

**Application for the review of a premises licence or club premises certificate under the Licensing Act 2003**

HDC DOC. CENTR  
16 JUL 2014  
**RECEIVED**

**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 Andrew Fayers

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

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

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Mani's Convenience Store/Premier 17 East Street	
<b>Post town</b> St Ives	<b>Post code (if known)</b> PE27 5PD

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Mr Moorthy Mani
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<b>Number of premises licence or club premises certificate (if known)</b> HDC/PRE00632
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**Part 2 - Applicant details**

I am

**Please tick yes**

- 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)

**Please tick**

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 Andrew Fayers Trading Standards Officer Cambridgeshire County Council PO Box 450 Cambridge City CB23 6ZR
Telephone number (if any) 01954 284622
E-mail address (optional) andrew.fayers@cambridgeshire.gov.uk

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

Please tick one or more boxes

- |   |                                     |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety                        | <input type="checkbox"/>            |
| 3) the prevention of public nuisance    | <input type="checkbox"/>            |
| 4) the protection of children from harm | <input type="checkbox"/>            |

**Please state the ground(s) for review** (please read guidance note 1)

This application for a review of the premises licence for Mani's Convenience Store is being submitted as Trading Standards Officers state there has been a clear breach of the prevention of crime and disorder licensing objective at the premises by virtue of the sale or offering for sale of counterfeit vodka, namely of Selegt and Kommissar brands.

Trading Standards Officers state that the premises clearly do not have adequate systems and procedures in place to prevent illegal supply of goods from the premises and that the sale of counterfeit vodka constitutes participation in crime and disorder. Therefore it is requested that the premises licence is reviewed in the interest of protecting the people of St Ives.

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

On 28th May 2014, Trading Standards received a complaint from a member of the public that Selekt vodka being sold from Premier in East Street, St Ives was counterfeit as he had purchased a bottle which he considered had tasted odd and the product froze in his freezer. On the 29th May 2014 Trading Standards Officers from the County Council and a police officer visited the premises. Trading Standards Officers found what they considered to be counterfeit vodka on sale. The brands were Selekt and Kommissar. Two formal food samples were taken of these brands. As there was only 3 Selekt bottles in the shop all 3 were used for the formal sample and 3 of the 14 bottles were taken for the Kommissar for the sample. The remainder of the Kommissar Vodka was taken from the shop. The 2 price tickets for these products were also taken. The reason why these were taken is that they clearly show that the products are not normal brands stocked by premier and therefore preprinted labels were not available. Photographs were taken of the alcohol and price tickets.

On the 11th June 2014 the Kommissar Vodka was confirmed as counterfeit by the brand holder.

The results came back from the Public Analyst on 24th June 2014 confirming that the alcohol content was significantly lower than genuine vodka and that therefore the product should not be called and labelled as vodka. The analysis of the Selekt vodka clearly indicated that the product is counterfeit.

An interview of Mr Mani under the Police and Criminal Evidence Act was requested and he attended on the 9th July. Mr Mani explained during interview that the vodka was purchased from a man in a white van and he paid cash. He did receive a receipt but has lost it.

This application for a review of the premises licence for Mani's Convenience Store/ Premier is being submitted as County Council Trading Standards Officers state there have been breaches of the licensing objectives at the premises - namely 'the prevention of crime and disorder' objective - by virtue of the sale or offering for sale of counterfeit vodka namely Selekt and Kommissar.

Trading Standards officers state that the premises clearly do not have adequate systems and procedures in place to prevent illegal goods being sold from the premises and that the sale of counterfeit vodka constitutes participation in crime and disorder. Therefore it is requested that the premises licence is reviewed in the interest of protecting innocent customers and consumers of goods originating from the premises.

The County Council Supporting Businesses and Communities (Trading Standards) Service request that the licence is revoked.

Witnesses:

Trading Standards Officer Andrew Fayers

Supporting Documents

S9 Statement of Andrew Fayers

S9 Statement of Kirsty Draycott

2 Public Analyst Certificates

S9 Statement of Mike Russell

Press articles with regard to counterfeit Vodka

**Please tick yes**

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

If yes please state the date of that application

Day Month Year

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**If you have made representations before relating to 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**  
(See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature  .....

