

[Insert name and address of relevant licensing authority and its reference number (optional)]

**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 Tony Shore

(insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the
premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, Ordnance Survey map reference or description Jagpal Food Stores 147/148 Waterloo Street	
Post town Burton upon Trent	Post code (if known) DE14 2NG

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

Number of premises licence or club premises certificate (if known) PL0143
--

Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

Current postal
address if
different from
premises
address

Post town

Post Code

Daytime contact telephone number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Tony Shore Community Protection Manager Public Protection Staffordshire County Council Wedgewood Building Tipping Street Stafford ST16 2DH
Telephone number (if any) 01785 277870
E-mail address (optional) antony.shore@staffordshire.gov.uk

This application to review relates to the following licensing objective(s)

- Please tick one or more boxes ✓
- 1) the prevention of crime and disorder
 - 2) public safety
 - 3) the prevention of public nuisance
 - 4) the protection of children from harm

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

This application to review relates to the failure of the premise to meet the licensing objectives for the prevention of crime and disorder.

Responsible Authority:

Section 13(4) of the Licensing Act 2003 and Regulation 7 of the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 makes a Local Weights and Measures Authority a responsible authority for the purposes of the legislation. Staffordshire County council is a Weights and Measures Authority and that function is carried out by the Public Protection Trading Standards Team.

Prevention of Crime:

By virtue of Schedule 4 of the Licensing Act 2003, any offence under the licensing act namely Section 144 Keeping of smuggled goods by any person on relevant premises; offences under s. 92 of the Trade Marks Act 1994 involving alcohol are relevant offences and can lead to the suspension or forfeiture of a personal licence.

Revised guidance issued by the Home Office in March 2015 also covers the possibility of reviews that arise in connection with crimes not directly linked with licensable activities. The guidance states that the licensing authority should ensure that the crime prevention objective is promoted. The guidance goes on to say the Secretary of State considers certain offences should be taken seriously. These include the supply and storage of smuggled tobacco and alcohol.

Staffordshire County Council seeks a suspension of the premise licence on the grounds that the premise licence holder and designated premise supervisor Harjinder Kaur has failed to take adequate steps at the premises to prevent crime and disorder which raises questions as to whether the business is operated in accordance with the promotion of the licensing objectives.

The history of this premise and that of the premise licence holder and designated premise supervisor, Harjinder Kaur indicates a disregard of the law which raises questions as to whether the business is managed in accordance with the promotion of the licensing objectives. The licensing authority has a duty to ensure that steps are taken to promote the licence objectives in the interests of the wider community and not those of the individual licence holder.

Please provide as much information as possible to support the application (please read guidance note 3)

Supporting documentation is provided in appendices to this application as follows;

Appendix 1 – A s.9 statement for the seizure made by Trading Standards

Appendix 2 – Copy of Premise Licence

Appendix 3 – Photographs of the 1 litre Smirnoff Vodka bottles seized on 8th July 2016

Appendix 4 – Brand holder confirmation of counterfeit labels and duty evaded

Appendix 5 – Copy of Property Record

Here is a summary of events supporting this application:

08/07/16

Consumer complaint received concerning a bottle of Krakus Vodka purchased from Jagpal Food Stores, 147/148 Waterloo Street, Burton upon Trent.

08/07/16

Trading Standards visited the premise in response to the complaint about Krakus Vodka. The alcohol exposed for sale was inspected and 9 x 700ml bottles of Krakus Vodka were seized as it was believed to be counterfeit and 5 x 1 Litre bottles of Smirnoff Red Vodka were also seized as the bottles were suspected to have counterfeit back labels.

13/07/16

Staffordshire Scientific Services confirmed that the Krakus Vodka sample did not contain any contamination with industrial solvents and consisted of genuine vodka at 40.0%. The product did not pose any safety threat to the health of the public.

14/07/16

Brand holder for Smirnoff Vodka confirms presence of counterfeit back label and that they were not genuine products as would be supplied to the manufacturer for packaging of Smirnoff Red Vodka.

