparing operating schedules with advice on the use of CCTV to prevent crime.

Restrictions on drinking areas

It may be necessary to restrict the areas where alcoholic drinks may be consumed in premises after they have been purchased from the bar. An example would be at a sports ground where the police consider it necessary to prevent the consumption of alcohol on the terracing during particular sports events. Conditions should not only specify these areas, but indicate the circumstances in which the ban would apply and times at which it should be enforced.

Restrictions on drinking areas may also be relevant necessary measures to prevent public nuisance (see Part 4).

Capacity limits

Capacity limits are most commonly made a condition of a licence on public safety grounds (see Part 2), but should also be considered for licensed premises or clubs where overcrowding may lead to disorder and violence. If such a condition is considered necessary, door supervisors may be needed to ensure that the numbers are appropriately controlled (see above).

Proof of age cards

It is unlawful for children under 18 to attempt to buy alcohol just as it is unlawful to sell or supply alcohol to them. To prevent the commission of these criminal offences, licensed premises should have in place an age verification policy. This requires the production of "proof of age" before sales are made. The Secretary of State strongly supports the PASS accreditation system which aims to approve and accredit various proof of age schemes that are in existence. This ensures that such schemes maintain high standards, particularly in the area of integrity and security. While age verification policies may refer directly to PASS accredited proof of age cards, they should also allow for the production of other proof which bears a photograph, the individual's date of birth and a holographic mark, such as photo-driving licences, National Identity Cards, some student cards and passports.

Since many adults in England and Wales do not currently carry any proof of age, the wording of any condition will require careful thought. For example, many premises have adopted the "Challenge 25", "Challenge 21" or other similar initiatives. Under these initiative those premises selling or supplying alcohol require sight of evidence of age from any person appearing to be under the specified age and who is attempting to buy alcohol.

Crime prevention notices

It may be necessary at some premises for notices to be displayed which warn customers of the prevalence of crime which may target them. Some premises may be reluctant to volunteer the display of such notices for commercial reasons. For example, in certain areas, a condition attached to a premises licence or club premises certificate might require the display of notices at the premises which warn customers about the need to be aware of pickpockets or bag snatchers, and to guard their property. Similarly, it may be necessary for notices to be displayed which advise customers not to leave bags unattended because of concerns about terrorism. Consideration could be given to a condition requiring a notice to display the name of a contact for customers if they wish to report concerns.

Drinks promotions

Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club premises certificates in an area as this is likely to breach competition law. It is also likely to be unlawful for licensing authorities or police officers to promote voluntary arrangements of this kind as this can risk creating cartels. Discounting at individual premises may be permissible provided it is consistent with the licensing objectives.

Irresponsible promotions are addressed through mandatory licensing conditions (see section 10). Licensing authorities are reminded that there may be a judgement needed on whether a specific promotion is responsible or irresponsible. It is therefore vital that they consider these matters objectively in the context of the licensing objectives and before pursuing any form of restrictions at all, take their own legal advice.

Signage

It may be necessary for the normal hours at which licensable activities are permitted to take place under the terms of the premises licence or club premises certificate to be displayed on or immediately outside the premises so that it is clear if breaches of these terms are taking place.

Similarly, it may be necessary for any restrictions on the admission of children to be displayed on or immediately outside the premises to deter those who might seek admission in breach of those conditions.

Large capacity venues used exclusively or primarily for the “vertical” consumption of alcohol (HVVDs)

Large capacity “vertical drinking” premises, sometimes called High Volume Vertical Drinking establishments (HVVDs), are premises which have exceptionally high capacities, used primarily or exclusively for the sale and consumption of alcohol, and little or no seating for patrons.

Where necessary and appropriate, conditions can be attached to licences for these premises which require adherence to:

- a prescribed capacity;
- an appropriate ratio of tables and chairs to customers based on the capacity; and
- the presence of security staff holding the appropriate SIA licence or exemption (see paragraphs 10.58-10.64) to control entry for the purpose of compliance with the capacity limit.

Appendix 11

Licensing Policy Adopted by the London Borough of Tower Hamlets

- 5.1 Licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems.
- 5.4 In addition to the requirements for the Licensing Authority to promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonable can to prevent crime and disorder in the Borough.

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APPENDIX 12

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**LONDON BOROUGH OF
TOWER HAMLETS
TRADING STANDARDS****Witness Statement**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

duty, so as a result of receiving this information we decided to visit these premises.

Visit to 'Munch' 365 Mile End Road

At approximately 12:05, accompanied by an officer from HMRC, I entered Munch. After showing our identification and explaining the purpose of our visit to the manager we went into the storage basement. There was no alcoholic drink, including Glens, on the premises so we then left.

Visit to Low Cost Food and Wines 367 Mile End Road

At approximately 12:10 I entered Low Cost Food and Wines at 367 Mile End Road, London E3 4QS where the other officers were already present and in conversation with the employees/management of the shop. I went down a set of stairs to the side of the counter which led to a large basement storage area consisting of two rooms. In the smaller and first of these two rooms I could see a variety of cases of both alcoholic and non-alcoholic drinks including a number of boxes of Glens vodka and various brands of wine. In the larger second room were further quantities of both alcoholic and non-alcoholic drinks in boxes and loose on shelving, including some bottles of Glens vodka. I then went back upstairs to the shop and informed the officers from HMRC, one of whom came back down with me and we carried out an initial examination of the alcohol and specifically looked at the Glens vodka. The customs officer carried out a screen test on the rear duty labels and was of the opinion that the duty label was counterfeit. Because of this and due to other printing anomalies on the rear label I formed the opinion that the 1 ltr and 70cl bottles of Glens vodka may be counterfeit. We therefore moved the cases of Glens vodka from the first storeroom upstairs into the main area of the store. This comprised of four (4) cases of twelve (12) one litre bottles and four (4) cases of twelve (12) seventy (70) centilitre bottles. From the second storeroom I also bought up seven (7) bottles of one (1) litre and eight (8) bottles of seventy (70) centilitre bottles of Glens vodka.

Within the store I was informed by Kevin Maple that he had located three (3) seventy (70) centilitre bottles of Glens vodka behind the counter which he had sealed in a bag with the unique seal number P00409761.

Within the store I could see that officers from HMRC were examining and seizing a large quantity of wine, which they believed that required duty had not been paid on, and further quantities of the same brands of wine were also being recovered from the basement storage area.

I could also see and hear a quite heated discussion between officers from HMRC and two men, the younger of whom I later learned was Mr Shahid RAHMAN. I interceded into this discussion in order to both deflect it and to more fully

Name / Signature: _____



Signature Witnessed by: _____

LONDON BOROUGH OF TOWER HAMLETS
TRADING STANDARDS **RESTRICTED (when complete)**
Witness Statement

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

introduce myself, the purpose of my visit and the actions I intended to take in relation to the Glens vodka. Mr Rahman informed me that he was the owner of the business and the licensee and gave his address as 32 Ellesmere Road E3 5QX. I fully explained to Mr Rahman the interests of both Trading Standards and HMRC and that I was seizing the Glens vodka as I believed it to be counterfeit under the Trade Marks Act 1994. In order to assist in this explanation Benjaminne Cooper from HMRC demonstrated the screen test of the duty labels to Mr Rahman. Mr Rahman was adamant that all the products had been purchased from wholesalers and that he could produce paperwork relating to them.

Kevin Maple and I then bagged the Glens vodka and as follows:

No. bottles	Quantity	Seal number
24	70 cl	LBTH002371
5	70 cl	LBTH002379
3	70 cl	P00409761
12	1 ltr	LBTH002374
24	70 cl	LBTH002372
12	1 ltr	LBTH002377
12	1 ltr	LBTH004603
12	1 ltr	LBTH002400
7	1 ltr	LBTH002378
3	70 cl	P00409760

I noted these products, totalling one hundred and fourteen (114) bottles on a seizure notice number B0407 which was signed for by Mr Rahman and the top copy left with him. I produce the carbon copy of this notice as exhibit AER/LC/1.

HMRC had seized a large quantity of wine and some additional spirits upon which they believed duty had been avoided. We then loaded all the items seized by both ourselves and HMRC on the office van and took them to our secure evidence store.

Name / Signature:



Signature Witnessed by:

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**LONDON BOROUGH OF
TOWER HAMLETS
TRADING STANDARDS****Witness Statement**

Page 4 of 5

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005 , Rule 27.1

Meeting with Mr Rahman 30th April

On the 30th April 2010 Mr Rahman attended my office and gave me eleven (11) original invoices he said related to the seized stock of the 22nd April. I then photocopied these invoices, issued by EastEnders Cash and Carry Plc and gave the originals back to him. One invoice, number 41799, related solely to the purchase of Alpa wine and was date and time stamped after our seizure and I produce this as exhibit **AER/LC/Invoice1**. The remaining ten invoices, dated between 6th February 2010 and 3rd April 2010, listed purchases of varied drinks and I produce these as exhibits **AER/LC/Invoice2A to AER/LC/Invoice2J**. On the 6th May 2010 I examined these invoices in some detail and produced a schedule listing all purchases of Glens vodka contained on the invoices. I produce this schedule as exhibit **AER/LC/2**.

Examination of Glens vodka

On the 7th May 2010 I went to our evidence store and one by one I opened each of the seized bags to further examine the Glens vodka. I also removed four (4) samples to be sent to the manufacturer, Glen Catrine, for further examination, resealed the remainder and exhibit them as per a schedule which I produce as exhibit **AER/LC/3**. I also noted the Lot Code applied to each bottle by Glen Catrine and this is also included on exhibit **AER/LC/3**. The four samples I marked as exhibits **AER/LC/2378/1, AER/LC/2400/1, AER/LC/9760/1 and AER/LC/2372/1** and sealed within an evidence bag with a unique seal number of LA042711 and sent them to Glen Catrine for examination the same day.

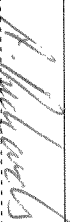
Pace Interview with Mr Rahman 4th June 2010

On the 4th June I carried out a recorded interview, in accordance with the Police and Criminal Evidence Act 1984, with Mr Shahid Rahman. I produce a transcript of this interview as exhibit **AER/LC/Transcript** and the sealed master disc as exhibit **AER/LC/PAGE**.

Invoices received from Mr Rahman 29th July 2010

On the 29th July I received from Mr Rahman a package of further photocopied invoices relating to purchases from EastEnders Cash and Carry Plc and Bestway Cash and Carry Ltd by Low Cost Food and Wine, which had been received at my office the previous day. This comprised of a total of forty-three (43) invoices for varied drinks dated between the 5th January 2009 and 27th January 2010. Twenty-two (22) of these invoices had no reference to either 70cl or 1ltr bottles of Glens Vodka and I produce these invoices as exhibit **AER/LC/Invoices3**. The remaining twenty-

Name / Signature:



Signature Witnessed by:

.....

LONDON BOROUGH OF TOWER HAMLETS
TRADING STANDARDS **RESTRICTED (when complete)**
Witness Statement

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

one (21) invoices did contain reference to purchases of either 70cl or 1ltr bottles of Glens Vodka and I produce these invoices as exhibit **AERL/C/Invoice4A to AERL/C/Invoice4X**. I examined these invoices in some detail and produced a schedule listing all purchases of 70cl and 1ltr Glens vodka contained on the invoices. I produce this schedule as exhibit **AERL/C/4**. Also included in the package was a copy of a pricing offer from EastEnders Cash and Carry for wine and I produce this as exhibit **AERL/C/13**.

AA

[Empty rectangular box for additional notes or evidence]

Name / Signature:

A. M... ..

Signature Witnessed by:

.....



Evk: 56411
Psu: 3028

EXHIBIT AER/16/13

NO 00B 0407

Trading Standards Service
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Tel: 020 7364 6008 6719

Name: *MR. SHAHED RAHMAN*

Officer: *ALAN RICHARDS*

Address: *T/A LOW COST FOOD WINE*

Date: *22/4/10*

367 NIZLE BVD ROAD ES AS

1. * You are advised that the following matters need attention and should be rectified within days.
2. * This document is an official receipt for the items below which have been seized on behalf of the London Borough of Tower Hamlets for retention at the above office. The items will be made available for inspection if required and if practicable to do so.

(*Delete whichever is inapplicable)

TRADE MARKS ACT 1994 - COUNTERFEIT BLEND VODKA

<i>24 x 70cl</i>	<i>LBTH002371</i>	<i>12 x 11½</i>	<i>LBTH002374</i>
<i>5 x 70cl</i>	<i>LBTH 002379</i>	<i>12 x 11½</i>	<i>LBTH 002377</i>
<i>3 x 70cl</i>	<i>P00409761</i>	<i>12 x 11½</i>	<i>LBTH 004603</i>
<i>24 x 70cl</i>	<i>LBTH002372</i>	<i>12 x 11½</i>	<i>LBTH 002400</i>
<i>3 x 70cl</i>	<i>P00409760</i>	<i>7 x 11½</i>	<i>LBTH 002378</i>
<i>59</i>		<i>55</i>	

Received by *MR LAHMANN*

Status Signed *[Signature]*

Date *24/04/10*

EXHIBIT AER/LC/2

Invoice schedule Low Cost Food and Wine - received 30/04/10

Date of first invoice 06/02/2010
Date of last invoice 03/04/2010

<u>Number</u>	<u>Quantity</u>	<u>Invoice date</u>	<u>Invoice number</u>
12	35 cl	10/02/2010	28301
12	20 cl	10/02/2010	28301
12	20 cl	24/02/2010	31047
12	5 cl	24/02/2010	31047
12	35 cl	10/03/2010	33544
6	1 ltr	13/03/2010	34146
12	20 cl	13/03/2010	34146
6	1 ltr	20/03/2010	35507
12	20 cl	24/03/2010	36132

Totals
1 ltr 12
35 cl 24
20 cl 48
5 cl 12

EXHIBIT AER/LC/3

Examination of Glens Vodka 07/05/10

Number	Quantity	Original Seal	Bottle Lot Code	Number re-sealed	Re-seal No	Exhibit No
7	1 ltr	LBTH002378	L2/048/10 11:29	6*	LBTH004084	AER/LC/3
12	1 ltr	LBTH004603	L2/048/10 12:54	12	LBTH004086	AER/LC/4
12	1 ltr	LBTH002374	L2/048/10 11:31	12	LBTH004087	AER/LC/5
12	1 ltr	LBTH002400	L2/048/10 12:52	11*	LBTH004090	AER/LC/6
12	1 ltr	LBTH002377	L2/048/10 12:53	12	LBTH004672	AER/LC/7
3	70 cl	P00409760	L3/033/10 10:04	2*	LBTH004673	AER/LC/8
3	70 cl	P00409761	L3/033/10 10:04	3	LBTH004674	AER/LC/9
6	70 cl	LBTH002379	L3/033/10 10:04	6	LBTH002205	AER/LC/10
24	70 cl	LBTH002371	L3/033/10 10:04	24	LBTH002203	AER/LC/11
24	70 cl	LBTH002372	L3/033/10 10:04	23*	LBTH002204	AER/LC/12

* Sample removed

EXHIBIT AER/LC/4

2nd Invoice schedule Low Cost Food and Wine - received 28/07/09

Date of first invoice 05/01/2009
 Date of last invoice 27/01/2010

<u>Number</u>	<u>Quantity</u>	<u>Invoice date</u>	<u>Invoice number</u>	<u>C&C</u>
12	70 cl	05/01/2009	847521	Bestway
12	70 cl	10/01/2009	233423	Eastenders
12	70 cl	14/01/2009	233867	Eastenders
12	70 cl	17/01/2009	234587	Eastenders
12	70 cl	24/01/2009	235925	Eastenders
6	1 ltr	31/01/2009	237253	Eastenders
18	70 cl	07/02/2009	238776	Eastenders
6	1 ltr	18/02/2009	241136	Eastenders
6	70 cl	18/02/2009	877765	Bestway
6	1 ltr	28/02/2009	243188	Eastenders
6	70 cl	07/03/2009	244686	Eastenders
6	1 ltr	25/03/2009	248574	Eastenders
6	1 ltr	17/06/2009	266997	Eastenders
6	1 ltr	26/08/2009	280995	Eastenders
6	1 ltr	26/09/2009	2174	Eastenders
6	1 ltr	03/10/2009	3740	Eastenders
6	1 ltr	10/10/2009	5160	Eastenders
6	1 ltr	21/10/2009	7550	Eastenders
6	70 cl	31/10/2009	9806	Eastenders
18	70 cl	04/11/2009	162390	Bestway
6	70 cl	11/11/2009	12029	Eastenders
Totals				
1 ltr	60	Jan	6	March
70 cl	120	Feb	12	June
		March	24	Aug
		June	6	Sept
		Aug	6	Oct
		Sept	6	Nov
		Oct	18	0
		Nov	0	24

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LOWCOST FOOD & WINE

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367 MILE END ROAD
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Account :201041 Payment Method:CA Invoice No :23307 Time&Date:10:44 on 13-Jan-2010
Till Number:2 Cashier ID :7 Cashier Name:ranjeet