Date 11 July 2014 .....

Capacity Trading Standards Officer .....

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 5)	
<b>Post town</b>	<b>Post Code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	

**Notes for Guidance**

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
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. This is the address which we shall use to correspond with you about this application.

Cambridgeshire County Council  
Trading Standards  
South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne, Cambridgeshire

Lab ref: 199774  
Client Ref: 674026  
Date: 24/06/2014  
**Opinion Unsatisfactory**  
Reported by Shayne Dyer



## REPORT OF ANALYSIS

Labelled as: **KOMMISSAR VODKA**

Location: **Mani's Convenience Store, ST IVES**  
Sampled by: **Kirsty Draycott**  
Date taken: **29/05/2014**  
Date submitted: **05/06/2014**

### Observations:

The declared alcoholic strength was 37.5 % volume.

The uncertainty of measurement is 0.4% alcohol by volume.

The difference between the amount of alcohol found and the amount declared taking into account the uncertainty of measurement was 11.9% by volume. This difference is outside the permitted tolerance of 0.3% alcohol by volume prescribed in The Food Labelling Regulations 1996 for vodka.

The sample had an alcohol content of 11.6% volume less than the minimum permitted.

Determination	Result	Method
Alcohol % v/v	25.2	05.109
Ethyl acetate g/100L alc	< 0.10	55.009
Methanol g/100L alc	< 0.10	55.009
2-Methyl propan-1-ol g/100L alc	< 0.10	55.009
2-Methyl butan-1-ol g/100L alc	< 0.10	55.009
3-Methyl butan-1-ol g/100L alc	< 0.10	55.009
Propan-1-ol g/100L alc	< 0.10	55.009
Acetaldehyde g/100L alc	4.81	55.009

Shayne Dyer  
Technical Manager and Public Analyst



Opinions and interpretations expressed herein are professional observations and are outside the scope of UKAS Accreditation.

Unless you request otherwise the above sample will be disposed of 28 days from the date of this report.





Cambridgeshire County Council  
Trading Standards  
South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne, Cambridgeshire

Lab ref: 199775  
Client Ref: 674025  
Date: 24/06/2014  
**Opinion Unsatisfactory**  
Reported by Shayne Dyer

## REPORT OF ANALYSIS

Labelled as: **SELEKT VODKA**

Location: **Mani's Convenience Store, ST IVES**  
Sampled by: **Kirsty Draycott**  
Date taken: **29/05/2014**  
Date submitted: **05/06/2014**

### Observations:

The declared alcoholic strength was 37.5 % volume.

The uncertainty of measurement is 0.4% alcohol by volume.

The difference between the amount of alcohol found and the amount declared taking into account the uncertainty of measurement was 13.7% by volume. This difference is outside the permitted tolerance of 0.3% alcohol by volume prescribed in The Food Labelling Regulations 1996 for vodka.

The sample had an alcohol content of 13.4% volume less than the minimum permitted.

Genuine Selekt brand vodka does not contain detectable levels acetaldehyde.

The results show the presence of acetaldehyde in the sample.

In my opinion the presence of acetaldehyde shows that the sample is not genuine Selekt brand vodka.

Determination	Result	Method
Alcohol % v/v	23.4	05.109
Ethyl acetate g/100L alc	< 0.10	55.009
Methanol g/100L alc	< 0.10	55.009
2-Methyl propan-1-ol g/100L alc	< 0.10	55.009
2-Methyl butan-1-ol g/100L alc	< 0.10	55.009
3-Methyl butan-1-ol g/100L alc	< 0.10	55.009
Propan-1-ol g/100L alc	< 0.10	55.009
Acetaldehyde g/100L alc	5.44	55.009

Shayne Dyer  
Technical Manager and Public Analyst



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Unless you request otherwise the above sample will be disposed of 28 days from the date of this report.