Previous history of premise:

10/10/11

Trading Standards carried out an inspection as part of the illicit alcohol project. A large quantity of Granton Brandy and Granton Whiskey were seized.

20/10/11

Analysis of the 70cl Granton whiskey confirmed the product to be over proof in that it had an ABV of 40.9% which was 0.9% above the declared 40% and 0.6% beyond the limits of variation permitted by regulation. Analysis of the bottles of brandy and 35/20cl bottles of whiskey were confirmed satisfactory with no contaminants.

22/06/12

All brandy bottles and 35/20cl bottles of whiskey were therefore returned to the premise. The remaining 70cl bottles of whiskey were voluntarily surrendered by the trader.

14/09/12

Trading standards sent out a Fight the Fakes pack.

06/11/12

Anonymous compliant received alleging that Jagpals is selling fake/non duty paid tobacco and cigarettes because everyone is doing it locally.

Trading Standards are concerned at the possession for supply of illicit alcohol for the following reasons;

- Counterfeit and illicit spirits, particularly vodka maybe unsafe to consume, placing public health at risk.
- Illicit spirits are produced and smuggled into the country by organised crime gangs. It is believed that the profits are frequently used to fund other types of serious crime.
- Smuggling causes huge losses to the UK's tax revenues.
- Counterfeit spirits are detrimental to the reputation and brand equity of the Trade Mark owners.
- Lack of product traceability where alcohol is purchased from less than reputable suppliers.
- Counterfeiting misleads consumers into purchasing poor quality products which do not meet the high quality standards or the expectation of the consumer.

It is felt that Harjinder Kaur has erred in her capacity as Premise Licence Holder and has not exercised all due diligence in permitting the purchase of, and unwitting sale of the illicit alcohol. This raises questions with regards to the premise licence holders conduct as a responsible retailer.

Both Harjinder Kaur and Mr Singh were formally interviewed on the 16th August 2016 in respect of this matter. Mrs Kaur explained that her husband Mr Singh mainly bought the alcohol on behalf of the business. Orders are placed over the phone, delivered in a white van and paid for by cash. Invoices for both the Krakus and Smirnoff Red Vodka were provided, but on the balance of probabilities these invoices are not genuine, a suggestion generated from further investigation which revealed that the information on the invoices was false, including fictitious companies and addresses.

In interview it was confirmed that Rep's regularly visit in person to the premise and cold call over the phone to offer products and if the price is right a decision is made to place an order. No checks are made to establish whether these businesses are legitimate, the only thing the business requests is an invoice. If they look smart and provide a business card, it seems to be accepted on face value that the business is legitimate. This raises huge concerns over the running of the business and in particular purchase of alcohol. There is a serious lack of traceability and the focus is on cost rather than safety.

On the balance of probabilities, the Smirnoff products have been duty evaded due to the application of counterfeit back labels somewhere within the supply chain. The continued cause of the mischief at this business, is attributable to the methods in which alcohol is obtained.

When asked if any checks are carried out on the alcohol supplied to ensure that it is genuine, Mrs Kaur said that they were in shock when informed that the Smirnoff Red Vodka had counterfeit back labels and admitted that they don't know what to look for. The premise were advised about the dangers of purchasing alcohol from disreputable suppliers after a large quantity of Granton Whiskey and Granton Brandy were previously seized, but it seems this advice not been taken or fully comprehended.

The premise is independent and operates under the brand franchise Premier. Any Premier own brand products must be purchased from Premier's chosen suppliers, but businesses can opt to sell branded products from other suppliers/wholesalers.

Recommendations:

As such Trading Standards question whether Harjinder Kaur is able to meet the licensing objectives. We therefore ask that the sub-committee consider a suspension of the premise licence.

Trading Standards ask that the sub-committee consider their powers of suspension, up to a maximum period of 3 months and a warning be issued to Harjinder Kaur regarding her future conduct.