ITEM CODE	DESCRIPTION	PACK SIZE	UNITOF SALE	QUANTITY	PRICE	EXT. PRICE	VAT
003006	SAMBUKA RAMAZZOTTI	70cl	6x	1	56.99	56.99>	A
005029	JOSE CUERVO GOLD	70cl		1	11.99	11.99	A
005029	JOSE CUERVO GOLD	70cl		1	11.99	11.99	A
005029	JOSE CUERVO GOLD	70cl		1	11.99	11.99	A
005028	JOSE CUERVO TEQUILA CLAS70cl			1	11.99	11.99	A
005028	JOSE CUERVO TEQUILA CLAS70cl			1	11.99	11.99	A
004083	AFTER SHOCK BLUE CITRUS 70cl			1	11.99	11.99	A
004083	AFTER SHOCK BLUE CITRUS 70cl			1	16.79	16.79>	A
005057	ALIZE BLUE ORIGINAL	70cl		1	16.79	16.79	A
005057	ALIZE BLUE ORIGINAL	70cl		1	11.49	11.49	A
009305	RODNIK ABSINTHE BOHEME B70cl			1	11.49	11.49	A
009305	RODNIK ABSINTHE BOHEME B70cl			1	23.09	23.09	A
030034	BACARDI	20cl	12x	1	23.09	23.09	A
030072	JACK DANIEL	35cl	6x	1	43.49	43.49	A
030124	JACK DANIEL MINI	10x5cl		1	43.49	43.49	A
030009	SMIRNOFF	35cl	6x	1	11.49	11.49	A
030009	SMIRNOFF	35cl	6x	1	32.49	32.49	A
030059	E & J BRANDY	20cl	6x	1	32.49	32.49	A
	Trolley:1 Cases:6 Singles:12			1	19.99	19.99	A
025050	PERONI (NASTRO AZZURO) N660ml		Total:18	1	19.99	19.99	A
025056	STELLA NRB	330ml		15	21.99	21.99	A
025076	BUDWEISER NRB	330ml		24	12.99	12.99P	A
025045	HEINEKEN NRB	330ml		24	14.99	14.99P	A
004783	CARIBEAN TWIST ALL TYPES70cl		24	1	15.49	15.49	A
010124	ECHO FALLS ROSE	75cl		6	7.29	36.45P	A
010050	OXFORD LANDING SHIRAZ	75cl		6	16.99	16.99P	A
010042	JACOBS CREEK SHIRAZ	75cl		6	18.99	18.99P	A
010050	OXFORD LANDING SHIRAZ	75cl		6	25.99	25.99	A
010124	ECHO FALLS ROSE	75cl		6	18.99	18.99P	A
010207	JACOBS CREEK SHIRAZ ROSE75cl			6	16.99	16.99P	A
				1	19.99	19.99P	A
					C/FWD AMOUNT:	622.97	
					SUB TOTAL	403.12 +VAT	473.67

LOWCOST FOOD & WINE

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367 MILE END ROAD
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Account :201041 Payment Method:CA Invoice No :23307 Time&Date:10:44 on 13-Jan-2010
Till Number:2 Cashier ID :7 Cashier Name:ranjeet

ITEM CODE	DESCRIPTION	PACK SIZE	UNITOF SALE	QUANTITY	PRICE	EXT. PRICE	VAT
010207	JACOBS CREEK SHIRAZ ROSE75cl			6	19.99	622.97	A
010034	JACOBS CREEK CHARD			1	25.99	19.99P	A
				6	25.99	25.99	A

B/FWD AMOUNT:

622.97

A

010414 TURNER ROAD CHAR PIN/GR175c1 6 1 19.99 19.99 A
 015016 NUPIK 80z WHISKEY GLASSE50pcs 1 6 1.49 8.94 A
 Trolley:2 Cases:18 Singles:6 Total:24 SUB TOTAL 294.76 +VAT 416.89

 COUNT TOTAL: Cases:24 Singles:18 Total:42 TOTAL GOODS 697.88

CODE RATE GOODS VAT
 A 17.50 697.88 122.13

VAT-TOTAL 122.13
 INVOICE-TOTAL 820.01

LOWCOST FOOD & WINE

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367 MILE END ROAD
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LONDON
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Account :201041 Payment Method:CA Invoice No :23931 Time&Date:10:21 on 16-Jan-2010
Till Number:1 Cashier ID :7 Cashier Name:ranjeet

ITEM CODE	DESCRIPTION	PACK SIZE	UNITOF SALE	QUANTITY	PRICE	EXT. PRICE	VAT	
001627	BACARDI BREZZER ALL	75cl		6	9.99	19.98P	A	
025501	WRD BLUE	275ml		24	16.49	16.49P	A	
004201	VODKAT SCHNAPPS	1ltr	6x	1	35.99	35.99	A	
030091	SOUTHERN COMFORT	35cl	6x	1	41.49	41.49	A	
030071	JACK DANIEL	70cl	6x	1	74.99	74.99P	A	
030093	JAMESON	70cl	6x	1	69.99	69.99P	A	
700008	ARCHERS PEACH SCHNAPPS	70cl	6x	1	48.99	48.99P	A	
030068	GORDON'S GIN	70cl	6x	1	48.99	48.99P	A	
010263	MARTINI ASTI	75cl	6x	1	48.99	48.99P	A	
010125	ECHO FALLS WHITE WINE	75cl	1	1	27.99	27.99	A	
010123	ECHO FALLS WHITE ZINFAND75cl	75cl	6	1	13.99	13.99P	A	
010011	HARDYS VR MERLOT	75cl	6	1	15.99	15.99P	A	
010038	JACOBS CREEK MERLOT	75cl	6	1	15.99	15.99P	A	
010256	BLUE NUN RIESLING	75cl	6	1	25.99	25.99	A	
010046	OXFORD LANDING CAB SAU S75cl	75cl	6	1	15.99	15.99P	A	
010123	ECHO FALLS WHITE ZINFAND75cl	75cl	6	1	17.99	17.99P	A	
010125	ECHO FALLS WHITE WINE	75cl	6	1	15.99	15.99P	A	
028069	STRONG BOW BLACK CAN	500ml	6	1	13.99	13.99P	A	
Trolley:1 Cases:20 Singles:0				Total:20	24	12.99	25.98P	A
030069	GORDON'S GIN	35cl	6x	1	33.59	33.59	A	
030064	HENNESSY	70cl	1	2	18.09	36.18	A	
030084	COURVOISER	70cl	1	2	14.19	28.38P	A	
030066	HENNESSY	35cl	1	3	9.99	29.97	A	
Trolley:2 Cases:1 Singles:7				Total:8	1	9.99	29.97	A
COUNT TOTAL:				Cases:21	Singles:7	Total:28	TOTAL GOODS	674.92

CODE	RATE	GOODS	VAT
A	17.50	674.92	118.11

VAT-TOTAL	118.11
INVOICE-TOTAL	793.03

LOWCOST FOOD & WINE

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367 MILE END ROAD
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Account :201041 Payment Method:CA Invoice No :24597 Time&Date:11:51 on 20-Jan-2010
Till Number:3 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT/TOF SALE	QUANTITY	PRICE	EXT. PRICE	VAT		
025076	BUDWEISER NRB	330ml	24	2	14.99	29.98P	A		
025061	BULMERS PEARS	568ml	12	1	9.69	9.69P	A		
020006	CARLSBERG LAGER CANS	500ml	24	3	12.99	38.97P	A		
025545	ARCHERS AQUA RAS	70cl	6	2	10.79	21.58P	A		
030044	MALIBU	35cl	6x	1	29.49	29.49	A		
004783	CARIBBEAN TWIST ALL TYPE	70cl	6	6	7.29	43.74P	A		
010108	BLOSSOM HILL WHITE	568ml	6	1	20.99	20.99P	A		
025040	GAYMERS NBR	568ml	12	1	7.69	7.69P	A		
010201	STOWELLS SAUVIGNON BLANC	75cl	6	1	15.99	15.99P	A		
010169	KUMALA ROSE/RED/WHITE	75cl	6	1	14.99	14.99P	A		
010201	STOWELLS SAUVIGNON BLANC	75cl	6	1	15.99	15.99P	A		
010003	HARDYS ST GRE SHIR ROSE	75cl	6	1	16.99	16.99P	A		
030002	GLENS	35cl	6x	1	23.99	23.99	A		
030002	GLENS	35cl	6x	1	23.99	23.99	A		
030080	FAMOUS GROUSE	20cl	6x	1	21.29	21.29	A		
911	Trolley:1 Cases:24 STRONG BOW/ EX-FILL	500ml	Total:24 24	6	SUB TOTAL 11.99	335.36 +VAT 71.94P	394.05 A		
COUNT TOTAL:					Cases:30	Singles:0	Total:30	TOTAL GOODS	407.30

CODE RATE GOODS VAT
A 17.50 407.30 71.28

VAT-TOTAL 71.28
INVOICE-TOTAL 478.58

LOWCOST FOOD & WINE

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367 MILE END ROAD
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Account :201041 Payment Method:CA Invoice No :25016 Time&Date:9:28 on 23-Jan-2010
Till Number:3 Cashier ID :5 Cashier Name:Arslan

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE	VAT
025030	BECKS NRB		275ml	24	12.49	12.49P	A
025513	BACARDI BREEZER ORANGE		275ml	24	14.99	14.99P	A
028069	STRONG BOW BLACK CAN		500ml	24	13.99	27.98P	A
020016	RED STRIPE CANS		484ml	24	14.99	14.99P	A
010205	STOWELLS WHITE ZINFANDEL75cl			6	15.49	15.49P	A
010193	STOWELLS CHAR PINOT GRIG75cl			6	15.49	15.49P	A
010123	ECHO FALLS WHITE ZINFAND75cl			6	15.99	15.99P	A
010003	HARDYS ST GRE SHR ROSE 75cl			6	16.69	16.69P	A
010129	GALLO SAUVIGNON BLANC 75cl			6	16.99	16.99P	A
010123	ECHO FALLS WHITE ZINFAND75cl			6	15.99	15.99P	A
010193	STOWELLS CHAR PINOT GRIG75cl			6	15.49	15.49P	A
010205	STOWELLS WHITE ZINFANDEL75cl			6	15.49	15.49P	A
030012	SMIRNOFF		1ltr	1	70.99	70.99P	A
030009	SMIRNOFF		35cl	1	32.49	32.49	A
030072	JACK DANIEL		35cl	1	43.49	43.49	A
030072	JACK DANIEL		35cl	1	43.49	43.49	A
010255	BLUE NUN ROSE		75cl	6	16.69	16.69P	A
025548	ARCHERS AQUA PEACH		275ml	12	10.99	10.99	A
030047	JULES CLAIRTON		20cl	1	15.49	15.49	A
030009	SMIRNOFF		35cl	1	32.49	32.49	A
015004	1/2 PINT NUPIK TUMBLERS 50pcs			1	1.59	6.36	A
	Trolley:1 Cases:21 Singles:4		Total:25	4			
SUB TOTAL					470.55	470.55 +VAT	552.90
COUNT TOTAL:					Cases:21 Singles:4	Total:25	TOTAL GOODS 470.55

CODE RATE GOODS VAT
A 17.50 470.55 82.35

VAT-TOTAL 82.35
INVOICE-TOTAL 552.90

LOWCOST FOOD & WINE
 367 MILE END ROAD
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 LONDON
 E3 4QS
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Account :201041 Payment Method:CA Invoice No :25663 Time&Date:11:00 on 27-Jan-2010
 Till Number:1 Cashier ID :81 Cashier Name:rahu1

ITEM CODE	DESCRIPTION	PACK SIZE	UNITOF SALE	QUANTITY	PRICE	EXT. PRICE	VAT
009385	CLIPPER LIGHTER REFILL C40pcs	12x	1	1	13.99	13.99	A
004202	VODKAT SCHNAPPS @3.49	70cl	1	1	27.79	27.79	A
004066	SMIRNOFF GREEN APPLE	70cl	6x	1	63.99	63.99	A
010033	JACOBS CREEK CAB SAU	75cl	6	1	25.99	25.99	A
010105	BLOSSOM HILL MERLOT	75cl	6	1	20.99	20.99>	A
010108	BLOSSOM HILL WHITE GRENA75cl	75cl	6	1	20.99	20.99P	A
020007	CARLSBERG EXPORT CANS	500ml	24	2	12.99	25.98P	A
025043	GUINNESS NIGERIAN	325ML	24	1	28.99	28.99	A
025064	CORONA EXTRA	330ml	24	1	18.49	18.49P	A
025051	PERONI (NASTRO AZZURO) N330ml	330ml	24	1	15.99	15.99P	A
010193	STOWELLS CHAR PINOT GRIG75cl	75cl	6	1	15.49	15.49P	A
010193	STOWELLS CHAR PINOT GRIG75cl	75cl	6	1	15.49	15.49P	A
030090	SOUTHERN COMFORT	70cl	6x	1	71.99	71.99P	A
028069	STRONG BOW BLACK CAN	500ml	24	2	13.99	27.98P	A
030010	SMIRNOFF	70cl	6x	1	52.99	52.99P	A
010003	HARDYS ST GRE SHIR ROSE	75cl	6	1	17.99	17.99P	A
010003	HARDYS ST GRE SHIR ROSE	75cl	6	1	17.99	17.99P	A
010110	BLOSSOM HILL WHITE ZINFA75cl	75cl	6	1	20.99	20.99P	A
030124	JACK DANIEL MINI	10x5cl	1	1	11.49	11.49	A
030008	SMIRNOFF	20cl	6x	2	18.39	36.78	A
030073	JACK DANIEL	20cl	6x	1	27.49	27.49	A
004025	SOUTHERN COMFORT MINI	12x5cl	1	1	13.29	13.29	A
030113	LANSON BLACK LABLE	75cl	1	2	15.29	30.58	A
030116	MOET BRUT	75cl	1	1	20.69	20.69	A
030142	MOET ROSE	75cl	1	1	28.99	28.99	A
030116	MOET BRUT	75cl	1	2	20.69	41.38	A
Trolley:1 Cases:22 Singles:9 Total:31					SUB TOTAL	714.79 +VAT	839.88

COUNT TOTAL: Cases:22 Singles:9 Total:31 TOTAL GOODS 714.79

CODE RATE GOODS VAT
 LOWCOST FOOD & WINE
 367 MILE END ROAD
 MILE END
 LONDON
 E3 4QS
 Cust.VAT Reg No.

Account :201041 Payment Method:CA Invoice No :25663 Time&Date:11:00 on 27-Jan-2010
 Till Number:1 Cashier ID :81 Cashier Name:rahu1

A 17.50 714.79 125.09
 VAT-TOTAL 125.09
 INVOICE-TOTAL 839.88

LOWCOST FOOD & WINE

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367 MILE END ROAD
MILE END
LONDON
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Account :201041 Payment Method:CA Invoice No :26231 Time&Date:10:53 on 30-Jan-2010
Till Number:1 Cashier ID :7 Cashier Name:ranjeet

ITEM CODE	DESCRIPTION	PACK SIZE	UNITOF SALE	QUANTITY	PRICE	EXT. PRICE	VAT	
111	BUDWEISER NRB	300ml	20	1	10.89	10.89P	A	
111	BUDWEISER NRB	300ml	20	1	10.89	10.89P	A	
025066	STELLA NRB	660ml	12	1	11.99	11.99P	A	
010397	STOWELL SAUV BLANC	25cl	12	1	15.99	15.99	A	
025061	BULMERS PEARS	568ml	12	1	9.69	9.69P	A	
025045	HEINEKEN NRB	330ml	24	1	15.49	15.49	A	
025055	SOL BEER NRB	330ml	24	1	14.49	14.49P	A	
020009	HOLSTEN PILS CANS	500ml	24	2	12.99	25.98P	A	
010272	LAMBRINI CHERRY	75cl	12	1	14.99	14.99P	A	
010272	LAMBRINI CHERRY	75cl	12	1	14.99	14.99P	A	
010461	JP CHENET CAB SYRAH	25cl	6	1	8.99	8.99	A	
030195	DISARONNO (AMARETTO)	50cl	1	1	52.99	52.99	A	
030029	CAPTAIN MORGAN	70cl	6	1	57.99	57.99	A	
030032	BACARDI	70cl	6	1	58.99	58.99P	A	
030111	BAILLEYS	70cl	6	1	53.99	53.99	A	
030046	JULES CLAIRION	35cl	6	1	24.39	24.39	A	
030030	CAPTAIN MORGAN	35cl	6	1	35.79	35.79P	A	
030009	SMIRNOFF	35cl	6	1	32.49	32.49	A	
030009	SMIRNOFF	35cl	6	1	32.49	32.49	A	
030001	GLENS	20cl	6	1	14.49	14.49	A	
030001	GLENS	20cl	6	1	14.49	14.49	A	
030002	GLENS	35cl	6	1	23.99	23.99	A	
030002	GLENS	35cl	6	1	23.99	23.99	A	
030076	BELLS	20cl	6	1	21.19	21.19	A	
Trolley:1 Cases:25 Singles:0 Total:25					SUB TOTAL	601.65+VAT	706.94	
010124	ECHO FALLS ROSE	75cl	6	1	13.49	13.49P	A	
010198	STOWELLS MERLOT	75cl	6	1	15.49	15.49P	A	
010198	STOWELLS MERLOT	75cl	6	1	15.49	15.49P	A	
010124	ECHO FALLS ROSE	75cl	6	1	13.49	13.49P	A	
010102	BLOSSOM HILL CAB SAU	75cl	6	1	20.99	20.99	A	
C/FWD AMOUNT:						680.60		

