

## Statutory Licensing Sub-Committee

4th October 2016

### Application for the Review of a Premises Licence



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### Report of Oliver Sherratt, Interim Corporate Director, Neighbourhood Services

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**Name & Address of Premises: Deneburn Stores, 20 Deneburn Terrace,  
The Grove, Consett. DH8 8BD**

#### 1. Summary

The Sub-Committee is asked to consider and determine an application by Durham County Council - Local Weights and Measures Authority to review the premises licence in respect of Deneburn Stores currently licensed for the sale of alcohol as follows:

Licensable Activity	Timings
The Sale of Alcohol (Off sales only)	Monday – Sunday: 00.00 – 23.59 hrs
Opening Hours	Monday – Sunday: 00.00 – 23.59 hrs

A copy of the current premises licence is attached at Appendix 1.

A plan showing the location of the premises is attached at Appendix 2.

#### 2. Details of the Application

On 11<sup>th</sup> July 2016 the Licensing Authority received the application from Durham County Council - Local Weights and Measures Authority asking for a review of the premises licence (Licence Number DWTSPR0201).

The premises licence holder and Designated Premises Supervisor is Mr Gapilrajh Sundaralingam.

The application is deemed by the Licensing Authority to be relevant.

This application for a review relates to the following licensing objective:

- The Prevention of Crime and Disorder

A copy of the application for the review of the premises licence and supporting documents are attached at Appendix 3.

The application for review was advertised in accordance with the regulations.

For Members information, the licence holder Mr Sundaralingam provided evidence to the licensing authority that he would be out of the country between the 4<sup>th</sup> August 2016 and 19<sup>th</sup> September 2016.

For this reason, consideration of the review application was adjourned by the licensing authority to give Mr Sundaralingam the opportunity to be in attendance at the hearing.

### **3. Representations**

The licensing authority received no representations during the statutory consultation period.

### **4. The Parties**

The Parties to the hearing will be:

- Durham County Council – Local Weights & Measures Authority (applicant)
- Mr Gapilrajh Sundaralingam (premises licence holder)
- Bennett Richmond Solicitors (premises licence holder's solicitors)

### **5. Durham County Council Statement of Licensing Policy**

The Sub-Committee's attention is drawn to the following relevant parts of the Policy:

- 7.0 The Prevention of Crime and Disorder
- 22.0 Reviews

Relevant information is attached at Appendix 4.

### **6. Section 182 Guidance**

The Sub-Committee's attention is drawn to the relevant parts of the Guidance issued under section 182 of the Licensing Act 2003 as follows:

- 2.1 – 2.5 Crime and Disorder
- 11.1 – 11.30 Reviews

Relevant information is attached at Appendix 5.

## **7. For Decision**

The Sub-Committee is asked to determine the application for the review of the premises licence and to take any of the following steps that it considers necessary for the promotion of the licensing objectives:

- Take no further action
- Modify or add conditions to the licence
- Exclude a licensable activity from the licence
- Remove the Designated Premises Supervisor
- Suspend the licence for a period (not exceeding three months)
- Revoke the licence

### **Background Papers:**

- Durham County Council's Statement of Licensing Policy
- Guidance issued under section 182 of the Licensing Act 2003 (As amended March 2015)

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**Contact: Yvonne Raine**

**Tel: 03000 265256**

**E-mail: [yvonne.raine@durham.gov.uk](mailto:yvonne.raine@durham.gov.uk)**

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## APPENDIX 1 – PREMISES LICENCE



## LICENSING ACT 2003 PREMISES LICENCE

**Premises Licence Number**  
**Granted**  
**Issued**

<b>DWTSPR0201</b>
<b>24 November 2005</b>
<b>29 May 2015</b>

**Part 1 – Premises details**

Postal address of premises, or if none, ordnance survey map reference or description	Issuing Authority
<b>DENEBURN STORES</b> 20 DENEBURN TERRACE THE GROVE CONSETT DH8 8BD	DURHAM COUNTY COUNCIL EHCP LICENSING SERVICES PO BOX 617 DURHAM DH1 9HZ
<b>Telephone number: 01207 503310</b>	