Irrespective of whether any suspension is imposed, trading standards request that the following conditions are also attached to the premise licence;

Prevention of Crime and Disorder

1. No alcohol or tobacco must ever be purchased from sellers calling at the premise. Exceptions to the condition would be purchases made from authorised representatives who have made prior appointments to visit the store.
2. All alcohol and tobacco products sold at the premises must have the relevant UK duty paid.
3. Foreign tobacco, which does not comply with relevant UK legislation, must not be stored and/or sold at the premise.
4. Invoices, or copies of invoices, for all alcohol and tobacco purchases for the sale at the premises, must be retained and kept at the premises, and made available to officers from Trading Standards, the Police or HMRC, upon request
5. A stock control system must be maintained, to enable the licensee and designated premises supervisor to quickly identify where and when alcoholic and tobacco product have been purchased
6. An ultra-violet light must be available at the premises and must be used for the purpose of checking the UK Duty Stamps on spirits as soon as practicable after purchase
7. If any spirits purchased for or on behalf of the business have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee and/or designated premises supervisor must notify the supplier to Staffordshire County Council Trading Standards and HMRC as soon as possible.
8. If any tobacco products purchased for or on behalf of the business does not have UK Duty Paid fiscal mark or are otherwise suspicious, the licensee and/or designated premises supervisor must notify the supplier to Staffordshire County Council Trading Standards and HMRC as soon as possible.

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

Please tick ✓ yes

If yes please state the date of that application

Day Month Year

┆	┆	┆	┆	┆	┆	┆	┆
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If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

.....
Date 20th September 2016
.....

Capacity Trading Standards Manager
.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Mark Wilson
Principal Trading Standards Officer
Staffordshire County Council
20 Sidmouth Avenue
Newcastle under Lyme
Staffordshire

Post town Newcastle under Lyme	Post Code ST5 0QN
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Telephone number (if any) 01782 297004

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) mark.wilson@staffordshire.gov.uk

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Appendix 1

RESTRICTED (when complete)

STATEMENT OF WITNESS

(Criminal Procedure Rules 2015, r. 16.2;
Criminal Justice Act 1967, S. 9, Magistrates' Courts Act 1980, s.5B)

Statement of

Age of Witness Over 18 Occupation of Witness Trading Standards Officer
(If over 18 enter "over 18")

This statement, (consisting of 2 pages each signed by me), is true to the best of my knowledge and belief and I make it knowing that, if it is introduced in evidence, then it would be an offence wilfully to have stated in it anything that the I knew to be false or did not believe to be true;

Signature: _____

Date: 18/7/16

I am a Trading Standards Officer with Staffordshire County Council's Public Protection Department, based at 57-60 High Street, Burton upon Trent, DE14 1JS.

At 14:41pm on the 8th July 2016 I received a complaint from East Staffordshire Borough Council concerning a bottle of Krakus Vodka. The Vodka had been purchased from Jagpal Food Stores, 147/148 Waterloo Street, Burton upon Trent and the purchaser had become ill after drinking it. As a result Senior Enforcement Officer _____ and I carried out an inspection at the premise.

On the same day at 17:57pm we entered the premise and approached the counter. I witnessed _____ introduce us to the male member of staff who I now know to be _____ working behind the counter and explain the purpose of our visit. I witnessed Officer _____ ask Mr _____ if the owner Mr _____ was present. Mr _____ said he wasn't but said he would call him on his mobile, he then handed the phone to Officer _____ I witnessed Officer _____ again explain the purpose of our visit.

At 18:01pm I took a digital photograph of the Krakus Vodka on the shelf. I now produce this as: KAS/JAG/1 (Exhibit _____).

I asked Mr _____ for his full name, address and date of birth and was given: _____, Burton upon Trent, _____ I then issued the Code B Notice of Powers and Rights to Mr _____

Signature: _____

Date: 18/7/16

(To be completed if applicable: _____ being unable to read the above statement I, _____ of _____ read it to him/her before he/she signed it.