LOWCOST FOOD & WINE

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367 MILE END ROAD
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Account :201041 Payment Method:CA Invoice No :26231 Time&Date:10:53 on 30-Jan-2010
Till Number:1 Cashier ID :7 Cashier Name:ranjeet

ITEM CODE	DESCRIPTION	PACK SIZE	UNITOF SALE	QUANTITY	PRICE	EXT. PRICE	VAT
Trolley:2 Cases:5 Singles:0 Total:5					B/FWD AMOUNT:	680.60	
					SUB TOTAL	78.95+VAT	198.05

COUNT	TOTAL:	Cases:	30	Singles:	0	Total:	30	TOTAL	GOODS	680.60
CODE										
A	17.50	680.60		119.10				VAT-TOTAL	119.10	
								INVOICE-TOTAL	799.70	

LOWCOST FOOD & WINE

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367 MILE END ROAD
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Account :201041 Payment Method:CA Invoice No :26958 Time&Date:10:42 on 3-Feb-2010
Till Number:2 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE	VAT		
028061	K CIDER CANS								
911	STRONG BOW/ EX-FILL	500ml	24	2	13.99	27.98P	A		
028069	STRONG BOW BLACK CAN	500ml	24	4	11.49	45.96P	A		
010124	ECHO FALLS ROSE	75cl	24	2	13.99	27.98P	A		
010124	ECHO FALLS ROSE	75cl	6	1	12.99	12.99P	A		
010123	ECHO FALLS WHITE ZINFAND	75cl	6	1	12.99	12.99P	A		
010123	ECHO FALLS WHITE ZINFAND	75cl	6	1	14.99	14.99P	A		
010124	ECHO FALLS ROSE	75cl	6	1	12.99	12.99P	A		
010124	ECHO FALLS ROSE	75cl	6	1	12.99	12.99P	A		
030035	BACARDI	1ltr	6	1	12.99	12.99P	A		
030126	BELLS MINI	12x5cl	6x	1	72.99P	72.99P	A		
030080	FAMOUS GROUSE	20cl	1	1	12.89	12.89	A		
009202	SIERRA TEQUILA GOLD	35cl	6x	1	21.29	21.29	A		
030075	BELLS	35cl	1	3	8.19	24.57P	A		
030008	SMIRNOFF	20cl	6x	1	34.99	34.99	A		
030008	SMIRNOFF	20cl	6x	1	18.39	18.39	A		
030008	SMIRNOFF	20cl	6x	1	18.39	18.39	A		
	Trolley:1	Cases:19	Singles:4	Total:23	SUB TOTAL	387.37 +VAT	455.16		
COUNT TOTAL:					Cases:19	Singles:4	Total:23	TOTAL GOODS	387.37

CODE RATE GOODS VAT
A 17.50 387.37 67.79

VAT-TOTAL 67.79
INVOICE-TOTAL 455.16

LOWCOST FOOD & WINE

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367 MILE END ROAD
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LONDON
E3 4QS
Cust.VAT Reg No.

Account :201041 Payment Method:CA Invoice No :27669 Time&Date:11:28 on 6-Feb-2010
Fill Number:1 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE	VAT	
025081	STELLA NRB	330ML		3	9.69	29.07	A	
025050	PERONI (NASTRO AZZURRO)	N660ml		1	21.99	21.99	A	
911	STRONG BOW/ EX-FILL	500ml		2	11.79	23.58P	A	
028069	STRONG BOW BLACK CAN	500ml		4	13.99	55.96P	A	
030012	SMIRNOFF	1ltr		1	70.99	70.99P	A	
010045	OXFORD LANDING CAB ROSE	75cl		1	16.99	16.99P	A	
025545	ARCHERS AQUA PAS	70cl		1	10.99	10.99P	A	
030072	JACK DANIEL	35cl	6x	1	43.49	43.49	A	
025061	BULMERS PEARS	568ml		1	9.69	9.69P	A	
028063	MAGNERS	568ml		1	11.99	11.99P	A	
025545	ARCHERS AQUA PAS	70cl		1	10.99	10.99P	A	
010045	OXFORD LANDING CAB ROSE	75cl		6	16.99	16.99P	A	
004255	ABSOLUTE VODKA MINI	12x5cl		1	14.99	14.99>	A	
030092	SOUTHERN COMFORT	20cl	6x	1	25.29	25.29	A	
030009	SMIRNOFF	35cl	6x	1	32.49	64.98	A	
004025	SOUTHERN COMFORT MINI	12x5cl		1	13.29	13.29	A	
030059	E & J BRANDY	20cl	6x	1	19.99	19.99	A	
030076	BELLIS	20cl	6x	1	21.19	21.19	A	
030199	ABSOLUTE CITRON	70cl	1	3	11.99	35.97	A	
Trolley:1 Cases:23 Singles:5 Total:28					SUB TOTAL	518.42 +VAT	609.14	
COUNT TOTAL: Cases:23 Singles:5 Total:28					TOTAL GOODS	518.42		

CODE RATE GOODS VAT
A 17.50 518.42 90.72

VAT-TOTAL 90.72
INVOICE-TOTAL 609.14

LOWCOST FOOD & WINE

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367 MILE END ROAD
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LONDON
E3 4QS
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Account :201041 Payment Method:CA Invoice No :28301 Time&Date:9:42 on 10-Feb-2010
Fill Number:1 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE	VAT		
028069	STRONG BOW BLACK CAN	500ml	24	3	13.99	41.97P	A		
911	STRONG BOW/ EX-FILL	500ml	24	6	11.79	70.74P	A		
028061	K CIDER CANS	500ml	24	4	13.99	55.96P	A		
025076	BUDWEISER NRB	330ml	24	2	16.99	33.98P	A		
010119	ECHO FALLS CHARDONNAY	75cl	6	1	15.99	15.99P	A		
Trolley:1 Cases:16 Singles:0					SUB TOTAL				
004066	SMIRNOFF GREEN APPLE	70cl	6x	1	63.99	63.99	A		
030002	GLENS	35cl	6x	1	23.99	23.99	A		
030001	GLENS	20cl	6x	1	14.49	14.49	A		
030001	GLENS	20cl	6x	1	14.49	14.49	A		
030002	GLENS	35cl	6x	1	23.99	23.99	A		
030047	JULES CLAIRION	20cl	6x	1	15.49	15.49	A		
004083	AFTER SHOCK BLUE CITRUS	70cl	1	2	16.79	33.58P	A		
030194	ALIZE RED PASSION	70cl	1	1	8.29	8.29	A		
030194	ALIZE RED PASSION	70cl	1	1	8.29	8.29	A		
015370	RIZLA SLIM SILVER KS	K/S	50	1	16.99	16.99	A		
005047	ALIZE GOLD 16% VOL	70cl	1	2	8.29	16.58P	A		
030032	BACARDI	70cl	6x	1	58.99	58.99P	A		
030010	SMIRNOFF	70cl	6x	1	52.99	52.99P	A		
030043	MALIBU	70cl	6x	1	50.99	50.99	A		
030094	CLAYMORE	70cl	6x	1	47.99	47.99P	A		
Trolley:2 Cases:11 Singles:6					SUB TOTAL				
COUNT TOTAL:					Cases:27	Singles:6	Total:33	TOTAL GOODS	669.77

VAT-TOTAL 117.21
INVOICE-TOTAL 786.98

LOWCOST FOOD & WINE

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367 MILE END ROAD
MILE END
LONDON
E3 4QS
Cust.VAT Reg No.

Account :201041 Payment Method:CA Invoice No :28955 Time&Date:9:20 on 13-Feb-2010
Fill Number:2 Cashier ID :7 Cashier Name:ranjeet

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE	VAT
030093	JAMESON	70cl	1	1	70.99	70.99	A
025547	ARCHERS AQUA RASP	275ml	12	2	10.99	21.98>	A
025537	SMIRNOFF ICE RED	275ml	24	1	12.99	12.99P	A
010125	ECHO FALLS WHITE WINE	75cl	6	1	12.99	12.99P	A
010256	BLDE NON RIESLING	75cl	6	1	19.99	19.99	A
030072	JACK DANIEL	35cl	1	1	43.49	43.49	A
010190	STOWELLS CAB SAU	75cl	6	1	13.99	13.99P	A
030002	GLENS	35cl	6	1	23.99	23.99	A
030002	GLENS	35cl	6	1	23.99	23.99	A
030009	SMIRNOFF	35cl	6	1	30.49	30.49P	A
030009	SMIRNOFF	35cl	6	1	30.49	30.49P	A
030069	GORDON'S GIN	35cl	6	1	33.59	33.59	A
030082	TEACHERS	35cl	6	1	32.99	32.99P	A
030073	JACK DANIEL	20cl	1	1	27.49	27.49	A
030095	JOHNNIE/W BLACK LABEL 1270cl	20cl	1	1	15.49	15.49	A
030095	JOHNNIE/W BLACK LABEL 1270cl	20cl	1	1	15.49	15.49	A
004203	VODKAT SCHNAPPS 62.39	20cl	1	1	15.49	15.49	A
	Trolley:1 Cases:17 Singles:2		6x	2	9.79	19.58	A
			Total:19		SUB TOTAL	450.01 +VAT	528.76
COUNT TOTAL:	Cases:17	Singles:2	Total:19		TOTAL GOODS	450.01	

CODE RATE GOODS VAT
A 17.50 450.01 78.75

VAT-TOTAL 78.75
INVOICE-TOTAL 528.76

LOWCOST FOOD & WINE

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367 MILE END ROAD
MILE END
LONDON
E3 4QS
Cust.VAT Reg No.

Account :201041 Payment Method:CA Invoice No :29731 Time&Date:10:37 on 17-Feb-2010
Till Number:1 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE	VAT
025031	BECKS NRB			12	14.99	14.99P	A
025076	BUDWEISER NRB			24	16.99	16.99P	A
025051	PERONI (NASTRO AZZURO) N330ml			24	15.99	15.99P	A
050065	WKD ALL TYPE @10.79			6	10.79	21.58>	A
001568	GAYMERS PEAR			12	7.49	14.98P	A
004066	SMIRNOFF GREEN APPLE			1	63.99	63.99	A
911	STRONG BOW/ EX-FILL			24	11.49	45.96P	A
028061	K CIDER CANS			24	13.99	55.96P	A
028069	STRONG BOW BLACK CAN			24	13.49	26.98P	A
025042	GUINNESS FOREIGN EXTRA S330ml			24	19.99	19.99P	A
030124	JACK DANIEL MINI			1	11.49	11.49	A
030126	BELLS MINI			1	10.99	10.99P	A
030073	JACK DANIEL			1	27.49	27.49	A
030008	SMIRNOFF			1	16.29	32.58P	A
030110	PIMMS NO.1 LIQUEURS			1	9.89	19.78	A
005029	JOSE CUERVO GOLD			1	11.99	35.97	A
050065	WKD ALL TYPE @10.79			6	10.79	21.58	A
025500	WKD BLUE NRB			6	11.99	11.99P	A
	Above line void			1	-11.99	-11.99	A
				-1			A
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367 MILE END ROAD
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LONDON
E3 4QS
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Account :201041 Payment Method:CA Invoice No :30307 Time&Date:9:42 on 20-Feb-2010
Till Number:1 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNITOF SALE	QUANTITY	PRICE	EXT. PRICE	VAT
010181	KUMALA ROSE	75CL		6	14.99	14.99P	A
010181	KUMALA ROSE	75CL		6	14.99	14.99P	A
025500	WKD BLUE NRB	700ml		6	11.99	35.97P	A
025501	WKD BLUE	275ml		24	18.99	18.99P	A
025538	WKD RED NRB	275ml		24	19.99	19.99	A
	Above line void		1	24	-19.99	-19.99	A
025030	BECKS NRB	275ml		24	12.99	12.99P	A
010039	JACOBS CREEK RIESLING	75cl		1	21.99	21.99P	A
030081	TEACHERS	70cl		6x	52.99	52.99P	A
030071	JACK DANIEL	70cl		6x	78.99	78.99P	A
015004	1/2 PINT NUPIK TUMBLERS	50pcs		1	1.59	7.95	A
	Trolley:1	Cases:10	Singles:5	Total:15	SUB TOTAL	259.85 +VAT	305.32
028067	STRONG BOW PM	2ltr		6	10.29	82.32P	A
030002	GLENS	35cl		6x	23.99	23.99	A
030002	GLENS	35cl		6x	23.99	23.99	A
030009	SMIRNOFF	35cl		6x	32.49	32.49	A
030009	SMIRNOFF	35cl		6x	32.49	32.49	A
	Trolley:2	Cases:12	Singles:0	Total:12	SUB TOTAL	195.28 +VAT	274.93

COUNT TOTAL: Cases:22 Singles:5 Total:27 TOTAL GOODS 455.13

CODE RATE GOODS VAT
A 17.50 455.13 79.65

VAT-TOTAL 79.65
INVOICE-TOTAL 534.78

LOWCOST FOOD & WINE

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367 MILE END ROAD
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LONDON
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Account : 201041 Payment Method:CA Invoice No : 31047 Time&Date:12:35 on 24-Feb-2010
Till Number:2 Cashier ID : 81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNITOF SALE	QUANTITY	PRICE	EXT. PRICE	VAT		
911	STRONG BOW/ EX-FILL			4	11.79	47.16P	A		
004783	CARIBEAN TWIST ALL TYPES	70cl		6	8.59	34.36	A		
980	MOONSHINE CIDER			2	6.49	12.98P	A		
028069	STRONG BOW BLACK CAN			2	13.99	27.98P	A		
025051	PERONI (NASTRO AZZURRO) N330ml			1	16.99	16.99	A		
009337	AMBER JACK PLAIN/PM			1	7.99	7.99>	A		
Trolley:1 Cases:14					Total:14	SUB TOTAL			
030016	ABSOLUTE VODKA			1	60.99	60.99	A		
030032	BACARDI			1	58.99	58.99P	A		
030012	SMIRNOFF			1	79.99	79.99	A		
009337	AMBER JACK PLAIN/PM			3	7.99	23.97	A		
010017	HARDYS N/HILL MERLOT			1	19.99	19.99P	A		
010017	HARDYS N/HILL MERLOT			1	19.99	19.99P	A		
030072	JACK DANIEL			1	43.49	43.49	A		
Trolley:2 Cases:9					Total:9	SUB TOTAL			
030001	GLENS			1	14.49	14.49	A		
030001	GLENS			1	14.49	14.49	A		
030123	SMIRNOFF MINI			1	10.39	10.39	A		
030182	GLENS VODKA			1	5.19	10.38	A		
Trolley:3 Cases:2					Total:5	SUB TOTAL			
COUNT TOTAL:					Cases:25	Singles:3	Total:28	TOTAL GOODS	504.62

VAT-TOTAL 88.31
INVOICE-TOTAL 592.93

CODE RATE GOODS VAT
A 17.50 504.62 88.31

LOWCOST FOOD & WINE

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367 MILE END ROAD
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LONDON
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Account : 201041 Payment Method:CA Invoice No : 31621 Time&Date:11:45 on 27-Feb-2010
Till Number:1 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK UNIT/OF SIZE SALE	QUANTITY	PRICE	EXT. PRICE	VAT
005112	MOONSHINE CIDER @1.69	2ltr	6	-7.99	-79.90	A
	Incorrect Product					
980	MOONSHINE CIDER	2ltr	10	6.49	64.90	A
	Trolley:1 Cases:0					
	Singles:0					
	Total:0					
	SUB TOTAL			-15.00	+VAT	-17.63
	COUNT TOTAL:	Cases:0	Singles:0	Total:0	TOTAL GOODS	-15.00

CODE	RATE	GOODS	VAT
A	17.50	-15.00	-2.63

VAT-TOTAL -2.63
INVOICE-TOTAL -17.63

LOWCOST FOOD & WINE

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367 MILE END ROAD
MILE END
LONDON
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Cust.VAT Reg No.

Account :201041 Payment Method:CA Invoice No :32283 Time&Date:9:45 on 3-Mar-2010
Till Number:1 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK UNIT OF SIZE	UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE	VAT	
030002	GIENS	35cl	6x	1	23.99	23.99	A	
030002	GIENS	35cl	6x	1	23.99	23.99	A	
030080	FAMOUS GROUSE	20cl	6x	1	18.99	18.99P	A	
030071	JACK DANIEL	70cl	6x	1	75.99	75.99	A	
030091	SOUTHERN COMFORT	35cl	6x	1	41.49	41.49	A	
010127	GALLO CHARDONNAY	75cl	6	1	19.49	19.49	A	
030074	BELLS	70cl	1	4	9.79	39.16	A	
030071	Trolley:1 JACK DANIEL	Cases:6	Singles:4	Total:10	SUB TOTAL	243.10 +VAT	285.64	
	Trolley:2	Cases:1	Singles:0	Total:1	75.99	75.99	A	
COUNT TOTAL:					Cases:7	Singles:4	Total:11	TOTAL GOODS 319.09

CODE RATE GOODS VAT
A 17.50 319.09 55.84

VAT-TOTAL 55.84
INVOICE-TOTAL 374.93

LOWCOST FOOD & WINE

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367 MILE END ROAD
MILE END
LONDON
E3 4QS
Cust.VAT Reg No.