**STATEMENT OF WITNESS**


*(Criminal Procedure Rules, r27.2)*

*Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)*

STATEMENT of : Michael Anthony William Russell  
Age of Witness : Over 18  
Occupation of Witness : Head of Quality Assurance –NISA Retail Ltd

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 in it anything which I know to be false or do not believe to be true.

Dated the 19 day of JUNE 2014.

(Signed) 


(Witnessed) .....  
being unable to read the above statement

I, .....  
read it to him before he signed it.

Dated the ..... day of ..... 20 ..

(Signed) .....

I am the Head of Quality Assurance of Nisa Retail Ltd of Member Support Centre, Waldo Way, Normanby Enterprise Park, Scunthorpe, North Lincolnshire. DN15 9GE ('The Company'). I am authorised to speak on behalf of the company in this matter. In my position as Head of Quality Assurance I am responsible for dealing with, and I am fully conversant with, all the company's supplementary products. The Company owns a number of trade marks which are registered in the UK with the Trade Marks Registry. I produce as exhibit MAR/1, a copy of Trade Mark Certificate number 1552019 which relates to KOMMISSAR. This is registered in class 33 and is owned by Cellars International Ltd. Cellars International Limited being a wholly owned subsidiary of Nisa Retail Limited. On the 11 June 2014 I examined one bag containing eleven 35cl bottles of Kommissar labelled filled Vodka bottles at Cambridgeshire County Council Trading Standards Office at South Cambridgeshire Hall, Cambourne CB23 6EA. One bag labelled C0007266 was

Signed 

NOTE: This statement must be signed at the end of the type-written matter by the person making the statement.  
If statements are typed double spacing must be used.

**Statement of Witness Michael Anthony William Russell**

*(Criminal Procedure Rules, r27.1(1);*

*Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)*



**Cambridgeshire  
County Council**

**/CONTINUATION Page Number 2**

**TRADING STANDARDS SERVICE**

opened by Andrew Fayers of Cambridgeshire Trading Standards in my presence. I examined the eleven filled labelled bottles which had front and back labels which had the KOMMISSAR name on it. The back label was not genuine as it had additional text to that authorised namely '& grain alcohols' and was self adhesive, whereas genuine bottles were labelled with wet glued labels. Also there was no visible lot code marking, had it been genuine the lot code would have been ink jected onto the bottom of the cap. The quality of the vodka packaging and labelling was not acceptable for products produced for the company in the following respects. Inferior labelling, poor quality printing, not correctly labelled, not placed on the bottle correctly, no lot code to trace back the filling and to the vodka batch, which is a legal requirement. I can state that these products were not produced by, with the consent of, under the authority or, or on behalf of Nisa Retail Ltd., nor do they approve it in conformity with any type. These products if not genuine can cause customers or consumers to be misled or may cause problems to health. It harms the Company's reputation and also that of genuine retailers. In this case the Kommissar trade mark has been damaged which could lead to loss of revenue to the company and to the loss of jobs.

Signed .....

NOTE: This statement must be signed at the end of the type-written matter by the person making the statement.

If statements are typed double spacing must be used.



STATEMENT OF WITNESS

(Criminal Procedure Rules, r27.2)

Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

STATEMENT of : Kirsty Jane Draycott

Age of Witness : Over 18

Occupation of Witness : Trading Standards Officer

TRADING STANDARDS SERVICE

This statement (consisting of 3 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 in it anything which I know to be false or do not believe to be true.

Dated the 11th day of July 2014.

(Signed) K. Draycott

(Witnessed) .....

being unable to read the above statement

of

I, read it to him before he signed it.

Dated the day of 20 .

(Signed) .....