Signature: _____ Date: _____)

Page No. 1

NOTE: If statements are typed double spacing should be used.
One side only of this paper should be used.

IR-D-02 - 23/11/2015

STATEMENT OF WITNESS

(Criminal Procedure Rules 2015, r. 16.2;
Criminal Justice Act 1967, S. 9, Magistrates' Courts Act 1980, s.5B)

At 18:08pm I then took another photograph of the Krakus Vodka and the edge label underneath which said Krakus 700ml £9.99. I now produce this as: KAS/JAG/2 (Exhibit). There were nine bottles on the shelf altogether. I witnessed Officer remove the bottles from the shelf and place them in evidence bags. 3 x 700ml bottles of Krakus Vodka were sealed in evidence bag number: L00353581 and given reference number: EP453/1, 3 x 700ml bottles of Krakus Vodka were sealed in evidence bag number: L00353588 and given reference number: EP453/2, 2 x 700ml bottles of Krakus vodka were sealed in evidence bag number: L00353587 and given reference number: EP453/3 and 1 x 700ml bottle of Krakus vodka was sealed in evidence bag number: L00353589 and given reference number: EP453/4. I listed all of these items on the property record.

I examined the other spirits on the shelf behind the counter and discovered 5 x 1 litre bottles of Smirnoff Red Vodka. The bottles had the old style labelling, and when examined closely looked genuine apart from the rear back label. The label wasn't on straight, felt sticky to touch like an adhesive label, the silver edge was extremely shiny and the duty stamp did not fluoresce correctly when placed under a UV light.

I took a photograph of the Smirnoff Red Vodka and the edge label underneath which said Smirnoff Red 37.5% £24.99. I now produce this as: KAS/JAG/3 (Exhibit). I believed that bottles had counterfeit rear labels and so removed 5 bottles from the shelf and placed them in evidence bags. 2 x 1 litre bottles of Smirnoff Red Vodka were sealed in evidence bag number: L00111267 and given reference number: EP453/5, 2 x 1 litre bottles of Smirnoff Red Vodka were sealed in evidence bag number: L00111163 and given reference number: EP453/6 and 1 x 1 litre bottle of Smirnoff Red Vodka was sealed in evidence bag number: L00332442 and given reference number: EP453/7. Both shelf edge labels were then sealed in evidence bags. The Krakus shelf edge was sealed in bag number: S00842159 and given reference number: EP453/8 and the Smirnoff Red shelf edge in bag number: EP453/9. I added these items to the property record. Mr then signed the property record and I gave him a copy. I now produce the property record as KAS/JAG/4 (Exhibit).

I now produce as evidence the alcohol reference: EP453/1 – EP453/9.

At 18:50pm Officer and I then exited the premise and returned to the vehicle.

At 16:42pm on the 11th July 2016, I opened bag number: L00332442 reference number: EP453/7 and took 5 photographs of the 1 Litre Smirnoff Red Vodka bottle. I now produce these photographs as KAS/JAG/5 (Exhibit), KAS/JAG/6 (Exhibit), KAS/JAG/7 (Exhibit), KAS/JAG/8 (Exhibit) and KAS/JAG/9 (Exhibit).

Signature:

Signature witnessed by:

RESTRICTED (when complete)

STATEMENT OF WITNESS

(Criminal Procedure Rules 2015, r. 16.2;
Criminal Justice Act 1967, S. 9, Magistrates' Courts Act 1980, s.5B)

At 17:08pm I sent an email including photographs KAS/JAG/ 5 – KAS/JAG/9 to the International Federation of Spirits Producers and asked if they could advise on whether the labelling was counterfeit or genuine.

Signature:

Signature witnessed by:

NOTE: If statements are typed double spacing should be used.
One side only of this paper should be used.

Appendix 2

Premises Licence

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION**Jagpal Food Stores**

147/148 Waterloo Street, Burton upon Trent, Staffordshire, DE14 2NG.