Account :201041 Payment Method:CA Invoice No :33544 Time&Date:10:19 on 10-Mar-2010
Till Number:1 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNITOP SALE	QUANTITY	PRICE	EXT. PRICE	VAT
028061	K CIDER CANS	500ml	24	2	14.79	29.58P	A
028069	STRONG BOW BLACK CAN	500ml	24	2	14.49	28.98P	A
911	STRONG BOW/ EX-FILL	500ml	24	4	12.49	49.96P	A
030068	GORDON'S GIN	70cl	6x	1	55.99	55.99	A
030058	E & J BRANDY	70cl	6x	1	52.99	52.99	A
980	MOONSHINE CIDER	2ltr	6	6	6.49	38.94P	A
030044	MALIBU	35cl	6x	1	29.49	29.49	A
Trolley:1 Cases:17		Singles:0	Total:17	1	SUB TOTAL	285.93 +VAT	335.97
005042	MALIBU TRAPICAL MINI	12x5cl	1	1	10.29	10.29	A
030066	HENNESSY	35cl	1	3	9.99	29.97	A
030030	CAPTAIN MORGAN	35cl	6x	1	35.79	35.79>	A
006211	SIERRA TEQUILA SILVER MI4cl	20cl	12	1	20.99	20.99	A
030047	JULES CLAIRION	20cl	6x	1	15.49	15.49	A
030059	E & J BRANDY	20cl	6x	1	19.99	19.99	A
030084	COURVOISER	70cl	1	1	14.19	14.19P	A
030084	COURVOISER	70cl	1	1	14.19	14.19P	A
030086	COURVOISER	20cl	6x	1	28.99	28.99P	A
Trolley:2 Cases:5		Singles:6	Total:11	1	SUB TOTAL	189.89 +VAT	273.16
004202	VODKAT SCHNAPPS	35cl	12x	1	27.79	27.79>	A
004201	VODKAT SCHNAPPS	1ltr	6x	1	35.99	35.99	A
030032	BACARDI	70cl	6x	1	58.99	58.99P	A
010119	ECHO FALLIS CHARDONNAY	75cl	6	1	15.99	15.99P	A
030008	SMIRNOFF	20cl	6x	1	18.39	55.17	A
030002	GLENS	35cl	6x	2	23.99	47.98	A
030009	SMIRNOFF	35cl	6x	2	32.49	64.98>	A
001627	BACARDI BREZZER ALL	75cl	6	4	11.69	46.76	A
025537	SMIRNOFF ICE RED	275ml	24	1	15.99	15.99P	A
010108	BLOSSOM HILL WHITE GRENA75cl	275ml	6	1	19.99	19.99P	A
C/FWD AMOUNT:						865.45	

LOWCOST FOOD & WINE

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367 MILE END ROAD
MILE END
LONDON
E3 4QS
Cust.VAT Reg No.

Account :201041 Payment Method:CA Invoice No :33544 Time&Date:10:19 on 10-Mar-2010
Till Number:1 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNITOP SALE	QUANTITY	PRICE	EXT. PRICE	VAT
010110	BLOSSOM HILL WHITE ZINEFA75cl	75cl	6x	6	19.99	19.99P	A
010263	MARTINI ASTI	75cl	1	1	27.99	27.99	A
025050	PERONI (NASTRO AZZURO) N660ml	660ml	15	1	21.99	21.99	A
025045	HEINEKEN NRB	330ml	24	1	14.99	14.99P	A
B/FWD AMOUNT:						865.45	

010461 JP CHENET CAB SYRAH 25cl 6 1 8.99 8.99 A
Troiley:3 Cases:22 Singles:0 Total:22 SUB TOTAL 483.58 +VAT 568.20

COUNT TOTAL: Cases:44 Singles:6 Total:50 TOTAL GOODS 959.40

CODE RATE GOODS VAT
A 17.50 959.40 167.89

VAT-TOTAL 167.89
INVOICE-TOTAL 1127.29

LOWCOST FOOD & WINE

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367 MILE END ROAD
MILE END
LONDON
E3 4QS
Cust.VAT Reg No.

Account :201041 Payment Method:CA Invoice No :34633 Time&Date:12:27 on 15-Mar-2010
Till Number:2 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT/SALE	QUANTITY	PRICE	EXT. PRICE	VAT
020002	FOSTERS LAGER CANS 4%	500ml	24	2	11.99	23.98P	A
028061	K CIDER CANS	500ml	24	2	14.79	29.58P	A
911	STRONG BOW/ EX-FILL	500ml	24	6	12.49	74.94P	A
	Trolley:1 Cases:10 Singles:0	Total:10			SUB TOTAL	128.50 +VAT	150.99
COUNT TOTAL:		Cases:10	Singles:0	Total:10	TOTAL GOODS	128.50	

CODE	RATE	GOODS	VAT
A	17.50	128.50	22.49
			VAT-TOTAL 22.49
			INVOICE-TOTAL 150.99

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367 MILE END ROAD
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LONDON
E3 4QS
Cust.VAT Reg No.

Account :201041 Payment Method:CA Invoice No :34888 Time&Date:11:07 on 17-Mar-2010
Till Number:1 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE	VAT
025066	STELLA NRB	660ml		12	12.79	25.58P	A
004783	CARIBEAN TWIST ALL TYPE	370cl		6	8.59	51.54	A
025515	BACARDI BREZER PINEAPPLE	275ml		24	19.49	19.49	A
010123	ECHO FALLS WHITE ZINFAND	75cl		6	19.99	19.99	A
010123	ECHO FALLS WHITE ZINFAND	75cl		6	19.99	19.99	A
010191	STOWELLS CHARDONNAY	75cl		6	15.99	15.99P	A
010191	STOWELLS CHARDONNAY	75cl		6	15.99	15.99P	A
010107	BLOSSOM HILL SAU BLANC	75cl		6	18.99	18.99P	A
010107	BLOSSOM HILL SAU BLANC	75cl		6	18.99	18.99P	A
001572	CLEAR CUPS	STD		100	0.99	5.94>	A
030124	JACK DANIEL MINI	10x5cl		1	11.49	11.49	A
030002	GLENS	35cl		6x	23.99	23.99	A
030002	GLENS	35cl		6x	23.99	23.99	A
030098	CHIVAS REGAL 12YR	70cl		1	14.69	44.07	A
030034	BACARDI	20cl		12x	43.49	43.49	A
030075	BELLS	35cl		6x	34.99	34.99	A
030073	JACK DANIEL	20cl		6x	27.49	27.49>	A
Trolley:3 Cases:5 Singles:4 Total:9					SUB TOTAL	209.51 +VAT	246.17
COUNT TOTAL: Cases:26 Singles:4 Total:30					TOTAL GOODS	422.00	

VAT-TOTAL 73.85
INVOICE-TOTAL 495.85

CODE RATE GOODS VAT
A 17.50 422.00 73.85

LOWCOST FOOD & WINE

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367 MILE END ROAD
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LONDON
E3 4QS
Cust.VAT Reg No.

Account :201041 Payment Method:CA Invoice No :35507 Time&Date:11:09 on 20-Mar-2010
Till Number:1 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNITOF SALE	QUANTITY	PRICE	EXT. PRICE	VAT
025045	HEINEKEN NRB	330ml	24	1	15.49	15.49	A
028063	MAGNERS	568ml	12	1	15.49	15.49	A
025050	PERONI (MASTRO AZZURRO) N660ml		15	1	21.99	21.99	A
025055	SOL BEER NRB	330ml	24	1	16.49	16.49	A
010126	GALLO CABERNET SAUVIGNON75cl		6	1	15.49	15.49P	A
010126	GALLO CABERNET SAUVIGNON75cl		6	1	15.49	15.49P	A
030004	GLENS	1ltr	6x	1	59.99	59.99	A
030090	SOUTHERN COMFORT	70cl	6x	1	75.99	75.99	A
030008	SMIRNOFF	20cl	6x	1	18.39	73.56	A
Trolley:1 Cases:12 Singles:0 Total:12				SUB TOTAL		309.98 +VAT	364.23
983	AMBER JACK	2ltr	6	8	6.99	55.92P	A
980	MOONSHINE CIDER	2ltr	6	10	6.99	69.90P	A
Trolley:2 Cases:18 Singles:0 Total:18				SUB TOTAL		125.82 +VAT	202.08
COUNT TOTAL: Cases:30 Singles:0 Total:30				TOTAL GOODS		435.80	

CODE	RATE	GOODS	VAT	VAT-TOTAL
A	17.50	435.80	76.26	512.06
INVOICE-TOTAL			76.26	512.06

LOWCOST FOOD & WINE

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367 MILE END ROAD
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LONDON
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Account :201041 Payment Method:CA Invoice No :36132 Time&Date:10:22 on 24-Mar-2010
Till Number:1 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNITOF SALE	QUANTITY	PRICE	EXT. PRICE	VAT	
010013	HARDYS VR ROSE	75cl		6	15.99	15.99P	A	
010012	HARDYS VR SHIRAZ	75cl		6	15.99	15.99P	A	
010318	BLOSSOM HILL ROSE	75cl		6	14.99	14.99P	A	
010129	GALLO SAUVIGNON BLANC	75cl		6	15.99	15.99P	A	
030029	CAPTAIN MORGAN	70cl	6x	1	57.99	57.99	A	
010013	HARDYS VR ROSE	75cl		6	15.99	15.99P	A	
010012	HARDYS VR SHIRAZ	75cl		6	15.99	15.99P	A	
010318	BLOSSOM HILL ROSE	75cl		6	14.99	14.99P	A	
010318	BLOSSOM HILL ROSE	75cl		6	14.99	14.99P	A	
030080	FAMOUS GROUSE	20cl	6x	1	14.99	14.99P	A	
030012	SMIRNOFF	1ltr		1	21.29	21.29	A	
030001	GLENS	20cl	6x	1	79.99	79.99	A	
030001	GLENS	20cl	6x	1	14.49	14.49	A	
030066	HENNESSY	20cl	6x	1	14.49	14.49	A	
030066	HENNESSY	35cl	1	1	9.99	9.99	A	
030066	HENNESSY	35cl	1	1	9.99	9.99	A	
030066	HENNESSY	35cl	1	1	9.99	9.99	A	
030056	MARTELL	20cl	6x	1	34.49	34.49	A	
030009	SMIRNOFF	35cl	6x	1	32.49	32.49	A	
030009	SMIRNOFF	35cl	6x	1	32.49	32.49	A	
Trolley:1 Cases:16 Singlles:3					SUB TOTAL	442.61 +VAT	520.07	A
030199	ABSOLUTE CITRON	70cl		1	11.99	11.99	A	
030199	ABSOLUTE CITRON	70cl		1	11.99	11.99	A	
030201	ABSOLUTE VANILLA	70cl		1	12.39	12.39	A	
009015	ABSOLUTE MANDRIN VODKA	70cl		1	12.29	12.29	A	
030201	ABSOLUTE VANILLA	70cl		1	12.39	12.39	A	
030072	JACK DANIEL	35cl	6x	1	43.49	43.49	A	
015004	1/2 PINT NUPIK TUMBLERS	50pcs	25x	1	29.99	29.99	A	
Trolley:2 Cases:2 Singlles:5					SUB TOTAL	134.53 +VAT	235.53	A
WESTON STOWFORD PRESS EX500ml					C/FWD AMOUNT:	13.99	591.13	A

LOWCOST FOOD & WINE

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367 MILE END ROAD
MILE END
LONDON
E3 4QS
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Account :201041 Payment Method:CA Invoice No :36132 Time&Date:10:22 on 24-Mar-2010
Till Number:1 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNITOF SALE	QUANTITY	PRICE	EXT. PRICE	VAT
Above line void							
025061	BUMERS PEARS	568ml	1	12	-13.99	-13.99	A
025061	BUMERS PEARS	568ml	1	12	10.99	10.99P	A
025061	BUMERS PEARS	568ml	1	12	10.99	10.99P	A

025044 GUINNESS ORIGINAL	330ml	24	1	16.99	16.99>	A
025546 ARCHERS AQUA PEACH	70cl	6	1	11.99	11.99	A
Trolley:3 Cases:4	Singles:0	Total:4		SUB TOTAL	50.96 +VAT	59.88

COUNT TOTAL:	Cases:22	Singles:8	Total:30	TOTAL GOODS	628.10	
CODE	RATE	GOODS	VAT	VAT-TOTAL	109.92	
A	17.50	628.10	109.92	INVOICE-TOTAL	738.02	

LOWCOST FOOD & WINE

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367 MILE END ROAD
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LONDON
E3 4QS
Cust.VAT Reg No.

Account :201041 Payment Method:CA Invoice No :36133 Time&Date:10:24 on 24-Mar-2010
Till Number:1 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE	VAT
025546	ARCHERS AQUA PEACH	70cl		6	11.99	11.99	A
	Trolley:1 Cases:1			Singles:0	Total:1		
					SUB TOTAL	11.99	
					+VAT	14.09	

COUNT TOTAL: Cases:1 Singles:0 Total:1 TOTAL GOODS 11.99

CODE	RATE	GOODS	VAT
A	17.50	11.99	2.10

VAT-TOTAL 2.10
INVOICE-TOTAL 14.09

LOWCOST FOOD & WINE
 367 MILE END ROAD
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Account :201041 Payment Method:CA Invoice No :36763 Time&Date:10:47 on 27-Mar-2010
 Till Number:2 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNITOF SALE	QUANTITY	PRICE	EXT. PRICE	VAT	
025051	PERONI (NASTRO AZZURO) N330ml			1	16.99	16.99	A	
029006	TYSKIE CAN			1	15.99	15.99P	A	
	Above line void	1	24	-1	-15.99	-15.99	A	
030058	E & J BRANDY			1	51.99	51.99P	A	
030093	JAMESON			1	70.99	70.99	A	
030002	GLENS			1	23.99	23.99	A	
030002	GLENS			1	23.99	23.99	A	
980	MOONSHINE CIDER			4	6.99	27.96P	A	
	Trolley:1			9		215.91 +VAT	253.69	
911	STRONG BOW/ EX-FILL			6	11.99	71.94P	A	
028069	STRONG BOW BLACK CAN			3	14.49	43.47P	A	
010132	GALLO RED ZINFANDAL			1	19.49	19.49	A	
010033	JACOBS CREEK CAB SAU			1	22.99	22.99P	A	
010472	BLOSSOM HILL WHITE ZINF			1	16.99	16.99	A	
005471	BLOSSOM HILL MERLOT			1	16.99	16.99	A	
	Trolley:2			13		191.87 +VAT	263.23	
029006	TYSKIE CAN			2	15.99	31.98P	A	
	Trolley:3			2		31.98 +VAT	37.58	
029006	TYSKIE CAN			-2	-15.99	-31.98P	A	
	Incorrect Product							
	Trolley:4			-2		-31.98 +VAT	-37.58	
COUNT TOTAL:				Cases:22	Singles:0	Total:22	TOTAL GOODS	407.78

CODE RATE GOODS VAT
 A 17.50 407.78 71.36

VAT-TOTAL 71.36
 INVOICE-TOTAL 479.14

367 MILE END ROAD
 MILE END
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 Cust.VAT Reg No.

Account : 201041 Payment Method: CA Invoice No : 37385 Time&Date: 11:33 on 31-Mar-2010
 Till Number: 1 Cashier ID : 81 Cashier Name: rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE	VAT
911	STRONG BOW/ EX-FILL	500ml	24	4	13.99	55.96P	A
030126	BELLS MINI	12x5cl	1	1	12.89	12.89	A
030123	SMIRNOFF MINI	12x5cl	1	1	10.39	10.39	A
030073	JACK DANIEL	20cl	6x	1	27.49	27.49	A
030009	SMIRNOFF	35cl	6x	1	32.49	32.49	A
030009	SMIRNOFF	35cl	6x	1	32.49	32.49	A
030032	BACARDI	70cl	6x	1	62.99	62.99	A
030058	E & J BRANDY	70cl	6x	1	51.99	51.99P	A
030111	BALLEYS	70cl	6x	1	49.99	49.99P	A
030001	GLENS	20cl	6x	1	14.49	28.98	A
030002	GLENS	35cl	6x	2	23.99	47.98	A
030072	JACK DANIEL	35cl	6x	1	43.49	43.49	A
010128	Trolley:1 GALLO MERLOT	75cl	Total:17	1	SUB TOTAL 457.13 +VAT	537.13	A
	Trolley:2	Cases:1	Singles:0	Total:1	SUB TOTAL	19.49	
		Cases:16	Singles:2	Total:18	TOTAL GOODS	476.62	

VAT-TOTAL 83.41
 INVOICE-TOTAL 560.03

LOWCOST FOOD & WINE

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367 MILE END ROAD
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LONDON
E3 4QS
Cust.VAT Reg No.