I am employed by Cambridgeshire County Council's Trading Standards Service, Shire Hall, Castle Hill, Cambridge, CB3 0AP as a Trading Standards Officer. I am an authorised officer for the purposes of the enforcement of legislation, including the Food Safety Act 1990, the Trade Marks Act 1994 and the Consumer Protection from Unfair Trading Regulations 2008. On the 28th May 2014 we received a complaint from a Mr Lee who lives in St Ives. He purchased a bottle of Selekt vodka from a store on East Street, St Ives. He drank some of the vodka and thought that it tasted funny so he decided to put it in the freezer and it froze. On the 29th May 2014 myself along with my colleague Andrew Fayers who is also a Trading Standards Officer visited the Premier Store, 17 East Street, St Ives. PC Kelly, collar number 0276 accompanied us. We entered the premises at approximately 14.15 hours. I produced my credentials and introduced myself to the man behind the counter. I explained that this service had received a complaint from a member of public about

Signed K. Draycott

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/CONTINUATION Page Number 2

TRADING STANDARDS SERVICE

some Selekt vodka that he had purchased from this shop. The complainant felt that the vodka tasted funny and froze when he put it in the freezer. The cashier introduced him self as Murugan Vaithiyanathan and informed us that the owner Mr Moorthy Mani was in London that day. He also informed us that the trading name for the store was 'Mani's Convenience Store'. There were three 70cl bottles of Selekt Vodka on the shelf. I completed a Notice of Powers and Rights and gave a copy of this to Murugan. I produce a copy of this document and identify it as KJD/1. I used the three bottles of Selekt vodka to take a formal food sample. Each bottle was placed in a clear plastic bag, with a sample label and then sealed with a unique seal. The bottle sealed with C0007273 was chosen by Murugan as the sample to be retained by the shop owner. The analyst sample was sealed with C0007271 and the sample that was to be retained was sealed with C0007272. Whilst looking at the other products in the shop we noticed another brand of vodka called Kommissar which didn't look quite right. The labelling said it was a product produced for Nisa Stores. I called Nisa Stores and spoke with Mike Russell who is their Head of Quality Assurance. I described the bottle to him and from that description he concluded that it was counterfeit. I took three bottles as a formal food sample. Each bottle was placed in a clear plastic bag, with a sample label and then sealed with a unique seal. The bottle sealed with C0007263 was chosen by Murugan as the sample to be retained by the shop owner. The analyst sample was sealed with C0007264 and the sample to be retained was sealed with C0007265. There were a further eleven bottles of Kommissar vodka on the shelf which I seized under the Trade Marks Act 1994 and the Consumer Protection from Unfair Trading Regulations 2008. The shelf labels for the Selekt and Kommissar vodka were handwritten whereas all of the other shelf labels were printed with a barcode. I also seized the two shelf labels. I provided Murugan with a receipt for the items seized. The receipt

Signed K. Draycott

NOTE: This statement must be signed at the end of the type-written matter by the person making the statement.

If statements are typed double spacing must be used.

**Statement of Witness Kirsty Jane Draycott**

*(Criminal Procedure Rules, r27.1(1);*

*Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)*



**Cambridgeshire  
County Council**

**/CONTINUATION Page Number 3**

**TRADING STANDARDS SERVICE**

number was 1494. I produce a copy of this receipt and identify it as KJD/2. I explained that we would submit the two bottles to the Public Analyst to check what they contain as well as the alcoholic strength. I also advised him that I would be in contact with Mr Mani as soon as I knew more. The samples and the items seized were transferred to our secure evidence store. On the 4<sup>th</sup> June 2014 I submitted the Selekt vodka and Kommissar vodka to the Public Analyst at Hampshire Scientific Services. On the 24<sup>th</sup> June 2014 I received the results from the Public Analyst. I then wrote to Mr Mani inviting him to attend an interview on the 9<sup>th</sup> July 2014. Mr Mani did attend the interview. Mr Mani claimed to have purchased the Selekt vodka and the Kommissar vodka from a man who arrived at his shop in a white van. He paid cash for the vodka. Mr Mani said that he did receive an invoice for the vodka but he could no longer find it. *K. Draycott*

Signed *K. Draycott*

NOTE: This statement must be signed at the end of the type-written matter by the person making the statement.

If statements are typed double spacing must be used.







STATEMENT OF WITNESS

(Criminal Procedure Rules, r27;

Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

STATEMENT of : Andrew Roger Fayers

Age of Witness : Over 18

Occupation of Witness : Trading Standards Officer

**TRADING STANDARDS SERVICE**

Address and Telephone Number:

This statement (consisting of 3 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 in it anything which I know to be false or do not believe to be true.

