

In the matter of an application for review of a premises licence

RE Kings Wines, 205 Whitechapel Road, London E1 1DE

WITNESS STATEMENT OF SUKHWINDER SINGH SANDHU

I, Sukhwinder Singh Sandhu of ~~41 Richmond Avenue, Feltham TW14 9SG~~ WILL SAY AS FOLLOWS:-

1. That I along with my Wife Mrs Rajwant Kaur Sandhu are the premises licence holders in respect of Kings Wines at 205 Whitechapel Road, London E1 1DE and I make this statement in respect of the application which has been made by the Metropolitan Police for a review of the premises licence.
2. I refer the Court to exhibit 'SSS1' and where I refer to pages in [square brackets] I am referring to page numbers in that exhibit.

BACKGROUND

3. I came to the United Kingdom in 1978 from India, and I have worked throughout this period, I have been the holder of a personal licence for 25 years, of which 23 of those years has been for Kings Wines.
4. Kings Wines is a family business in which my Wife, my Son, and myself work, we also employ a student on a part time basis. This business is our family livelihood.
5. HMRC attend our business premises on occasions, their visits are usually on an annual basis, I do however recall that in 2010 that HMRC visited the shop to undertake their tasks on 4 different occasions.
6. We always assist the authorities as much as we can and for example officers from the local Police Station attended the premises some time ago and requested that we did not advertise on the shelves for sale strong beers to help the Police to tackle anti-social

behaviour, and alcoholic related incidents, we of course did what was requested and we do not advertise such products for sale, we have done this for the last 3 years.

7. I have been a hard worker all of my life, and I have strived to do my best for my family, and the business is what funds our family life, I would not do anything to jeopardise the family business. We keep our shelves as well stocked as we can, and I shop around different cash & carries to purchase stock at the best available prices.

HMRC's ATTENDANCE ON 22nd DECEMBER 2010

8. On the 22nd December 2010 officers attended and they looked at some of the stock that was in the shop, the officers asked for invoices in respect of some goods and it was explained that some of the invoices were with our accountant. The officers were however shown an invoice in respect of Black Jack vodka and they then opened the cases to inspect the bottles, the officers stated that the labels were incorrect and that we should speak with our suppliers regarding this stock.
9. I have read the officers statements regarding the labelling of bottles, and I was surprised that such activities took place. Following the visit by the officers I have recently purchased a UV light so that I can check the bottles myself, I refer the committee to page [1] which is a copy of a receipt from Audiotech Systems, I now check the stock myself before putting the goods onto the shelf, if the label is incorrect I would take these items back to the supplier for different goods, or a refund.
10. When buying goods from cash and carries we buy on trust that the goods are goods that have not been tampered with, and that they can be sold without having any such worries.
11. The visit on the 22nd December 2010 is the first time that we have had issues with any of our stock through 23 years of trading as Kings Wines, we had an unblemished record prior to purchasing this stock. I am a very proud man, and I am proud of the way that we run our business, we work hard, we assist officers as much as we can, and we do the best that we can.
12. Following the attendance on the 22nd December 2010 I sent to officers a letter from HT & Co (Drinks) Ltd and I refer the Court to page [2] which is a copy of that letter. The committee will note that the letter confirms that the stock that we purchased from HT & Co has had the duty paid on it, and that they have supporting documentation to confirm that the duty has been paid. I am unaware of any further investigations that the officers may have undertaken following the disclosure of this important piece of information.

13. I have been advised (as a result of this application) that HMRC have a system called 'track and trace' and that HMRC are able to follow the life (the sales) of alcoholic goods all the way back to the manufacturer to establish whether duty and vat has been paid on the goods. I note with some surprise that there is no evidence of such investigations by HMRC to establish whether duty and vat has been paid.
14. The officers seized from the shop the following, 135.25 litres of mixed whiskey, 134 litres of mixed vodka, 55.5 litres of wine and 4.2 litres of Bacardi, and I refer the committee to pages [3 – 4] which is a copy of the notice of seizure, the committee will note that the notice does not make reference to 4.2 Litres of Bacardi that was seized.

THE SEIZED GOODS / STOCK

15. I refer the committee to pages [5 - 65] which are copy invoices from various cash and carries which include the goods that were seized. When buying stock one needs to apply to the cash and carries for membership and you need to produce such things as your premises licence, VAT registration, personal identification etc so that the cash and carries can satisfy themselves that they are selling to bona-fide off-licences, bars etc. These companies are reputable companies.
16. I note that there is no evidence showing that the officers contacted the cash and carries to establish whether duty and vat has been paid, and again I refer the committee to the point that I made earlier in this witness statement that HMRC have a system to track and trace all alcoholic goods but do not appear to have done so.
17. The committee will note that various cash and carries have been the supplier of goods in respect of what was seized, and I trust these cash and carries to supply me with proper stock, this is the first instance in over 23 years of being in this business that this issue has arisen, and I am now taking extra precautions having been made aware that such trade goes on, something that I was unaware of until 22nd December 2010.
18. I refer the committee to the last 3 years accounts for the business at pages [66 - 77] and the committee will note that for the year ending 2008 that the business had purchased £310,976.00 worth of stock, for the year ending 2009 the business had purchased £287,698.00 worth of stock, and for the year ending 2010 that the business had purchased £294,431.00 worth of stock.
19. The overall cost of the stock that was seized amounts to approximately £2,000.00 to £3,000.00, which is in effect approximately 1 % of the businesses annual purchases or less.

20. We run an honest business and the stock that is alleged to be non-duty paid is of such a small proportion to the annual purchase, but, even so I have taken measures to ensure that this does not happen again, and I do realise that this is a serious issue for the wider public and I have taken measures to assist the officers in their work of this nature.
21. Given the track record of our business, the preventative measures that I have now taken, and what I have also stated above I consider that it would be disproportionate to revoke the licence, and I humbly ask this committee to consider fully the points that I have made, and effect that this would have on our family life, and the recent efforts that I have taken following matters being brought to my attention.
22. I respectfully request that the licence is not revoked, I am of course more than happy to assist the authorities in any way that I can.
23. I confirm that the facts stated in this witness statement are true.

Signed 

Mr Sukhwinder Singh Sandhu

Dated this 12th day of April 2011

In the matter of an application for review of a premises licence

RE Kings Wines, 205 Whitechapel Road, London E1 1DE

EXHIBIT 'SSS1'