Account :201041 Payment Method:CA Invoice No :38133 Time&Date:11:24 on 3-Apr-2010
Till Number:1 Cashier ID :7 Cashier Name:ranjeet

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT/SALE	QUANTITY	PRICE	EXT. PRICE	VAT
030035	BACARDI	1ltr	6x	1	85.99	85.99>	A
030195	DISARONNO (AMARETTO)	50cl	6x	1	52.99	52.99	A
030202	SIERRA TEQUILA SILVER	50cl	6x	1	64.49	64.49	A
030016	ABSOLUTE VODKA	70cl	6x	1	60.99	60.99	A
030012	SMIRNOFF	1ltr	6x	1	79.99	79.99	A
004519	ARCHERS SCHNAPPS LIQUEUR	35cl	6x	1	26.99	26.99>	A
030072	JACK DANIEL	35cl	6x	1	43.49	43.49	A
030071	JACK DANIEL	70cl	6x	1	77.99	77.99P	A
030124	JACK DANIEL MINI	10x5cl	6x	1	11.49	11.49	A
030059	E & J BRANDY	20cl	6x	1	19.99	19.99	A
030092	SOUTHERN COMFORT	20cl	6x	1	25.29	25.29	A
005029	JOSE CUERVO GOLD	70cl	6x	1	11.99	11.99	A
009202	SIERRA TEQUILA GOLD	35cl	6x	3	8.49	25.47>	A
	Trolley:1 Cases:10 Singles:7 Total:17				SUB TOTAL	611.13 +VAT	718.08

COUNT TOTAL: Cases:10 Singles:7 Total:17 TOTAL GOODS 611.13

CODE RATE GOODS VAT
A 17.50 611.13 106.95

VAT-TOTAL 106.95
INVOICE-TOTAL 718.08

LOWCOST FOOD & WINE

367 MILE END ROAD
 MILE END
 LONDON
 E3 4QS
 Cust.VAT Reg No.

Account :201041 Payment Method:CA Invoice No :38134 Time&Date:11:27 on 3-Apr-2010
 Till Number:1 Cashier ID :7 Cashier Name:ranjeet

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE	VAT	
010272	LAMBRINI CHERRY	75cl		12	17.49	17.49	A	
025537	SMIRNOFF ICE RED	275ml		24	12.99	12.99P	A	
001627	BACARDI BREZER ALL	75cl		6	11.69	23.38	A	
025547	ARCHERS AQUA RASP	275ml		12	10.99	10.99	A	
010205	STOWELLS WHITE ZINFANDEL75cl			6	15.99	15.99P	A	
010205	STOWELLS WHITE ZINFANDEL75cl			6	15.99	15.99P	A	
030009	SMIRNOFF	35cl		6x	32.49	32.49	A	
030009	SMIRNOFF	35cl		6x	32.49	32.49	A	
010110	BLOSSOM HILL WHITE ZINEFA75cl			6	18.99	18.99P	A	
010110	BLOSSOM HILL WHITE ZINEFA75cl			6	18.99	18.99P	A	
010103	BLOSSOM HILL CHARDONNAY 75cl			6	18.99	18.99P	A	
030071	JACK DANIEL	70cl		6x	77.99	77.99P	A	
	Trolley:1	Cases:12	Singles:0	Total:12		218.78 +VAT	257.07	
	Trolley:2	Cases:1	Singles:0	Total:1		77.99	77.99P	
COUNT TOTAL:					Cases:13	Singles:0	Total:13	TOTAL GOODS 296.77

CODE	RATE	GOODS	VAT
A	17.50	296.77	51.93

VAT-TOTAL 51.93
 INVOICE-TOTAL 348.70

LOWCOST FOOD & WINE

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367 MILE END ROAD
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LONDON
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Cust.VAT Reg No.

Account :201041 Payment Method:CA Invoice No :39535 Time&Date:11:05 on 10-Apr-2010
Till Number:1 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE	VAT	
025056	STELLA NRB	330ml	24	1	13.49	13.49P	A	
025548	ARCHERS AOUA PEACH	275ml	12	1	10.99	10.99	A	
025547	ARCHERS AOUA RASP	275ml	12	1	10.99	10.99	A	
025545	ARCHERS AOUA RAS	70cl	6	1	11.99	11.99	A	
025545	ARCHERS AOUA RAS	70cl	6	1	11.99	11.99	A	
025546	ARCHERS AOUA PEACH	70cl	6	1	11.99	11.99	A	
025546	ARCHERS AOUA PEACH	70cl	6	1	11.99	11.99	A	
010296	LINDEMANS VM RELE CHARD075cl	75cl	6	1	18.99	18.99>	A	
010034	JACOBS CREEK CHARD	75cl	6	1	25.99	25.99P	A	
010041	JACOBS CREEK SEM CHARD B75cl	75cl	6	1	25.99	25.99P	A	
028061	K CIDER CANS	500ml	24	1	15.49	15.49	A	
028061	K CIDER CANS	500ml	24	1	15.49	15.49	A	
Trolley:1 Cases:12 Singles:0					SUB TOTAL	185.38 +VAT	217.82	
025036	BULMERS ORIGINAL	568ml	12	1	12.99	12.99	A	
911	STRONG BOW/ EX-FILL	500ml	24	4	12.49	49.96P	A	
028069	STRONG BOW BLACK CAN	500ml	24	4	14.79	59.16P	A	
030071	JACK DANIEL	70cl	6x	1	72.99	145.98P	A	
Trolley:2 Cases:11 Singles:0					SUB TOTAL	268.09 +VAT	347.45	
030080	FAMOUS GROUSE	20cl	6x	1	18.49	18.49P	A	
030122	MARTELL MINI	12x3cl	1	1	12.09	12.09	A	
030008	SMIRNOFF	20cl	6x	1	18.39	18.39	A	
030008	SMIRNOFF	20cl	6x	1	18.39	18.39	A	
030009	SMIRNOFF	35cl	6x	1	32.49	32.49	A	
030009	SMIRNOFF	35cl	6x	1	32.49	32.49	A	
030085	COURVOISER	35cl	6x	1	48.29	48.29	A	
030199	ABSOLUTE CITRON	70cl	1	1	11.99	11.99	A	
030199	ABSOLUTE CITRON	70cl	1	1	11.99	11.99	A	
030112	TIA MARIA	70cl	1	1	9.99	9.99	A	
C/FWD AMOUNT:						668.07		

LOWCOST FOOD & WINE

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367 MILE END ROAD
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Account :201041 Payment Method:CA Invoice No :39535 Time&Date:11:05 on 10-Apr-2010
Till Number:1 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE	VAT		
030112	TIA MARIA	70cl	1	1	9.99	9.99	A		
Trolley:3 Cases:6 Singles:5 Total:11					SUB TOTAL	224.59 +VAT	263.89		
COUNT TOTAL:					Cases:29	Singles:	Page:1:70	TOTAL GOODS	678.06

CODE	RATE	GOODS	VAT
A	17.50	678.06	118.66

VAT-TOTAL	118.66
INVOICE-TOTAL	796.72

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367 MILE END ROAD
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Account :201041 Payment Method:CA Invoice No :39536 Time&Date:11:08 on 10-Apr-2010
Till Number:1 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE	VAT		
030071	JACK DANTEL	70cl	6x 1	2	72.99	145.98P	A		
	Trolley:1	Cases:2	Singles:0	Total:2	SUB TOTAL	145.98 +VAT	171.53		
COUNT TOTAL:					Cases:2	Singles:0	Total:2	TOTAL GOODS	145.98

CODE	RATE	GOODS	VAT
A	17.50	145.98	25.55

VAT-TOTAL 25.55
INVOICE-TOTAL 171.53

367 MILE END ROAD
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 Cust.VAT Reg No.

Account : 201041 Payment Method: CA Invoice No : 40256 Time&Date: 11:38 on 14-Apr-2010
 Till Number: 1 Cashier ID : 81 Cashier Name: rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE	VAT
001568	GAYMERS PEAR	568ml	12	3	7.69	23.07P	A
980	MOONSHINE CIDER	2ltr	6	7	6.99	48.93P	A
025538	WRD RED NRB	275ml	24	1	19.99	19.99	A
010270	LAMBRINI	75cl	12	1	10.99	10.99	A
010264	MARTINI BIANCO	75cl	1	1	27.99	27.99	A
020009	HOLSTEN PILS CANS	500ml	24	5	15.49	77.45P	A
025060	BUDWEISER	660ml	12	1	13.99	13.99P	A
Trolley:1 Cases:19 Singles:0 Total:19					SUB TOTAL	222.41 +VAT	261.33
030001	GLENS	20cl	6x	1	14.49	14.49	A
030073	JACK DANIEL	20cl	6x	1	27.49	27.49	A
005029	JOSE CUERVO GOLD	70cl	1	1	11.99	11.99	A
005029	JOSE CUERVO GOLD	70cl	1	1	11.99	11.99	A
Trolley:2 Cases:2 Singles:2 Total:4					SUB TOTAL	65.96 +VAT	116.42
COUNT TOTAL: Cases:21 Singles:2 Total:23					TOTAL GOODS	288.37	

VAT-TOTAL 50.46
 INVOICE-TOTAL 338.83

LOWCOST FOOD & WINE

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367 MILE END ROAD
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Account :201041 Payment Method:CA Invoice No :40873 Time&Date:11:16 on 17-Apr-2010
Till Number:1 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE	VAT		
025030	BECKS NRB	275ml	24	1	14.49	14.49	A		
025525	RED SQUARE RELOADED ALL	700ml	6	1	9.99	9.99	A		
025066	STELLA NRB	660ml	12	1	13.99	13.99P	A		
025055	SOL BEER NRB	330ml	24	1	16.49	16.49	A		
028061	K CIDER CANS	500ml	24	1	15.49	15.49	A		
028061	K CIDER CANS	500ml	24	1	15.49	15.49	A		
004042	BAILEY	35cl	6x	1	32.99	32.99	A		
030091	SOUTHERN COMFORT	35cl	6x	1	41.49	41.49	A		
030002	GLENS	35cl	6x	1	23.99	23.99	A		
030002	GLENS	35cl	6x	1	23.99	23.99	A		
030066	HENNESSY	35cl	1	1	9.99	9.99	A		
030066	HENNESSY	35cl	1	1	9.99	9.99	A		
030084	COURVOISER	70cl	1	1	14.19	14.19	A		
030084	COURVOISER	70cl	1	1	14.19	14.19	A		
025525	Trolley:1 Cases:10	Singles:4	Total:14	1	SUB TOTAL	256.76 +VAT	301.69		
025525	RED SQUARE RELOADED ALL	700ml	6	1	9.99	9.99	A		
025525	Trolley:2 Cases:1	Singles:0	Total:1		SUB TOTAL	9.99 +VAT	56.67		
COUNT TOTAL:					Cases:11	Singles:4	Total:15	TOTAL GOODS	266.75

CODE	RATE	GOODS	VAT
A	17.50	266.75	46.68

VAT-TOTAL 46.68
INVOICE-TOTAL 313.43

LOWCOST FOOD & WINE

Page: 1

367 MILE END ROAD
MILE END
LONDON
E3 4QS
Cust. VAT Reg No.

Account : 201041 Payment Method: CA Invoice No : 40972 Time&Date: 12:58 on 17-Apr-2010
Till Number: 2 Cashier ID : 81 Cashier Name: rahul

ITEM CODE	DESCRIPTION	PACK UNIT/OF SIZE	SALE	QUANTITY	PRICE	EXT. PRICE	VAT
911	STRONG BOW/ EX-FILL	500ml	24	12	11.99	143.88P	A
	Trolley: 1	Cases: 12	Singles: 0	Total: 12		SUB TOTAL 143.88 +VAT	169.06

COUNT TOTAL: Cases: 12 Singles: 0 Total: 12 TOTAL GOODS 143.88

CODE RATE GOODS VAT
A 17.50 143.88 25.18

VAT-TOTAL 25.18
INVOICE-TOTAL 169.06

LOWCOST FOOD & WINE

Page:1

367 MILE END ROAD
MILE END
LONDON
E3 4QS
Cust.VAT Reg No.

Account :201041 Payment Method:CA Invoice No :41574 Time&Date:10:28 on 21-Apr-2010
Bill Number:1 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE	VAT
020004	KRONENBURG 1664 CANS	500ml	24	4	13.99	55.96P	A
025076	BUDWEISER NRB	330ml	24	1	13.99	13.99P	A
025076	BUDWEISER NRB	330ml	24	1	13.99	13.99P	A
025064	CORONA EXTRA	330ml	24	1	18.99	18.99	A
025527	RED SQUARE ICE ALL	700ml	6	1	8.69	8.69	A
025527	RED SQUARE ICE ALL	700ml	6	1	8.69	8.69	A
010119	ECHO FALLS CHARDONNAY	75cl	6	1	15.99	15.99P	A
025540	RED SQUARE APPLE	70cl	6	1	8.69	8.69	A
004066	SMIRNOFF GREEN APPLE	70cl	6x	1	63.99	63.99	A
010130	GALLO WHITE GRENACHE	75cl	6	1	15.49	15.49P	A
010130	GALLO WHITE GRENACHE	75cl	6	1	15.49	15.49P	A
028063	MAGNERS	568ml	12	1	14.49	14.49	A
Trolley:1 Cases:15 Singles:0 Total:15					SUB TOTAL	254.45 +VAT	298.98
030001	GLENS	20cl	6x	1	14.49	14.49	A
030002	GLENS	35cl	6x	1	23.99	23.99	A
030001	GLENS	20cl	6x	1	14.49	14.49	A
030055	MARTELL	35cl	1	3	9.09	27.27	A
030075	BELLS	35cl	6x	1	34.99	34.99	A
003006	SAMBUKA RAMAZZOTI	70cl	6x	1	56.99	56.99	A
Trolley:2 Cases:5 Singles:3 Total:8					SUB TOTAL	172.22 +VAT	246.89
001572	CLEAR CUPS	STD	100	12	0.99	11.88>	A
Trolley:3 Cases:12 Singles:0 Total:12					SUB TOTAL	11.88 +VAT	13.96
COUNT TOTAL: Cases:32 Singles:3 Total:35					TOTAL GOODS	438.55	

CODE RATE GOODS VAT
A 17.50 438.55 76.75

VAT-TOTAL 76.75
INVOICE-TOTAL 515.30

LOWCOST FOOD & WINE

Page: 1

367 MILE END ROAD
MILE END
LONDON
E3 4QS
Cust.VAT Reg No.

Account : 201041 Payment Method: CA Invoice No : 41799 Time&Date: 14:00 on 22-Apr-2010
Till Number: 1 Cashier ID : 75 Cashier Name: jack

ITEM CODE	DESCRIPTION	PACK UNIT OF SIZE	SALE	QUANTITY	PRICE	EXT. PRICE	VAT
010343	ALPA ITAL RED/WHITE/ROSE75cl			6	14.99	239.84P	A
010343	ALPA ITAL RED/WHITE/ROSE75cl			6	14.99	119.92P	A
	Trolley: 1 Cases: 24 Singles: 0		Total: 24		SUB TOTAL	359.76 +VAT	422.72

COUNT TOTAL: Cases: 24 Singles: 0 Total: 24 TOTAL GOODS 359.76

CODE	RATE	GOODS	VAT
A	17.50	359.76	62.96

VAT-TOTAL 62.96
INVOICE-TOTAL 422.72

LOWCOST FOOD & WINE

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367 MILE END ROAD
MILE END
LONDON
E3 4QS
Cust.VAT Reg No.

Account :201041 Payment Method:CA Invoice No :42256 Time&Date:11:31 on 24-Apr-2010
Till Number:1 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE	VAT
025081	STELLA NRB		330ML	18	9.69	9.69	A
010414	TURNER ROAD CHAR PIN/GR175cl		6	1	19.99	19.99	A
025501	WKD BLUE		275ml	24	19.99	19.99	A
028069	STRONG BOW BLACK CAN		500ml	24	14.49	43.47P	A
025061	BUMERS PEARS		568ml	12	11.99	11.99P	A
030081	TEACHERS		70cl	6	56.99	56.99	A
030074	BELLS		70cl	6	56.99	56.99	A
030008	SMIRNOFF		20cl	6	18.39	18.39	A
030008	SMIRNOFF		20cl	6	18.39	18.39	A
030076	BELLS		20cl	6	21.19	21.19	A
030073	JACK DANIEL		20cl	6	27.49	27.49	A
030030	CAPTAIN MORGAN		35cl	1	35.79	35.79>	A
	Trolley:1	Cases:14	Singles:0	Total:14		SUB TOTAL 340.36 +VAT	399.92

COUNT TOTAL: Cases:14 Singles:0 Total:14 TOTAL GOODS 340.36

CODE	RATE	GOODS	VAT	VAT-TOTAL
A	17.50	340.36	59.56	399.92
				INVOICE-TOTAL

LOWCOST FOOD & WINE

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367 MILE END ROAD
MILE END
LONDON
E3 4QS
Cust.VAT Reg No.

Account :201041 Payment Method:CA Invoice No :42954 Time&Date:10:17 on 28-Apr-2010
Till Number:1 Cashier ID :81 Cashier Name:rahul

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE	VAT
020002	FOSTERS LAGER CANS 4%	500ml	24	3	11.99	35.97P	A
020004	KROMENBOURG 1664 CANS	500ml	24	3	12.99	38.97P	A
030004	GLENS	1ltr	6x	1	59.99	59.99	A
030002	GLENS	35cl	6x	1	23.99	23.99	A
030002	GLENS	35cl	6x	1	23.99	23.99	A
030001	GLENS	20cl	6x	1	14.49	14.49	A
030001	GLENS	20cl	6x	1	14.49	14.49	A
030047	JULES CLAIRION	20cl	6x	1	14.99	14.99	A
030008	SMIRNOFF	20cl	6x	1	18.39	18.39	A
030008	SMIRNOFF	20cl	6x	1	18.39	18.39	A
	Trolley:1 Cases:14 Singles:0		Total:14	1			
					SUB TOTAL	263.66 +VAT	309.80

COUNT TOTAL: Cases:14 Singles:0 Total:14 TOTAL GOODS 263.66

CODE RATE GOODS VAT
A 17.50 263.66 46.14

VAT-TOTAL 46.14
INVOICE-TOTAL 309.80

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**LONDON BOROUGH OF
TOWER HAMLETS
TRADING STANDARDS**

RESTRICTED (when complete)

Witness Statement

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN:

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Statement of: **ALAN EDWARD RICHARDS**

Age if under 18 (if over insert "over 18"): **OVER 18** Occupation: **TRADING OFFICER STANDARDS**

This statement (consisting of **3** Pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Name / Signature:



Date:



Tick if witness evidence is visually recorded:

(Supply witness details on last page)

Statement

I am Alan Richards and I am employed as a Trading Standards Officer by the London Borough of Tower Hamlets Trading Standards Service. This is an additional statement to that made and signed by me on 3rd August 2010 relating to Low Cost Food and Wine.