Telephone 01283 512888

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption OFF the premises only	Monday to Saturday	8:00am	11:00pm
	Sunday	10:00am	10:30pm
	Good Friday	8:00am	10:30pm
	Christmas Day	Noon	3:00pm
	Christmas Day	7:00pm	10:30pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption OFF the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Harjinder Kaur

147/148 Waterloo Street, Burton upon Trent, Staffordshire, DE14 2NG.
Telephone 01283 512 888**REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)****NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Harjinder KAUR

147/148 Waterloo Street, Burton upon Trent, Staffordshire, DE14 2NG.
Telephone 01283 612 888

Premises Licence

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. PA0169

Issued by East Staffordshire

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS

This licence is subject to the mandatory conditions set in section 19 Licensing Act 2003 reproduced below :-

Mandatory conditions - supply of alcohol

- (1) No supply of alcohol may be made under the premises licence
- (a) at a time when 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.
- (2) Every supply under the premises licence must be made or authorised by a person who holds a personal licence.

Licensing Act 2003 (Mandatory Conditions) Order 2014

- (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- (2) For the purposes of the condition set out in paragraph 1-
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a);
- (b) "permitted" price is the price found by applying the formula $P=D+(D \times V)$

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(a).

- (3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pence, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Licensing Act 2003 (Mandatory Conditions) (Amendment) Order 2014

Premises Licence

ANNEXES continued ...

- 3 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol,
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
- (a) a holographic mark, or
 - (b) an ultraviolet feature.

Enbaddol Restrictiöns

Unless otherwise stated in the accordance with paragraphs 6(8) and (9) of Schedule 8 Licensing Act 2003, -
This licence is granted subject to any restrictions imposed on the use of the premises by any of the following enactments:

Licensing Act 1964
Children and Young Persons Act 1933
Cinematograph (Safety) Regulations 1955
Sporting events (Control of Alcohol etc) Act 1985

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**The prevention of crime and disorder**

- The CCTV system must be installed and operate internally to cover all areas that licensable activities take place and where alcohol is displayed within any public area.
- The CCTV unit shall be positioned in a secure part of the licensed premise. Access to the system should be allowed immediately to the Police upon request.
- A competent trained person in the use of and operation of the CCTV will be in attendance at the premises at all times that licensable activities take place and be able to fully operate the CCTV system to be able to download in a recognised format any information requested by the Police.
- The CCTV system clock should be set correctly and maintained (taking into account of GMT and BST).
- A facility will be available for the Police to remove from the CCTV system a copy of any material relevant to any ongoing Police investigation.
- All CCTV images will be retained for a period of not less than 31 days.
- An incident register of all occurrences from the premises will be maintained at the premises and all details of public order offences will be recorded.
- All persons involved in the sale of alcohol who are not the holders of a Personal Licence to sell alcohol will receive initial and subsequent 6 monthly refresher training by the Designated Premises Supervisor or an appropriately accredited training provider with regards to the law in relation to the sale of alcohol. This will be recorded in a staff training register and will include, signature of the member of staff, the DPS or an appropriately accredited training provider with the date.
- All records shall be retained at the premises for a period of no less than 12 months and made available to responsible authorities on request.

The protection of children from harm.

- A Challenge 25 policy will be adopted in order to reduce the potential for underage sales of alcohol. If a customer appears to be under 25 years of age and cannot prove that they are eligible to purchase alcohol with a valid UK Photocard Driving Licence, a valid Passport or PASS accredited proof of age scheme card, they will be refused service.
- Challenge 25 posters will be displayed at the premises to reinforce this policy. Posters will be placed at; each till, each area alcohol is stocked and at the point of entry into the store. The posters will be displayed prominently and in sight of customers and staff.
- A Refusals register is to be used to record all incidents when a sale is refused. The register will contain details of the staff member refusing the sale, detail of the time and date of any refused sales.
- All staff working at the premises involved in the sale of alcohol will receive on-going training in relation to Challenge 25. This will be refreshed at least every 6 months, recorded in a staff training register and include a written test of knowledge.
- All records shall be retained at the premises for a period of no less than 12 months and made available to responsible authorities on request.