Dated the 10 day of July 2014.

(Signed) ..... *Andrew Fayers* .....

(Witnessed) .....

being unable to read the above statement

of

I, .....  
read it to him before he signed it.

Dated the ..... day of ..... 20 .....

(Signed) .....

I am employed by Cambridgeshire County Council's Trading Standards Service, Shire Hall, Castle Hill, Cambridge, CB3 0AP as a Trading Standards Officer, I am an authorised officer for the purposes of the enforcement of legislation, including the Trade Marks Act 1994, Food Safety Act 1990 and Consumer Protection from Unfair Trading Regulations 2008. On the 29 May 2014 I accompanied Kirsty Draycott a Trading Standards Officer also employed by Cambridgeshire County Council to a shop named Premier, 17 East Street, St Ives, Cambridgeshire. We entered the premises accompanied by PC Kelly, collar number 0276, at approximately 14.15 hours. Kirsty Draycott introduced herself to the man behind the counter and explained that the service had received a complaint from a member of the public about

Signed ..... *Andrew Fayers* .....

NOTE: This statement must be signed at the end of the type-written matter by the person making the statement.  
If statements are typed double spacing must be used.

**Statement of Witness Andrew Roger Fayers**

*(Criminal Procedure Rules, r27.1(1);*

*Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)*



**Cambridgeshire  
County Council**

**/CONTINUATION Page Number 2**

**TRADING STANDARDS SERVICE**

alcohol that he considered to be counterfeit as it tasted odd and the product froze when placed in a freezer. The product in question, Selekt vodka, was on sale in the shop with 3 bottles on the shelf. From information I had with me I suspected the product was not genuine Selekt Vodka. I contacted the manufactures of the vodka and spoke to Liz Maguire of G&J Distillers & Bottlers Ltd who confirmed that from the description I had given that the Selekt vodka was not a genuine product. Kommissar Vodka which was situated on a shelf close to the Selekt vodka looked suspicious and Kirsty Draycott contacted the brand holder who confirmed that from the description she had given it was not genuine. A formal food sample was taken of both Selekt and Kommissar vodka. I checked the storeroom and there was no vodka in the storeroom. As there were only 3 bottles of Selekt Vodka all were taken as the food sample. 3 bottles of Kommissar vodka were taken as a food sample. The remaining 11 bottles on the shelf were placed in a plastic bag and sealed with seal C0007266 and the 2 hand written price indication tickets for the these two vodka products were placed in a plastic bag and sealed with seal C0007261. Kirsty Draycott issued a receipt. The other products on sale had price labels which were printed. This can be seen in the photographs of the vodka taken by me in the shop. I produce these photographs and identify them as ARF/1. On the 11 June 2014 I unsealed the Kommissar bottles, seal number C0007266 in order for a representative of the Trade Mark holder to be able to examine the bottles. I took photographs of the labelling and marking under the filler cap, I

Signed .....

NOTE: This statement must be signed at the end of the type-written matter by the person making the statement.

If statements are typed double spacing must be used.

**Statement of Witness Andrew Roger Fayers**

*(Criminal Procedure Rules, r27.1(1);*

*Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)*



**Cambridgeshire  
County Council**

**/CONTINUATION Page Number 3**

**TRADING STANDARDS SERVICE**

	<p>produce these photographs and identify them as ARF/2. I resealed the 11 bottles with seal number C0007275. On the 9 July Mr Mani attended an interview under the Police and Criminal Evidence Act conducted by Kirsty Draycott and I. When questioned as to where the vodka had come from he stated that he had purchased it for cash from a man who had a white van who had arrived at his shop. We also informed by Mr Mani that he had lost the invoice for the purchase. <i>Andrew fayer</i></p>
--	---

Signed ..... *Andrew fayer* .....