Dealings with Glen Catrine

Since sending the samples of Glens vodka to Glen Catrine for examination I have had a number of contacts with Mr Tom Taylor the Quality Control Manager for Glen Catrine. On 3rd June 2010 I had a telephone conversation with him in which he verbally informed me that the products are genuine Glens Vodka but with false rear duty labels applied. Further he confirmed to me that the bottle lot codes etched on the bottom of the bottles (and referred to in exhibit AER/LC/3) refer to the packing line, date and time of manufacture e.g L2/048/10 equates to Packing Line 2, packed on the 48th day of 2010 (17th February 2010). Unfortunately however Mr Taylor is unwilling to provide a S.9 witness statement to that effect and I produce an email from Mr Taylor dated 27th August 2010 outlining his reasons for this as exhibit **AER/TTemail**. I have made numerous requests for him to provide email or other written confirmation of this, for the purposes of the licensing review hearing, however to date none has been received.

Visit to Eastenders Cash and Carry

On the 16th September 2010 I went to Eastenders Cash and Carry at 24 Riggs Approach, accompanied by Police licensing officer Alan CRUICKSHANK and Waltham Forest Trading Standards Officer Marcia BROWN. We met with the manager, Mr Jatar Chatha, and requested to view his stocks of Glens vodka and wine. I examined all the 1ltr and

Name / Signature:



Signature Witnessed by:

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**LONDON BOROUGH OF
TOWER HAMLETS
TRADING STANDARDS****Witness Statement**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

70cl bottles of Glens vodka individually on display on the shelves and the cases of six (6) 70cl bottles available. All the stocks and their rear labels were, in my opinion, genuine. We also walked the aisles of wine observing the pricing of the various types of wine and there were no 'buy 2 get 1 free' or similar offers on any of the wines although many of the wines indicated reduced prices for a case. Mr Chatha stated that he had never offered wine on a 'buy 2 get 1 free' offer, only at a reduced price per case. Alpha wine was displayed at £15.99 (+VAT) for a case of six bottles. There was a spirit based drink which was promoted as 'buy one get one free' and Mr Chatha indicated that this would be shown on any purchase invoices with a nominal value of 1p placed against the free case, and so would appear on the invoice. He stated that this is the standard policy on all similar promotions. At the time of our visit Eastenders Cash and Carry was in the middle of a '3 Day Offer' and their promotions were contained on a six (6) page promotional flyer which I produce as exhibit **AER/LC/14**.

I also asked Mr Chatha to produce all the purchase invoices relating to account number 201041, the account number of Low Cost Food and Wine, from the 1st January 2010 to 30th April 2010 which he did. There are 36 invoices in total contained on 41 pages and I produce these 41 pages as exhibit **AER/Invoice/5**. Following this we left the premises at approximately 15:20. Later that day I examined the invoices referred to as AER/Invoice/5 and note the following:

1. Up to the time of our seizure on 22/4/10 there are no purchases of Alpha wine. There is one (1) purchase of Alpha wine on 22/04/10 at 14:00 hrs of twenty four (24) cases of six (6) at £14.99 (+ VAT) per case noted on invoice number 41799
2. Up to the time of our seizure on 22/4/10 there are two purchases of one (1) case of six (6) bottles of 1ltr Glens vodka on the 13/03/10 (invoice number 34146) and 20/03/10 (invoice number 35507), totalling twelve (12) bottles. There is an additional purchase of six (6) 1ltr bottles of Glens on 28/4/10.
3. During this time period there are no purchases of 70cl Glens Vodka
4. During this period there were purchases of twenty three (23) cases of six (6) 35cl Glens vodka (138 bottles), sixteen (16) purchases of six (6) 20cl Glens vodka (96 bottles) and one (1) case of six (6) 5cl Glens vodka.

2nd visit to Eastenders 17th September

At approximately 10 am on the 17th September I returned to Eastenders in order to locate something which I had left on the visit the previous day. I went directly into the warehouse without challenge and walked to where the Alpha wine was stored. Above the three pallets of Alpha wine were, clearly displayed, hand written signs stating "Buy 1 case get 1

Name / Signature:



Signature Witnessed by:

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**LONDON BOROUGH OF
TOWER HAMLETS
TRADING STANDARDS****RESTRICTED (when complete)****Witness Statement**

Page 3 of 3

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

free". I took a photograph of each pallet using my mobile phone (a Nokia 6300) and then went to the till area where I requested to see Mr Chatha. It was some minutes before Mr Chatha appeared and I requested to look around his premises to locate the missing item as he had not recovered it. I then went to the area used for storing spirits and then, a minute or two later, back to the pallets of Alpa wine. The handwritten signs had been removed in the intervening period and I took a further two photographs of the pallets. I then left the premises and on returning to my offices I downloaded the digital images from my phone and I produce the three (3) photographs showing the "Buy 1 case get 1 free" offer as exhibit AER/ECC/1A,B & C and the two (2) photographs showing the pallets with the signs removed as exhibit AER/ECC/2A & B.

AER

Name / Signature:

A. Williams

Signature Witnessed by:

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EXHIBIT A/B/T email

Alan Richards

From: Tom Taylor [Tom.Taylor@glencatrine.com]
Sent: 27 August 2010 15:50
To: Alan Richards
Cc: Kevin Maple
Subject: Suspected Counterfeit Glen's Vodka

Dear Mr Richards,

Pat Hough of Ayrshire Trading Standards Dept. sent me a copy of the E-mail that you sent to her.

Counterfeit Glen's Vodka has been an enormous problem over the past three years and I have received hundreds of samples for examination from sixty different Trading Standards Departments throughout the UK to date. In the past the exhibits sent for examination have been counterfeit product and I have provided s9 witness statements for all of them to allow the traders involved to be prosecuted under the Trade Marks Act 1994.

There now appears to be a move away from totally counterfeit product to excise duty evasion scams. Recently, I have been inundated with samples for examination from Trading Standards Departments which are found to be genuine product but the UK Duty Stamp back labels were counterfeit. The bottles in question were produced with an export (non-duty stamp) label applied and came from batches that were despatched for export "under bond" i.e. without payment of excise duty as they were destined for out-with the UK. At some stage the export labels had been removed from the bottles and replaced with counterfeit UK Duty Stamp labels to enable the counterfeiters to avoid the payment of excise duty in the UK. The suppliers / retailers involved should be prosecuted for HMRC excise duty evasion. As I confirmed previously this is the case with the samples that you sent for examination.

Unfortunately, I can no longer provide formal s9 Witness Statements for duty evasion for the following reasons:

As you know, by providing s9 Witness Statements I can be forced by law to attend court by the defence lawyers involved in the court cases.

From past experience, when the people involved are charged they invariably plead "not guilty" and their lawyers insist that anyone who has provided a witness statement appears in court for the trial. This causes massive inconvenience to all concerned as dates have to be kept free for the potential court appearance and travel and accommodation arranged. The majority of the time they change their plea to "guilty" at the last minute.

The number of samples sent for examination by Trading Standards Departments and the number of retailers involved in the duty evasion offences has increased dramatically. This will result in being required to keep dates free and attend an extremely large number of court cases throughout the UK which will become a full time job and a logistical nightmare.

Glen Catrine is a relatively small company and we do not employ anyone that can afford to dedicate all of their time to preparing statements and /or attending numerous court cases. My prime function as Quality Manager is to ensure that our product quality standards are maintained and we therefore continue trading.

The samples and letter that you sent involves 7 retailers and 10 exhibits. I also have samples and letters sent by your colleague at Tower Hamlets, Kevin Maple, which involves 9 exhibits and 22 bottles. You can see the extent of the problem when these are all from one Trading Standards authority.

However, I am prepared to confirm by E-mail or in writing my findings with the samples sent for examination and provide any other information or assistance that you require to help prosecute the offenders or in removal of their trading licences.

I will provide formal s9 Witness Statements if it involves prosecution of the people behind the counterfeiting / duty evasion or preparation or distribution of the illegal products.

I would be grateful if you could discuss the matter with Kevin Maple and let me know how you want to

proceed.

Regards

Tom Taylor.

From: Alan Richards
Sent: 30 July 2010 16:10
To: 'Hough, Pat'
Subject: RE: Glen Catrine contact details

Hi Pat,

Good to speak with you earlier.

Attached is the letter that accompanied the samples sent to Tom, one of which (Low Cost) is the subject of an imminent licensing review as well as a future prosecution. In addition to Trade Mark offences relating to the rear label we are also hoping to take a run at offences under the Consumer Protection from Unfair Trading Regulations:

Schedule 1 Point 9 – Stating or otherwise creating the impression that a product can be legally sold when it cannot.

Essentially our argument is that it is a legal requirement under the Alcohol Liquor Duties Act that alcoholic spirits cannot be sold without customs and excise duty having been paid on it and they must carry a stamp indicating this. The stamp must comply with the requirements of the Act and can only be applied by an authorised person.

Tom has already informed me verbally that it is genuine product with fake rear labels. I am not familiar with the 'standard' Glen Catrine statement (so excuse me if I am teaching my granny to suck eggs!) but I would like to make sure the statement (in relation to the Low Cost product at least) covers the following points:

1. Stating that the rear label is not the same as the one applied by Glen Catrine, the main differences and that it has been substituted
2. That the label contains a copy of the Glen's Trademark device (the crest 2319225B)
3. Producing a copy of the TM registration
4. That they have not authorised the application of the trademark by any other persons
5. That they are an authorised body able to apply a 'Type B' stamp and that the allocated number is specific to them
6. That the 'type B' duty stamp has not been applied by them and is not in accordance with their specification
7. That they have not authorised the application of their type B duty stamp by any other persons
8. Stating the date of manufacture of each sample from the bottom Lot code.

Just out of interest, it is clear that Glens is being re-imported illegally in large quantities and with a degree of sophistication. I know it's more a Customs issue but do Glens keep records of boxes sent out as part of wholesale shipments? There is information on the boxes and I am wondering if that can be matched to initial supply from Glens which can then be followed through to see where it is being diverted/re-imported.

Thanks very much for your help with this and thank Tom Taylor for me for providing the statements.

Regards

Alan Richards

Trading Standards Officer
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent

London
E14 1 BY

Tel: 020 7364 6719
Fax: 020 7364 6901

From: Hough, Pat [mailto:Pat.Hough@east-ayrshire.gov.uk]

Sent: 28 April 2010 09:55

To: Alan Richards

Subject: Glen Catrine contact details

Hi Alan

I have attached an old information sheet with Tom Taylor's contact details at the bottom of it.
Tom is really helpful but can be very busy, if you have a problem getting hold of him let me know.

Regards

Pat

Pat Hough
Trading Standards Officer
East Ayrshire Council
14 London Road
Kilmarnock
KA3 7AF

Tel. 01563 554383

Fax. 01563 554379

<mailto:Pat.Hough@east-ayrshire.gov.uk>

They fight our Wars, we fight their Battles - The Provost's Charity for

2009 - 2010 is Combat Stress. For more information on how you can

support this charity please go to www.combatstress.org.uk.

East Ayrshire Council's service commitment states that all

correspondence will be answered within seven working days of receipt.

Customers will be informed should the Council require additional time to
resolve their query. Please note that different legal standards apply to

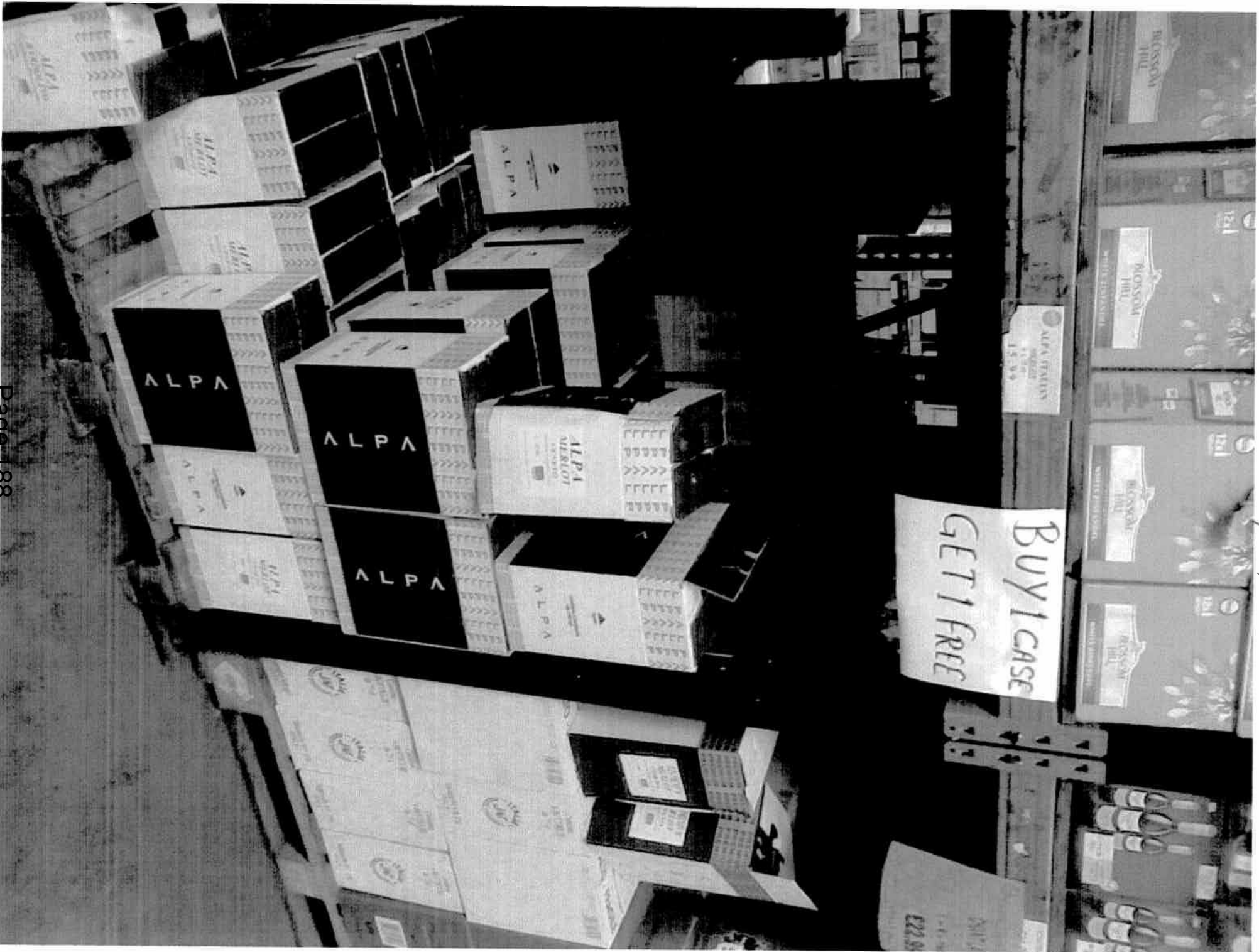
Social Work.

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PER/KE/1/A

BUY 1 CASE
GET 1 FREE

ALFA STARVA
WINE
1.8.99

BLOSSOM HILL
WHITE PORTWINE



BUY 1 CASE
GET 1 FREE

Eastenders Special Offer
ALPA TIL ROSSO
1-6-78
\$15.99
TODAY ONLY

J.P. CHENON
ME
J.P. CHENON
CABERNET
J.P. CHENON
CABERNETS
J.P. CHENON
CABERNETS
J.P. CHENON
CABERNETS

RR/ECC/1B



BUY 1 CASE
GET 1 FREE

ALPHA BRAND RECOMMENDED
\$15.99

ALPHA

ALPHA BRAND RECOMMENDED

ALPHA BRAND RECOMMENDED

ALPHA

ALPHA

ALPHA

ALPHA BRAND RECOMMENDED

ALPHA BRAND RECOMMENDED

ALPHA

ALPHA BRAND RECOMMENDED

ALPHA BRAND RECOMMENDED

ALPHA

ALF

Stovells Stovells
Stovells Stovells
Stovells Stovells

RAR/EC/IC

AKR/EC/2A





PARCEL 213

Agenda Item 5.2

Committee :	Date	Classification	Report No.	Agenda Item No.
Licensing Sub Committee	26 October 2010	Unclassified	LSC 41/011	

Report of Colin Perrins Head of Trading Standards and Commercial	Title Licensing Act 2003 Application for New Premises Licence for Favourite Chicken Ribs, 255 Bethnal Green Road, London, E2 6AH
Originating Officer:	
Licensing Officer: Andrew Heron	Ward affected: Weavers

1.0 Summary

Applicant: **Mrs Jayasakila Baskaran**

Name and
Address of Premises: **Favourite Chicken Ribs**
255 Bethnal Green Road, London, E2 6AH

New Licence sought: **Licensing Act 2003**
Late Night Refreshment

Objectors: **The Metropolitan Police**
Environmental Health
Planning Enforcement

2.0 Recommendations

- 2.1 That the Licensing Committee considers the application and objections then adjudicate accordingly.