Premises Licence

ANNEXES continued ...

ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

ANNEX 4 - PLANS

The plan attached to this licence shows the area at the premises used for each licensable activity.
The plan is marked with reference 170005/143 held by East Staffordshire Borough Councils Licensing Section ("The Plan")

The part of the premises shown edged blue on the attached Plan is authorised for

The sale by retail of alcohol for consumption OFF the premises only

HEAD OF SERVICE
Issued under delegated powers

Date original licence issued:



Premises Licence Summary

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDINANCE SURVEY MAP REFERENCE OR DESCRIPTION

Jagpal Food Stores

147/148 Waterloo Street, Burton upon Trent, Staffordshire, DE14 2NG.

Telephone 01283 512868

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

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THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption OFF the premises only

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Harjinder Kaur

147/148 Waterloo Street, Burton upon Trent, Staffordshire, DE14 2NG.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Harjinder KAUR

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Not applicable



Appendix 3





LOGICE EVIDENCE LOGICE EVIDENCE LOGICE EVIDENCE LOGICE EVIDENCE LOGICE EVIDENCE LOGICE EVIDENCE LOGICE EVIDENCE

MADE USING A TRADITIONAL CHARCOAL
FILTRATION METHOD DEVELOPED BY P.A. SMIRNOFF
RECIPE NO. 21 WAS CREATED BY P.A.'S SON VLADIMIR AFTER
ESCAPING RUSSIA AND THE BOLSHEVIK REVOLUTION.
www.smirnoff.com



DRINK RESPONSIBLY
UK Chief Medical Officers
recommend adults
do not regularly exceed:

Men	3-4 units a day
Women	2-3 units a day



drinkaware.co.uk
DRINKIQ.com



5 410316 1442930 >

PLEASE RECYCLE
PRODUCED IN THE UK
FOR THE SMIRNOFF CO
LAKESIDE DRIVE, PARK ROYAL,
LONDON, NW10 7HD, UK
© CONSUMER CARELINE 0845 509 4444

3104664601 107

MADE USING A TRADITIONAL CHARCOAL
FILTRATION METHOD DEVELOPED BY P.A. SMIRNOFF
RECIPE NO. 21 WAS CREATED BY P.A.'S SON VLADIMIR AFTER
ESCAPING RUSSIA AND THE BOLSHEVIK REVOLUTION.
www.smirnoff.com



DRINK RESPONSIBLY
UK Chief Medical Officers
recommend adults
do not regularly exceed:

Men	3-4 units a day
Women	2-3 units a day



drinkaware.co.uk
DRINKIQ.com



5 410316 1442930 >

PLEASE RECYCLE
PRODUCED IN THE UK
FOR THE SMIRNOFF CO
LAKESIDE DRIVE,
LONDON, NW10 7HD,
© CONSUMER CARE



MADE USING A TRADITIONAL CHARCOAL
FILTRATION METHOD DEVELOPED BY PA. SMIRNITZ
RICHES. IT WAS CREATED BY PA. SMIRNITZ
IN AMERICA, RUSSIA AND THE BALKANS REGION.

DRINK RESPONSIBLY
UK Chief Medical Officers
recommend adults
do not regularly exceed:
Men 3-4 units a day
Women 2-3 units a day

DRINKWARE
www.drinkware.com
DRINKWARE.CO.UK

54 10516 442930

PRODUCED IN THE UK
FOR THE SUPERMARKET
LARGE & SMALL UK
LONDON W1A 0AB

MADE USING A TRADITIONAL CHARCOAL
FILTRATION METHOD DEVELOPED BY PA. SMIRNITZ
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Appendix 4

TRADE MARKS
REGISTRY



*Registration
Certificate*

Trade Marks Act 1938 of Great Britain and Northern Ireland

SMIRNOFF

The Mark shown above has been registered in Part A of the Register under No. 1295657 as of the date 16.12.1986 in Class 33 in respect of:

Vodka included in Class 33.