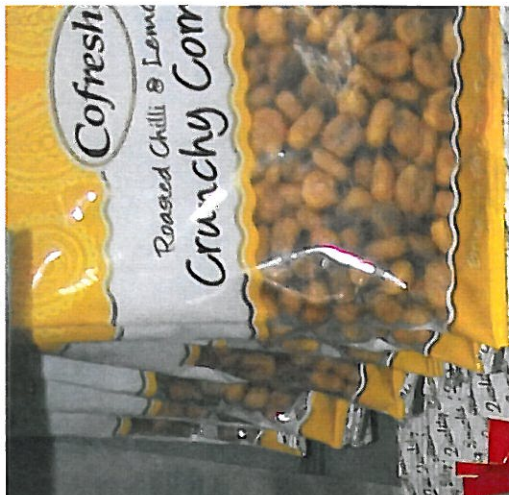
NOTE: This statement must be signed at the end of the type-written matter by the person making the statement.

If statements are typed double spacing must be used.





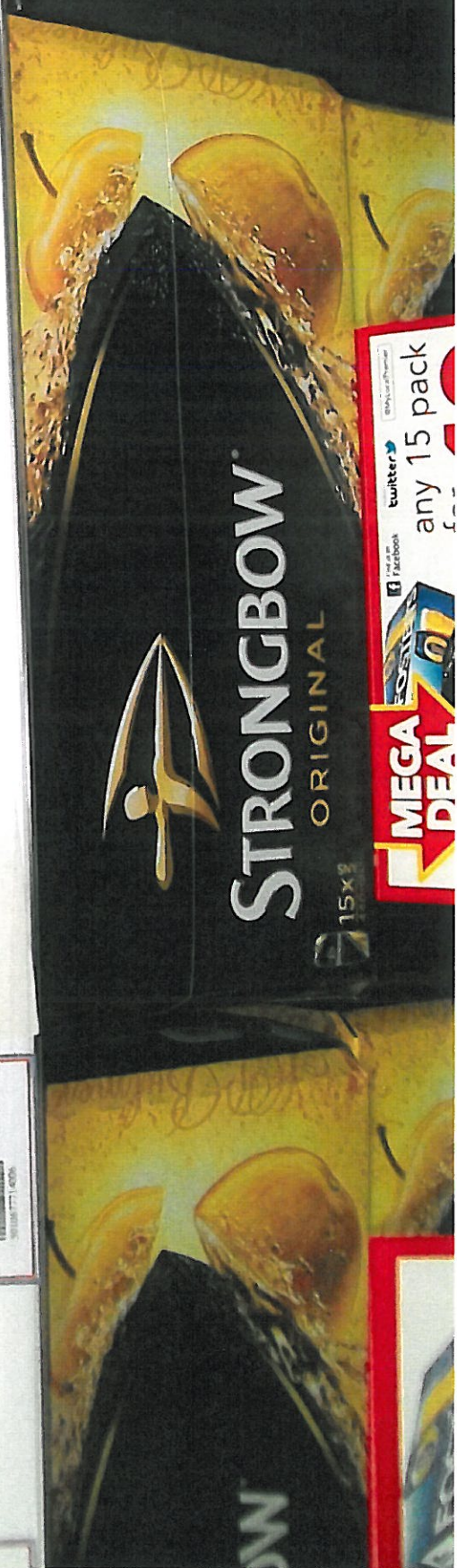




KOMMISSAR  
VODKA  
£6.99



BOMBAY DRY GIN 70CL  
£22.99



MEGA DEAL  
any 15 pack







STRONG  
40 ROLLS  
Tire

BRAND  
mints  
40 ROLLS

48 x  
Refreshers  
023274065594

48 x C  
No. 1  
MINT  
BRAND  
050

FORMAL / RECEIPTAL / COMPLAINT SAME  
SELEKT IMPERIAL  
PURCHASED / TAKEN FROM:  
MINI'S CONVENIENCE STORE  
EAST STREET, ST IVE  
QUANTITY: 3 x 75 cl / PRE-PAKAGED  
DATE (incl. expiry dates)  
D / FANCY NAME: SELEKT