LOCAL GOVERNMENT 2000 (Section 97)
LIST OF "BACKGROUND PAPERS" USED IN THE DRAFTING OF THIS REPORT

Brief description of "background paper"	Tick if copy supplied for register	If not supplied, name and telephone number of holder
---	------------------------------------	--

File Only

020 7364 2665

3.0 **Background**

3.1 This is an application for a new premises licence for Favourite Chicken Ribs – 255 Bethnal Green Road, E2 6AH.

A copy of the application is enclosed as **Appendix 1**.

3.2 **The hours that have been applied for are as follows:-**

The Provision of Late Night Refreshment:

describe in detail exactly what has been applied for)

- Monday 23:00 - 01:00
- Tuesday 23:00 - 01:00
- Wednesday 23:00 - 01:00
- Thursday 23:00 - 01:00
- Friday 23:00 - 02:00
- Saturday 23:00 - 02:00
- Sunday 23:00 - 01:00

Hours premises is open to the public:

- Monday 11:00 – 02:00
- Tuesday 11:00 – 02:00
- Wednesday 11:00 – 02:00
- Thursday 11:00 – 02:00
- Friday 11:00 – 04:00
- Saturday 11:00 – 04:00
- Sunday 11:00 – 00:00

3.3 A map showing the relevant premises is included as **Appendix 2**.

4.0 **Licensing Policy and Government Advice**

4.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on the 7th January 2008.

4.2 Relevant Sections of the policy are brought to the attention of Members within the Licensing Officers report.

4.3 The Government Minister, the Secretary of State for Culture, Media and Sport has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government's website, www.culture.gov.uk. It will also be available at the hearing. It was substantially revised on the 28 June 2007.

4.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, that in some areas Tower Hamlets, after a proper consideration of local

circumstances, has not followed the Government's advice, or has developed it further.

5.0 **Objections**

5.1 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following responsible authorities:

The Metropolitan Police (**See Appendix 3**)

Environmental Health (**See Appendix 4**)

Planning Enforcement (**See Appendix 5**)

5.2 The application was required to be advertised in a local newspaper and by a blue poster. Only objections that relate to the following licensing objectives are relevant:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

5.3 Essentially, both regulatory Authorities oppose the application because the applicant has not explained how within the context of longer hours they will meet the licensing objectives, particularly:

- the prevention of crime and disorder
- the prevention of public nuisance.

5.4 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.

6.0 **Licensing Officer Comments**

6.1 The Licensing Section is not a responsible authority and therefore has no ability to make any relevant representations. The following therefore is intended simply to advise Members of the relevant aspects of the Boroughs Licensing Policy, guidance from the Secretary of State, legislation and good practice. Members may depart from the Council's Licensing Policy and/or Government advice, provide they consider it appropriate to do so, and have clear reasons for their decision.

6.2 Guidance issued under section 182 of the licensing Act 2003

❖ As stated in the guidance it is "provided for licensing authorities carrying out this their functions." It is a key mechanism for promoting best practice, ensuring consistent application and promoting fairness (1.6).

Also "so long as the guidance has been properly and carefully understood and considered, licensing authorities may depart from it if

they have reason to do so.” When doing so licensing authorities will need to give full reasons for their actions (1.7).

- ❖ Also Members should note “A Licensing Authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives.” (1.10)
 - ❖ Conditions may not be imposed for the purpose other than the licensing objectives.
 - ❖ Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule (10.7).
 - ❖ The Licensing Authority may only impose such conditions as are necessary for meeting the licensing objectives.
 - ❖ It is Government policy that facilities for people and performers with disabilities should be provided at places of entertainment. (S. 10.24).
 - ❖ The Government has stated “there is no general presumption in favour of lengthening licensing hours and the four licensing objectives should be paramount at all times. Where there are objections to an application and the committee believes that changing the licensing hours would undermine the licensing objectives, they may reject the application or grant it with appropriate conditions and/or different hours from those requested.” (10.20)
- 6.3 The Licensing Act 2003 permits children of any age to be on the premises providing they are accompanied by an adult. It is not necessary to make this a condition.
- 6.4 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 6.5 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 6.6 The Government has advised that “In the context of preventing public nuisance it is again essential that conditions are focused on measures within the direct control of the licence holder. Conditions relating to public nuisance caused by anti-social behaviour of customers once they are beyond the control of the licence holder or premises management cannot be justified and will not serve the licensing objectives.” (2.38)

6.7 The Council's licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.

6.8 Members will find advice on the issues relating to conduct on the premises and egress as follows *the comments of the Association of Chief Police Officers on non-standard times is also included:*

Appendix 6 Licensing Officer comments on Crime and Disorder on the Premises

Appendix 7 Licensing Officer comments on Crime and Disorder From Patrons Leaving The Premises

Appendix 8 Licensing Officer comments on Noise While The Premise Is In Use

Appendix 9 Licensing Officer comments on Egress Problems

Appendix 10 Planning

Appendix 11 Licensing Policy relating to hours of trading

7.0 Exemptions

7.1 There are a number of statutory exemptions from the operation of the Licensing Act 2003, and Members need to bear these in mind.

7.2 Acts of religious worship, wherever performed are not licensable.

7.3 Section 177, (1) and (2) of the Act provides that where a premises (or club) is licensed for alcohol consumption on the premises and is primarily thus used, and the permitted capacity does not exceed 200, additional conditions relating to the music should only relate to public safety or the prevention of crime (or both). That is they should not relate to any "noise nuisance."

7.4 Section 177 (4) provides that where a premises licence (or club) has a capacity of not more than 200 and the only music is unamplified live music between 08 00 hrs and midnight, no additional conditions should be set relating to the music.

7.5 Section 177 can be disapplied on a licence review if it is proportionate to do so.

8.0 Legal Comments

8.1 The Council's legal officer will give advice at the hearing.

9.0 Finance Comments

9.1 There are no financial implications in this report.

10.0 Appendices

- Appendix 1** Copy of existing licence.
- Appendix 2** Maps of the area (see also non standard times)
- Appendix 3** Representations of the Metropolitan Police
- Appendix 4** Representations of Environmental Health
- Appendix 5** Representation of Planning Enforcement
- Appendix 6** Licensing Officer comments on Crime and Disorder on the Premises
- Appendix 7** Licensing Officer comments on Crime and Disorder From Patrons Leaving The Premises
- Appendix 8** Licensing Officer comments on Noise While The Premise Is In Use
- Appendix 9** Licensing Officer comments on Egress Problems
- Appendix 10** Planning
- Appendix 11** Licensing Policy relating to hours of trading

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Appendix 1

**Application for a premises licence to be granted
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/We MRS JEYASAKILA BASKARAN

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
FAVOURITE CHICKEN RIBS			
255 BETHNAL GREEN ROAD			
Post town	LONDON	Post code	E2 6AH
Telephone number at premises (if any)		LBTH	
Non-domestic rateable value of premises	£12750	TRADING STANDARDS	
		14 JUN 2010	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick yes **LICENSING**

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname BASKARAN			First names JEYASAKILA		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address		NO:3 LATIMER AVENUE EAST HAM			
Post Town	LONDON			Postcode	E6 2LQ
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
1	1	0 7 2 0 1 0

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

Please give a general description of the premises (please read guidance note 1)
Please refer to the enclosed plan.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- | | |
|--|--------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of entertainment facilities:

- | | |
|--|--------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Fri			
Sat			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)			
Wed						
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Fri						
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue			State any seasonal variations for the performance of live music (please read guidance note 4)			
Wed						
Thur			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)			
Fri						
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Sun					

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed				
Thur			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Fri			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat				
Sun				

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
			<u>Please give a description of the facilities for dancing you will be providing</u>		
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)		
			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Wed					
Thur					
Fri			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input checked="" type="checkbox"/>
Mon	23:00	01:00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	23:00	01:00			
Wed	23:00	01:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23:00	01:00			
Fri	23:00	02:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	23:00	02:00			
Sun	23:00	01:00			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) N/A		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) N/A		

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name	
Address	
Postcode	
Personal Licence number (if known)	
Issuing licensing authority (if known)	

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)
 None.

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) N/A
Day	Start	Finish	
Mon	11:00	02:00	
Tue	11:00	02:00	
Wed	11:00	02:00	
Thur	11:00	02:00	
Fri	11:00	04:00	
Sat	11:00	04:00	
Sun	11:00	00:00	

P Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

The standard practices listed below will be maintained at all times. All reasonable steps will be taken to ensure that the premises will have a positive impact upon the local environment and its residents at all times.

b) The prevention of crime and disorder

Any incidents of a criminal nature that may occur on the premises will be reported to the Police. Toilets shall be checked an average of two hourly while the premises are open to the public to deter the use of drugs. Details of checks shall be documented and made available to Police on request.

The Licensee will install comprehensive CCTV coverage at the premises and it is operated and maintained at the premises.

The CCTV system shall conform to the following points:

1. Cameras must be sited to observe the entrance and exit doors both inside and outside.
2. Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
3. Cameras viewing till areas must capture frames not less than 50% of screen.
4. Cameras overlooking floor areas should be wide angled to give an overview of the premises.
5. Be capable of visually confirming the nature of the crime committed.
6. Provide a linked record of the date, time and place of any image.
7. Provide good quality images –colour during opening times.
8. Operate under existing light levels within and outside the premises.
9. Have the recording device located in a secure area or locked cabinet.
10. Have a monitor to review images and recorded picture quality.
11. Be regularly maintained to ensure continuous quality of image capture retention.
12. Have signage displayed in the customer area to advise that CCTV is in operation.
13. Digital images must be kept for 31 days.
14. Police will have access to images at any reasonable time.
15. The equipment must have a suitable export method, e. G. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy, if this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police on request.

c) Public safety

Appropriate fire safety procedures are in place including fire extinguishers (foam, H2O and CO2), fire blanket, internally illuminated fire exit signs, numerous smoke detectors and emergency lighting (see enclosed plan for details of locations). All appliances are inspected annually.

All emergency exits shall be kept free from obstruction at all times.

d) The prevention of public nuisance

All customers will be asked to leave quietly.

Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours.

e) The protection of children from harm

A suitably worded sign of sufficient size and clarity must be displayed at the point of entry to the premises and in a suitable location at the point of sale, advising customers caution for hot food and drink.


Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- 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 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	10 JUNE 2010
Capacity	Agent for the Applicant

For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent. (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

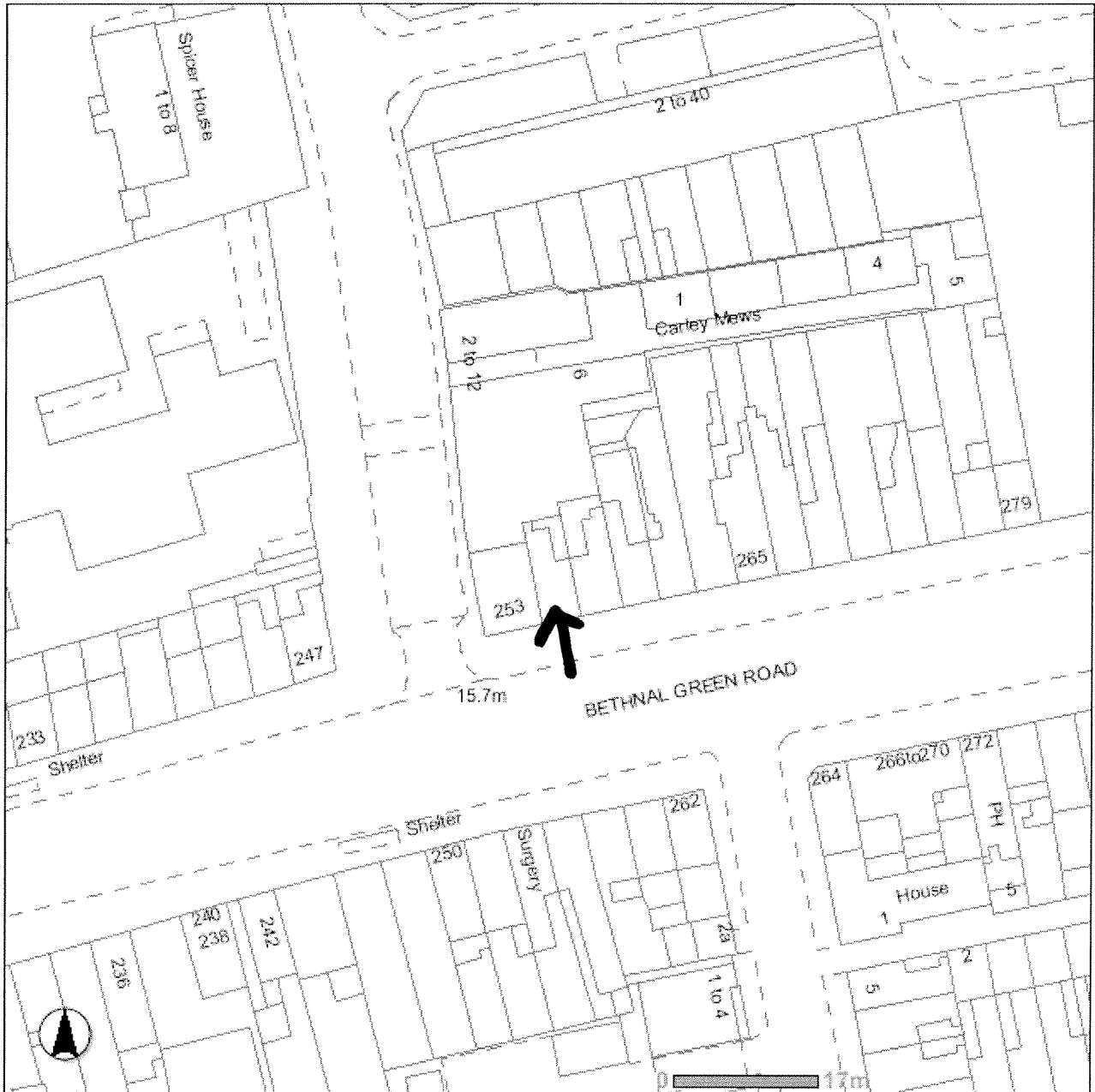
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Jun Simon ADA Group 167 Stoke Newington Road			
Post town	London	Post code	N16 8BP
Telephone number (if any)	0845 200 8424		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Appendix 2

Map



Scale 1:750

Map of:

Notes:

255 Bethnal Green Road

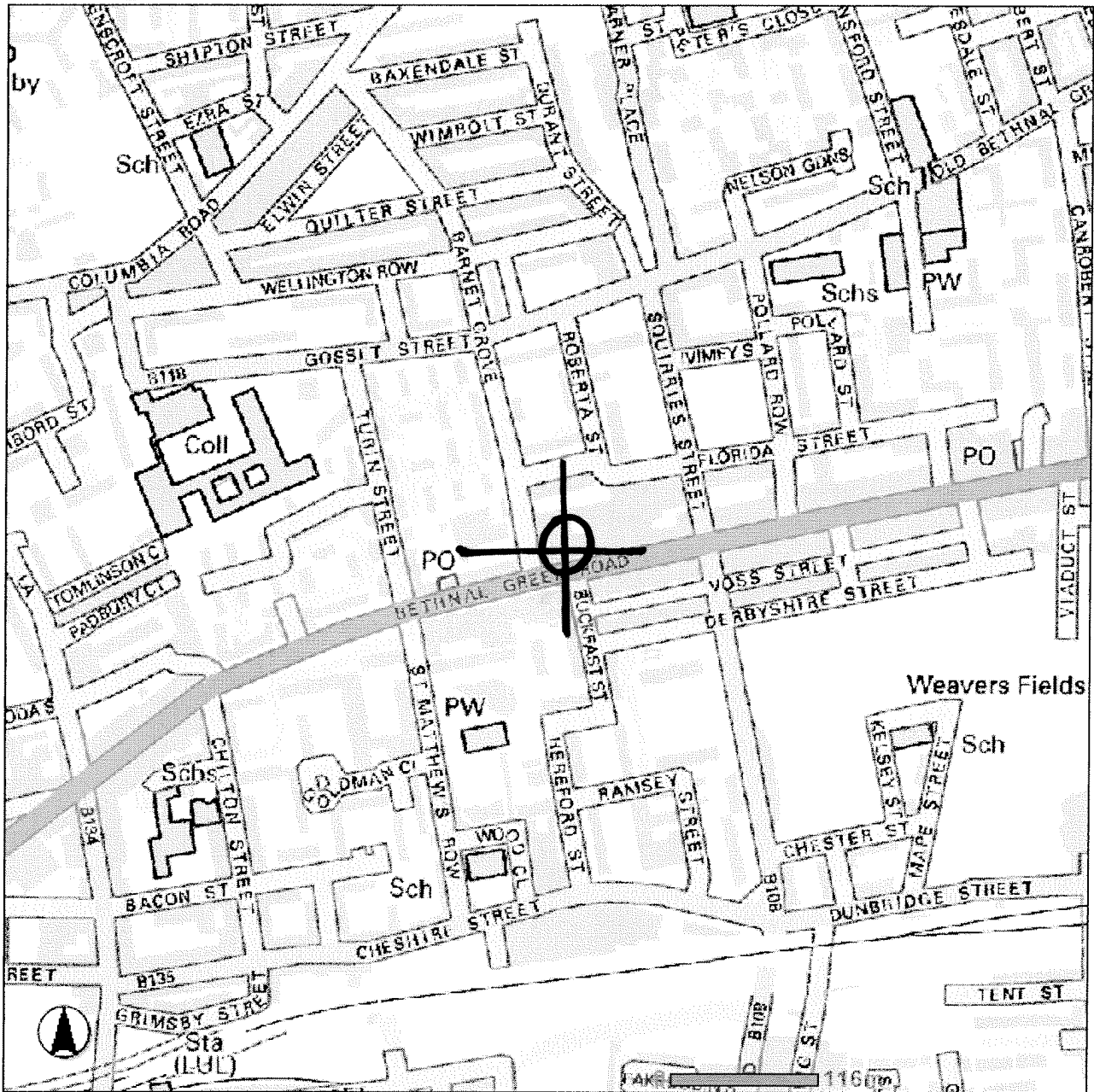
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Supplied by London Borough of Tower Hamlets

Licence Number: LA100019288

Map



Scale 1:5000

Map of:

Notes:

255 Bethnal Green Road

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Supplied by London Borough of Tower Hamlets

Licence Number: LA100019286

Appendix 3



LBTH Licensing
Mulberry Place (AH)
5 Clove Crescent
E14

HT - Tower Hamlets Borough

Licensing Office
Bethnal Green Police Station
12 Victoria Park Square
Bethnal Green
E2 9NZ

Telephone: 0208 217 6699
Facsimile:
Email: Alan.Cruickshank@met.police.uk
www.met.police.uk

Your ref:

Our ref:

8 July 2010

Dear Ms Randall

Re: The application for a premises licence
Favourite Chicken Ribs, 255 Bethnal Green Road,E2 6AH

I write with reference to the above application which was received in this office on the 16th of June 2010

Please accept this letter as notification that the police as a responsible authority wish to object to this application on the following licensing objective

The prevention of crime and disorder
The prevention of public nuisance

There are no other late night eateries within the immediate vicinity that are open until the time requested.