In the name of:

Heublein, Inc. (United States of America,
Connecticut)

Scaled this day at my direction

Paul Hartnack
P. R. S. HARTNACK, REGISTRAR

DATE 20 SEPTEMBER 1991

TRADE MARKS
REGISTRY



*Renewal
Certificate*

Trade Marks Act 1938 of Great Britain and Northern Ireland

The Trade Mark No. 1295657 in Class(es) :-

33

registered in the name of Heublein Inc.
(United States of America, Connecticut)
Incorporated in United States of America , CONNECTICUT
has been renewed for a period of 14 years from the 16 December 1993
and was advertised as renewed in Trade Mark Journal 6009.

Scaled this day at my direction

Paul S. Hartnack

P. R. S. HARTNACK, REGISTRAR
18 November 1993

DATE



Trade Marks Registry Renewal Certificate

The Trade Mark No. 1295657 in Class(es) :-

33

registered in the name of Diageo North America, Inc.
Incorporated in United States of America, Connecticut
has been renewed for a period of 10 years from the 16 December 2007
and was advertised as renewed in Trade Mark Journal 6704.

Sealed this day at my direction

Ian Fletcher

Comptroller General of Patents, Designs and Trade Marks United Kingdom Intellectual Property Office

Date

10 September 2007

UK Intellectual Property Office is an operating name of the Patent Office

DDU/1500/03-07

Witness Statement
Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980,SS5A and 5B;and the Criminal
Procedure Rules 2005,Rule 27.1

Statement of: /

Age of Witness: *Over 18*

Occupation of Witness: *Technical Anti Counterfeit Manager*

This statement, consisting of 2 pages 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 anything which I know to be false or do not believe to be true.

Dated 14th Day of July 2016

Signature.....

"I, _____ am the Technical Anti Counterfeit Manager employed by DiAGEO and am authorised to make this statement on their behalf. I have been employed by Diageo as a packaging expert since 2000, and am familiar with the products manufactured by Diageo. My duties include the identification of counterfeit versions of those products, which I am able to do because of my familiarity with those products and because of my training and experience.

Diageo North America Incorporated is the registered trade mark holder of trade mark number 1295657 for the word "Smirnoff". A certified copy of this trade mark registration which is provided, dated 10th September 2007, is the evidence that Diageo North America Incorporated have renewed this trade mark for a period of ten (10) years from 16th December 2007.

On 11/07/2016 I received from Ms _____, Trading Standards Officer of Staffordshire County Council, 1 set of digital photographs of 1 X 70cl bottle of Smirnoff Vodka with Lot Number L3231CY000 22357699, sized from Jagpal Food Stores, 147/148 Waterloo Street, Burton Upon Trent, DE14 2NG.

I examined the photographic images of the bottle and made the following findings:

1. I firstly examined the bottle. The bottle profiles, emboss details and markings were original. I concluded in my professional opinion beyond any doubt that the bottle was not counterfeit but genuine product as supplied to Diageo for the packaging of Smirnoff Vodka.

Signature[Formerly form
13, Magistrates' Courts' (Forms) Rules 1981 (SI 1981/553), relating to rule 70 of the Magistrates' Courts
Rules 1981, section 9 of the Criminal Justice Act 1967 and section 5B of the Magistrates' Courts Act
1980].