Please drink responsibly  
www.drinkaware.co.uk



5 010296 000015

44025  
LD  
NEEDS YES  
INDICATE  
STRENGTH 5%  
DATE THIS  
15 15  
PROMET  
PACKE



**KOMMISSAR**

CHARCOAL  
FILTERED

**VODKA**



37.5%VOL

35CL e

**IMPERIAL**



## SFW Express in Leytonstone has had its licence to sell alcohol revoked by the council's licensing committee



3:06pm Wednesday 4th June 2014 in Waltham Forest By Zoie O'Brien, Reporter



More than 150

bottles of vodka were seized from the shop

A supermarket has had its licence to sell alcohol revoked after Trading Standards officers found illicit booze and tobacco on the premises.

During a sweep of the shop in November last year 242 bottles of wine and spirits along with tobacco were seized from SFW Express in Church Lane, Leytonstone.

Trading Standards officers, a representative from the International Federation of Spirit Producers and HMRC found the shop was selling counterfeit alcohol and had avoided paying tax.

In total 154 bottles of vodka were seized along with 63kg of shisha tobacco and other items.

Officers estimated that 10 per cent of the entire stock was counterfeit or had not had legitimate tax paid on it.

Samples of the alcohol were sent to manufacturers who confirmed that it was fake.

The shop's owner Mohammed Yasser Akram claimed that the shop's manager Mohammed Kasim Akram had purchased the alcohol.

However the shop manager claimed that an employee had bought the booze.

Licensing officer Marc Witham said the safety of customers had been compromised.

He said: "Whilst in this case it appears that the wine products did not contain any harmful material, it is highly unlikely that the licence holder was aware of the contents.

"Trading Standards are still awaiting the test results of the Smirnoff Vodka, however, as it has been confirmed all the packaging is counterfeit it is inconceivable that the spirit inside will be genuine.

Leytonstone councillor Clyde Loakes welcomed the decision. He said: "This family has run the shop for 30 years, they know the ropes.

"Selling under the counter booze fuels criminal and gang activity. I am very pleased with the decision."

SFW Express has 21 days to appeal the decision made by the council's licensing committee today.

# Alcohol licence revoked after fake vodka swoop on Sheffield shop

Spar shop in Richmond Road, Handsworth.

Published on the 04 September  
2013  
11:11

Published 04/09/2013 11:11

## **A convenience store owner has been stripped of his alcohol licence after being fined by magistrates for selling poisonous fake booze.**

Thalib Hussain, who runs the Spar shop on Richmond Road, Richmond, was found to have 570 bottles of counterfeit vodka when police raided the premises after a member of the public had become suspicious.

The bottles of Selekt and Kommissar vodka were found to contain industrial chemicals including chloroform, isopropranol and tertiary-butanol. Isopropranol can be fatal in large quantities while chloroform is a known carcinogen.

Coun Clive Skelton, chairman of Sheffield Council's licensing board, said: "Our decision to revoke Mr Hussain's licence sends a clear message to anyone tempted to sell counterfeit alcohol.

"Mr Hussain admitted he bought the fake vodka without paying VAT. He said that because he didn't drink alcohol, he did not know what was in it.

"There were industrial contaminants present and the quantities were not known until the bottles were tested after the police raid."

The quantities of industrial chemicals were not found to be high enough to cause serious harm - and Mr Hussain was fined £200 plus £382 costs at Sheffield Magistrates' Court prior to the council licence review hearing.

He had pleaded guilty to selling the counterfeit goods.

Mr Skelton added: "Mr Hussain can continue to trade but can no longer sell anything requiring a licence.

"My message to other traders tempted to purchase counterfeit items is 'don't'.

"When people sell illicit alcohol, they put people's lives at risk. Our committee is there to keep people safe from harm and we don't feel that's what was happening with Mr Hussain. He didn't show any remorse."

During the licensing hearing, Mr Hussain said he had bought the alcohol from a man claiming to be a supplier for the Nisa chain - although he admitted no VAT was paid in the transaction.

He said the vodka would only have caused a 'mild stomach ache'.