Although Bethnal Green Road has a number of licensed premises all along the street, it still has a considerable residential population. The night time economy has to be balanced between the needs of local businesses and the welfare of the nearby residents.

The application to remain open until 4am for late night refreshments in my opinion is excessive and would certainly have a detrimental effect on the local residents. The rest of the hours applied for are also excessive and does not take into consideration the welfare of the local residents.

Also of concern, is that the late night refreshments requested does not match the closing hours. For example, the refreshments requested for Friday and Saturday is up to 2am. The closing hours requested is 4am. What will their customers be doing for two hours after the last meal is served. I believe this can only increase the potential for ASB.

It is unfortunate but late night eateries often attract people who are either under the influence of alcohol who can be very loud or it can attract people who are either anti-social or violent. With the best will in the world, it is difficult for staff to stop the noise or the potential ASB

On the 29/01/10, Bethnal Green Police Licensing Unit and LBTH Licensing made a number of visits to late night eateries, one of which was Favourite Chicken. They entered at 23.30 and hot food and drinks were still being served. As they had no licence, this activity should have stopped at 2300. A warning letter was later sent by LBTH Licensing.

I believe if any further late licences are granted until the early hours of the morning it will lead to further applications from nearby eateries which would be of great concern to the local residents and the police. Tower Hamlets has many late night eateries, even in this stretch of the road and adding another one would only compound ASB and public nuisance.

I ask the committee to reject the application.

If however the committee is to grant the application I would like them to consider the following times

Late night refreshments: Mon - Sat 2300 - midnight
Sun to remain at 11pm

Opening Hours Mon -Sat 1100 - midnight
Sun to remain at 11pm

I would also like them to consider the following condition

CCTV

The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of 31 days. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity. There must also be someone on the premises, who can download the images and present them immediately on request by a police officer or other responsible authority.

Alan Cruickshank PC 189HT

Appendix 4

Nick Kemp

From: Jacqueline Randall
Sent: 05 July 2010 17:38
To: Nick Kemp
Subject: FW: 255 Bethnal Green Road

Jackie Randall
Acting Licensing Services Manager

London Borough of Tower Hamlets
Licensing Section
Mulberry Place (AH)
PO Box 55739
2 Clove Crescent
London E14 1BY

Tele: 0207 364 5109/5008
Fax: 0207 364 0863

From: Alkesh Solanki
Sent: 05 July 2010 16:42
To: Jacqueline Randall
Cc: 'Alan.Cruickshank@met.pnn.police.uk'; Cain Duncan; Derrick Harrington; Iain Pendrigh
Subject: 255 Bethnal Green Road

I object to to this application on the grounds that public nuisance objective will not be met.

There are residential properties adjoining and surrounding the business. I do not believe that a late licence would protect the local amenity. The impact of having a late night eating establishment in a location where residential properties have had the quiet solitude of no commercial activities beyond 11pm in the majority of cases would be potentially detrimental.

Further to the business being located next to mixed residential and commercial properties, the majority of the side streets in the locality are purely residential, for example:

- Buckfast Street (37 metres away);
- Barnet Grove (52 metres away);
- Florida Street (62 metres away);
- Roberta Street (89 metres away);
- Squirres Street (117 metres away);
- Turin Street(118 metres away);
- St Matthews Row (121 metres away); and
- Granby Street (130 metres away).

The potential for public nuisance is high. The customers that frequent this fast food establishment after 11pm and up to 2am during the week, 4am during the weekend are likely to have had a night out and be in high spirits. I cannot see how the licensing objective for prevention of public nuisance can be met by the applicant

especially when their customers are off the site and on their way to their next destination. I am not even in acceptance of their Sunday proposal of closing at midnight. This can be highlighted to fact that 255 Bethnal Green Road has planning permission to operate only to the following hours:

Hours - 9am - midnight Monday - Saturday
9am - 11pm Sunday

Further to which, the submission by the applicant to describe the steps to promote the licensing objective of the prevention of public nuisance was only two fold:

1. ALL CUSTOMERS WILL BE ASKED TO LEAVE QUIETLY; &
2. CLEAR AND LEGIBLE NOTICES WILL BE PROMINENTLY DISPLAYED.....

I am keen to seek clarification as to how the applicant believes that his submission will assist in preventing public nuisance. I have attempted to contact the applicant via the agent Jun Simon (ADA Group) alas to no avail.

My objection still stands.

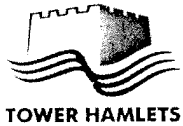
Alkesh Solanki
Area Team North, Environmental Protection

alkesh.solanki@towerhamlets.gov.uk

020 7364 6518

London Borough of Tower Hamlets
4th Floor | Anchorage House | 2 Clove Crescent
London | E14 2BE
[Click here for map](#)

Appendix 5



To	Licensing Department	Development & Renewal Directorate
From	Planning Enforcement	Planning Enforcement
Contact	Thomas Doyle	Mulberry Place (AH)
Extension	5204	PO Box 55739
Date	02/07/2010	5 Clove Crescent
Our Ref.		London E14 1BY
Your Ref.		Tel 020 7364 5204
Subject	Licensing Objection	Fax 020 7364 5415
		e-mail thomas.doyle@towerhamlets.gov.uk

Objection to Premises License, 255 Bethnal Green Road, London, E2 6AH

The Planning Department wishes to object to the granting of a new premises License at 255 Bethnal Green Road on the basis that the opening hours are excessive. Approving these hours will result in a greater degree of noise and disturbance to persons living in the area, later into the night and morning than already being caused by this venue and others in the near vicinity.

We accept that business performs an important function in supporting a night time economy. However, this has to balance against the needs of residents who reasonably expect a level of "quiet" late into the evening. Due to the properties close proximity to residential dwellings the granting of new premises license until 2.00am on Mondays to Thursdays and until 4.00am on Fridays and Saturdays would be detrimental to the amenity of the neighbouring properties.

As an aside from this, the premise only has planning permission to operate as a hot food take-away between the following hours:

- a) Mondays to Saturdays - 09.00am to midnight
- b) Sundays – 09.00am to 11.00pm

Public Nuisance

Reference should be made to the Council's Licensing Policy and the framework hours for the operation of Licensed Premises. It states that more scrutiny should be given to premises operating past midnight on Friday and Saturdays, past 11.30pm on Mondays to Thursdays and past 10.30pm on Sundays. In particular the following points should be taken into consideration.

- The location of the premises and the general character of the area in which the premises are situated. (i.e. does the area include residential or business premises likely to be adversely affected).

- The proposed hours during which licensable activities will be take place and the proposed hours during which customers will be permitted to remain on the premises.
- The adequacy of the applicant's proposals to address the issues of (a) the prevention of crime and disorder and (b) the prevention of public nuisance.
- Where the premises have been previously licensed, the past operation of the premises.
- Whether customers have access to public transport when arriving at or leaving the premises at night time and in the early hours of the morning.
- The proximity of the premises to other licensed premises in the vicinity and the hours of those other premises.

The location of 255 Bethnal Green Road is in an area where residential properties are likely to be adversely affected by noise from patrons leaving the venue.

Conclusion

Planning Enforcement **do not** support the application by 255 Bethnal Green Road to extend their opening hours, as this will cause a serious public nuisance to surrounding residential occupiers far later into the evening and morning than what currently occurs.

The application for a new Premises License hours is unreasonable and will not maintain a balance between commercial activities and residential amenity in an area where this is clearly required.

Thomas Doyle
Planning Enforcement Officer

Appendix 6

Crime and Disorder on the Premises

Licensing Policy

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. **(See Sections 5.2. of the Licensing Policy)**

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include conditions drawn from the Model Pool of Conditions relating to Crime and Disorder. **(See Appendix 2 Annex D of the Licensing Policy)**. In particular Members may wish to consider (this list is not exhaustive):

- Methods of management communication
- Use of registered Door Supervisors
- Bottle Bans
- Plastic containers
- CCTV
- Restrictions on open containers for “off sales”
- Restrictions on drinking areas
- Capacity
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage
- Seating plans
- Capacity

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public safety.

Guidance Issued under Section 182 of the Licensing Act 2003.

The pool of conditions, adopted by the council is recommended (Annexe D).

The key role of the police is acknowledged (2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff or agents, but can directly impact on the behaviour of

customers on, or in the immediate vicinity of the premises as they seek entry or leave (2.4).

Conditions are best targeted on deterrence and preventing crime and disorder (S.2.6) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (S.2.7-2.11).

Guidance Issued under Section 182 of the Licensing Act 2003

Conditions can be imposed for large capacity “vertical consumption” premises (10.43).

Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices

Other Legislation

The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.

Appendix 7

Crime and Disorder From Patrons Leaving The Premises

General Advice

Members need to bear in mind that once patrons have left a premises they are no longer under direct control. Members will need to be satisfied that there is a link between the way the premises is operating and the behaviour that is complained of. An example of this would be that irresponsible drinking is being encouraged. Before deciding that any particular licensing conditions are proportionate, Members will also need to be satisfied that other legislation is not a more effective route. For example, if the problem is drinking in the street it may be that the Council should designate the area as a place where alcohol cannot be consumed in public.

Members may also wish to consider whether the hours of opening relate to any problems of anti-social behaviour.

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

Licensing Policy

The policy recognises that other legislation or measures may be more appropriate but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy.” Other controls need to be borne in mind. **(See Section 4.10 and 4.11 of the Licensing Policy).**

- The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. **(See Appendix 2 Annex D of the Licensing Policy).**

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public.

Guidance Issued under Section 182 of the Licensing Act 2003.

The pool of conditions, adopted by the council is recommended (Annexe D). The key role of the police is acknowledged (2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff or agents, but can directly impact on the behaviour of customers on, or in the immediate vicinity of the premises as they seek entry or leave (2.4).

Conditions are best targeted on deterrence and preventing crime and disorder (S.2.6) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (S.2.7-2.11).

Conditions can be imposed for large capacity “vertical consumption” premises (10.43).

There is also guidance issued around the heading of “public nuisance as follows

The pool of conditions, adopted by the council is recommended (Annexe G). Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (2.36) but it is essential that conditions are focused on measures within the direct control of the licence holder” (2.38). Conditions relating to behaviour once they are beyond the control of the licence holder cannot be justified. (2.38)

Other Legislation

Crime and Disorder Act 1998

The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.

The Act also introduced a wide range of measures designed to address anti-social behaviour committed by adults and young people. These include:

- Anti-Social Behaviour Orders
- Child Curfew Schemes
- Truancy
- Parenting Orders
- Reparation Orders
- Tackling Racism

Appendix 8

Noise while the premise is in use

General Advice

If they conclude this is a problem Members should consider whether it is possible to carry out suitable and proportionate noise control measures so that noise leakage is prevented. In addition Members may consider that only certain activities are suitable.

The hours of operation also need to be considered (see below).

If Members believe that there is a substantial problem of noise while the premises are in use and it cannot be proportionately address by licensing conditions they should refuse the application.

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. **(See Sections 8.1 of the Licensing Policy)**.

While all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. **(See Section 12.11)**.

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. **(See Section 8.2 of the Licensing Policy)**.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. **(See Appendix 2 Annex D of the Licensing Policy)**. In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a "beer garden", or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly
- Conditions controlling the use of explosives, pyrotechnics and fireworks

- Conditions controlling the placing of refuse
- Conditions controlling noxious smells
- Conditions controlling lighting (this needs to be balanced against potential crime prevention benefits)

Police Powers

Part 8 of the Licensing Act 2003 enables a senior police officer to close down a premises for up to 24 hrs. a premises causing a nuisance resulting from noise emanating from the premises.

Guidance Issued under Section 182 of the Licensing Act 2003

The Licensing Policy has adopted the recommended Pool of Conditions as permitted (13.20 and Annex D).

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community (2.33).

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.36) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder (2.38).

Other Legislation

The Environmental Protection Act 1990, Part 111 gives Environmental Health Officers the power to deal with statutory nuisances.

The Anti-social Behaviour Act 2003, Sections 40 and 41 give Environmental Health Officers the power of closure up to 24 hours in certain circumstances.

Appendix 9

Access and Egress problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot
Disturbance from patrons arriving/leaving the premises by car
Lack of adequate car parking facilities
Close proximity to residential properties

Comment

The above have been grouped together as egress problems. Of course the particular facts will be different for each alleged problem.

General Advice

In considering concerns relating to disturbance from egress, Members need to be satisfied that the premises under consideration has been identified as the source of the actual or potential disturbance. If they are satisfied that this is a problem, then proportionate conditions should be considered.

The hours of operation also need to be considered.

If Members believe that there is a substantial problem concerning egress and it cannot be proportionately addressed by licensing conditions, they should refuse the application.

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. **(See Sections 8.1 of the Licensing Policy).**

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. **(See Section 8.2 of the Licensing Policy).**

However, while all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. **(See Section 12.10)**

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Poll of Conditions relating to the prevention of Public Nuisance. **(See Appendix 2 Annex G of the Licensing Policy).** In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)

- Whether certain parts should close earlier than the rest (for example a “beer garden”, or restricted in their use
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly

Guidance Issued under Section 182 of the Licensing Act 2003

The pool of conditions, adopted by the council is recommended (Annex G). The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community. (2.33).

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (2.36) but it is essential that conditions are focused on measures within the direct control of the licence holder” (2.38).

In certain circumstances conditions relating to noise in the immediate vicinity of the premises may also prove necessary to address any disturbance anticipated as customers enter and leave (2.36).

However, it is essential that conditions are focused on measures within the direct control of the licence holder. Conditions relating to behaviour once they are beyond the control of the licence holder cannot be justified. (2.38)

Appendix 10

Planning

An application for a Premises Licence can be made in respect of a premises even where the premises does not have relevant Planning Permission. That application has to be considered and Members can only refuse the application where the application itself does not promote one of more of the Licensing Objectives. Members cannot refuse just because there is no planning permission. Where a Premises Licence is granted and which exceeds what is allowed by the Planning Permission and that Premises then operates in breach of planning then the operator would be liable to enforcement by Planning.

Appendix 11

Licensing Policy relating to hours of trading

All applications have to be considered on their own merits.

The Council has however adopted a set of framework hours as follows

Sunday to Thursday 06 00 hrs to 23 30 hrs

Friday and Saturday 06 00 hrs to midnight

(see 12.8 Of the licensing policy)

In considering the applicability of frame work hours to any particular application regard should be had to the following

- Location
- Proposed hours of regulated activities, and the proposed hours the premises are open to the public
- The adequacy of the applicants proposals to deal with issues of crime and disorder and public nuisance
- Previous history
- Access to public transport
- Proximity to other licensed premises, and their hours

(see 12.8 of the licensing policy)

Subject to any representations to the contrary in individual cases the following premises are not generally considered to contribute to late night anti-social behaviour and will therefore generally have greater freedom

- Theatres
- Cinemas
- Premises with club premises certificates
- Premises licensed for off sales only

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