Continuation of witness statement of:

2. I examined the closure applied to the bottle. The closure was intact in its original unopened condition. I concluded in my professional opinion beyond any doubt that the closure was not counterfeit but the original product as supplied to Diageo for the packaging of Smirnoff Vodka.
3. I examined the labelling applied to the front of the bottle. The front labels applied were original. I concluded in my professional opinion beyond any doubt that the front labels applied were not counterfeit but the original products as supplied to Diageo for the packaging of Smirnoff Vodka.
4. I examined the labelling applied to the back of the bottle. The back labels was printed on the incorrect type and quality of substrate and printed using the incorrect artwork separations. I concluded in my professional opinion beyond any doubt that the back label was counterfeit and not genuine product as supplied to Diageo for the packaging of Smirnoff Red Vodka.

In view of these findings I am able to say that the 70cl bottle of Smirnoff Vodka with Lot Number L3231CY000 22357699 was counterfeit as it was not in the original intended state as supplied by Diageo.

Diageo has not at any time consented to any other person applying any of its registered trademarks to the bottles.

The impact of counterfeit Smirnoff Vodka is potentially highly significant. Diageo invests a significant amount of effort and resources to ensure that all our brands are of premium quality and offer value to consumers. In addition, significant amounts are invested in promoting these brands, to raise consumer brand awareness and understanding.

Counterfeiting of Smirnoff Vodka, or indeed any other wine or spirit brand, misleads consumers into purchasing poor quality products which do not meet our high standards or the expectation of the consumer. As the deception is often not obvious to the consumer, their quality perception of the product they have purchased will be attributed to the Diageo brand which is extremely detrimental to the reputation and brand equity of Smirnoff Vodka. The counterfeit products also take unfair advantage of the high levels of consumer awareness of the Smirnoff Vodka brand, which has been built by Diageo at significant cost.

Signature

[Formerly form 13, Magistrates' Courts' (Forms) Rules 1981 (SI 1981/553), relating to rule 70 of the Magistrates' Courts Rules 1981, section 9 of the Criminal Justice Act 1967 and section 5B of the Magistrates' Courts Act 1980].

Appendix 5

CP/NO 1 (EVIDENCE)
PROPERTY RECORD
Restricted when complete

Please complete in ballpoint pen
Rev March 14 Ref No. (CMU/EVU/ReportNo)

Location (Full Details of Premises/Vehicles etc) 123 Maple Street, Burton upon Trent
 Person from whom Property Received (if App) (inc Status) James Amis DOB 8/19/89
123 Orange Street, Burton, Derbyshire

Entry No	Property Ref	Full Description of Property	Seal No. if App.	Where Found	Officer
1	EP453	3 x 700ml bottles of Vodka	LO0353581	Shelf	VAS
2		3 x 700ml bottles of Vodka	LO0353588	Shelf	VAS
3		2 x 700ml bottles of Vodka	LO0353587	Shelf	VAS
4		1 x 700ml bottle of Vodka	LO0353589	Shelf	VAS
5		2 x 1 litre bottles of Smirnoff Vodka	LO0111267	Shelf	VAS
6		2 x 1 litre bottles of Smirnoff Vodka	LO0332442	Shelf	VAS
7		1 x 1 litre bottle of Smirnoff Vodka	LO0342159	Shelf	VAS
8		1 x Vodka 700ml bottle shelf edge label	LO0342159	Shelf	VAS
9		1 x Smirnoff Rod 1 litre shelf edge label	LO0342158	Shelf	VAS

I certify that this document is a true record of property taken into possession by Staffordshire County Council as evidence for examination

Signature [Signature] Date 08-07-16

Signature of Officer [Signature] Date 8/17/16

DECLARATION
 I (Print Name) [Signature] hereby
 Authorise Staffordshire County Council to destroy/dispose of items listed in
 entry numbers [Signature] at the conclusion of their enquiries

Signature [Signature] Date [Signature]

The following damage resulted from the search of the above premise/location
None

Power under which the seizure is made (state Act)
Consumer Rights Act 2015

Additional Powers under Criminal Justice & Police Act 2001 (* see notes overleaf)
 Section 50 (from premises) Section 51 (from a person)

Record checked by [Signature] in Charge Name [Signature]
 Signature [Signature] Date 8/17/16