Sheffield Council said 2,282 bottles of illegal alcohol had been confiscated in raids around the city in the last five months alone – more than 450 each month and a 58 per cent increase on the total seizures for 2012-13.

In 2012-13, there were 17 raids at 14 retailers in which 1,444 bottles of illegal booze were found. Three of the stores were hit twice.

The council has taken on a dedicated enforcement officer to tackle the problem, which has led to stores being prosecuted and action taken against licensees.

Coun Jack Scott, Sheffield Council cabinet member for environment, said: "We are determined to crack down on the sale of these illegal goods.

"Be warned – we will find offenders and prosecute them. We are tackling the illegal sale of alcohol head on.

"The public's safety is at risk when consuming these products, either binge drinking or responsibly on a regular basis."



# Schedule 12

## Part A

### Premises Licence



**Premises Licence Number**

HDC/PRE00632

#### Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

**Mani's Convenience Store  
17 East Street  
St Ives  
PE27 5PD**

Telephone number

Where the licence is time limited the dates: **Not Applicable**

This licence comes into effect on: **21.06.2013**

The annual fee is due with effect from: **20.06.2014** and each year thereafter.

Licensable activities authorised by the licence

**Supply of Alcohol**

Times the licence authorises the carrying out of licensable activities

**Monday to Sunday (7 days) 06:00 - 22:00**

The opening hours of the premises

**Monday to Sunday (7 days) 06:00 - 22:00**

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

**Alcohol supplied for consumption OFF the Premises**

#### Part 2

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

**Mr Moorthy Mani  
5 Foxglove Close  
Yaxley  
Peterborough  
PE7 3GW  
TEL 07931 114440**

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

**N/A**

# Schedule 12

## Part A

### Premises Licence



**Premises Licence Number**

HDC/PRE00632

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

**Mr Moorthy Mani**  
**5 Foxglove Close**  
**Yaxley**  
**Peterborough**  
**PE7 3GW**  
**TEL 07931 114440**

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 Number: PER1419**

**Issuing Authority Huntingdonshire District Council**

#### ANNEX 1 – MANDATORY CONDITIONS

1. No supply may be made at a time when there
  - a. 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 of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
4. 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 a holographic mark. A
5. responsible person in relation to a licensed premises means the holder of the premises licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

#### ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

1. The Licence holder will adhere to the Change 21 protocol, seeking identification from everyone who appears to be under the age of 21, to prove they are over the age of 18 years, prior to the sale of alcohol. Acceptable forms of ID are Passport, Photo card driving licence, A proof of age card with the holders photograph complying with the PASS approved identification scheme and bearing the PASS hologram.
2. A refusals book is to be maintained and staff are required to complete it when sales are refused to persons under the age of 18 years, or those to those who fail to provide sufficient evidence of their age. The refusals book must be regularly checked, signed and dated by the Designated Premises Supervisor and made

# Schedule 12

## Part A

### Premises Licence

**Premises Licence Number**

HDC/PRE00632

available to any visiting enforcement officer on request.

3. In addition to any other training all staff are to be trained to maintain the refusals book and monitored to ensure their training is put into practice. A written record is to be kept of all staff training.
4. The Premise Licence Holder shall ensure all electronic tills automatically prompt the seller to check the age of the buyer when alcohol products are entered for sale into the till.
5. The digital closed circuit television system shall be compatible with the requirements of Cambridgeshire Constabulary. All entry and exit points will be covered to enable frontal identification of every person entering the premises in any light condition.
6. The CCTV system shall continually record whilst the premises is open for licensable activities and during times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with a date and time stamping. Recordings shall be made available immediately upon request to the DPS by Police of Authorised Officer throughout the preceding 31 days.
7. A staff member from the premises who is knowledgeable with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised officer recent data or footage with absolute minimum delay when requested.

**ANNEX 3 – CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY**  
N/A

**ANNEX 4 – PLANS**

For plan see attached

**Licence valid from: 21.06.2013**

**Date of Issue: 02.08.2013**

**Signed:**



**Head of Legal and Democratic Services**