**Where the licence is time limited the dates**  
 N/A

**Licensable activities authorised by this licence**  
 Sale by Retail of Alcohol

**The opening hours of the premises (all times in 24hr format)**

<b>Monday</b>	00:00 - 23:59	<b>Non standard/seasonal timings:</b>
<b>Tuesday</b>	00:00 - 23:59	
<b>Wednesday</b>	00:00 - 23:59	
<b>Thursday</b>	00:00 - 23:59	
<b>Friday</b>	00:00 - 23:59	
<b>Saturday</b>	00:00 - 23:59	
<b>Sunday</b>	00:00 - 23:59	

**Where the licence authorises the sale by retail of alcohol whether these are on and/or off sales**  
**OFF ALCOHOL SALES ONLY**

**The times the licence authorises the carrying out of licensable activities (all in 24hr format)**

<b>Sale by retail of alcohol</b>		
Off Sales Only		
Monday	00:00 - 23:59	Further details
Tuesday	00:00 - 23:59	
Wednesday	00:00 - 23:59	Non standard/seasonal timings:
Thursday	00:00 - 23:59	
Friday	00:00 - 23:59	
Saturday	00:00 - 23:59	
Sunday	00:00 - 23:59	

**Part 2**

<b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence</b>	
MR GAPILRAJH SUNDARLINGAM 20 DENEburn TERRACE THE GROVE CONSETT DH8 8BD	

<b>Registered number of holder, for example company number, charity number (where applicable)</b>	
Company no:	N/A
Charity no:	N/A

<b>Name, address and telephone number of designated premises supervisor where the premises licence authorises the sale by retail of alcohol</b>
MR GAPILRAJH SUNDARLINGAM 20 DENEburn TERRACE CONSETT DH8 8BD

<b>Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the sale by retail of alcohol</b>

**Annex 1 – Mandatory conditions**

No supply of alcohol may be made at a time when no designated premises supervisor has been specified in the licence or at a time when the designated premises supervisor does not hold a personal licence or his or her licence has been suspended. Every supply of alcohol under this premises licence must be made or authorised by a person who holds a personal licence.

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 -

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.

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.

#### **Minimum Price of Alcohol:**

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:

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(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 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.

3 Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, 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.

This Premises Licence has been granted upon conversion under schedule 8 of the Licensing Act 2003 of the previous Justices' On Licence, and such rights and restrictions that applied to such Licence are hereby incorporated into this Premises Licence, subject to any express terms to the contrary hereinafter specified, and/or any restriction applying to a Premises Licence and/or any licensable activity.

## **Annex 2 – Conditions consistent with the premises Operating Schedule**

### **General**

In accordance with mediation held with Durham Constabulary, as a responsible authority, the following conditions were agreed;

1. The doors will be locked and the night hatch used between the hours of 22:00 and 05:00
2. CCTV system operational 24 hours a day to cover both internal and external of the shop. The system should have a recording facility available to keep data for 28 days and be available upon police request.
3. The premises will operate a Challenge 25 policy to be enforced with signage advertising this is in the shop.
4. All members of staff shall seek credible photographic proof of age from everyone anyone attempting to buy alcohol whose age is in doubt.  
Acceptable forms of identification shall be limited to a passport or a photo-card driving licence.
5. There shall be no irresponsible drinks offers on the premises.
6. Between the hours of 22:00 and 06:00 there shall be no illuminated signage advertising the premises open.
7. The premises will display clear and legible notices requesting patrons to have regard to local residents and to keep the noise to a minimum when leaving the premises.
8. The premises will operate an up to date refusal register which will be made available upon Police request or a local authority officer.
9. The premises will maintain a training record for each individual employee together with the details of refresher training will be carried out every 3 months.

### **The prevention of crime and disorder**

1. The premises have CCTV cameras on and around the the site.

### **Public Safety**

None

### **The prevention of Public Nuisance**

1. The premises are fitted with a ADT alarm System.

### **Protection of Children from Harm**

1. No Alcohol is sold to under 18's
2. Anyone who appears younger than 18 years will be requested to produce photographic ID

## **Annex 3 – Conditions attached after a hearing by the licensing authority**

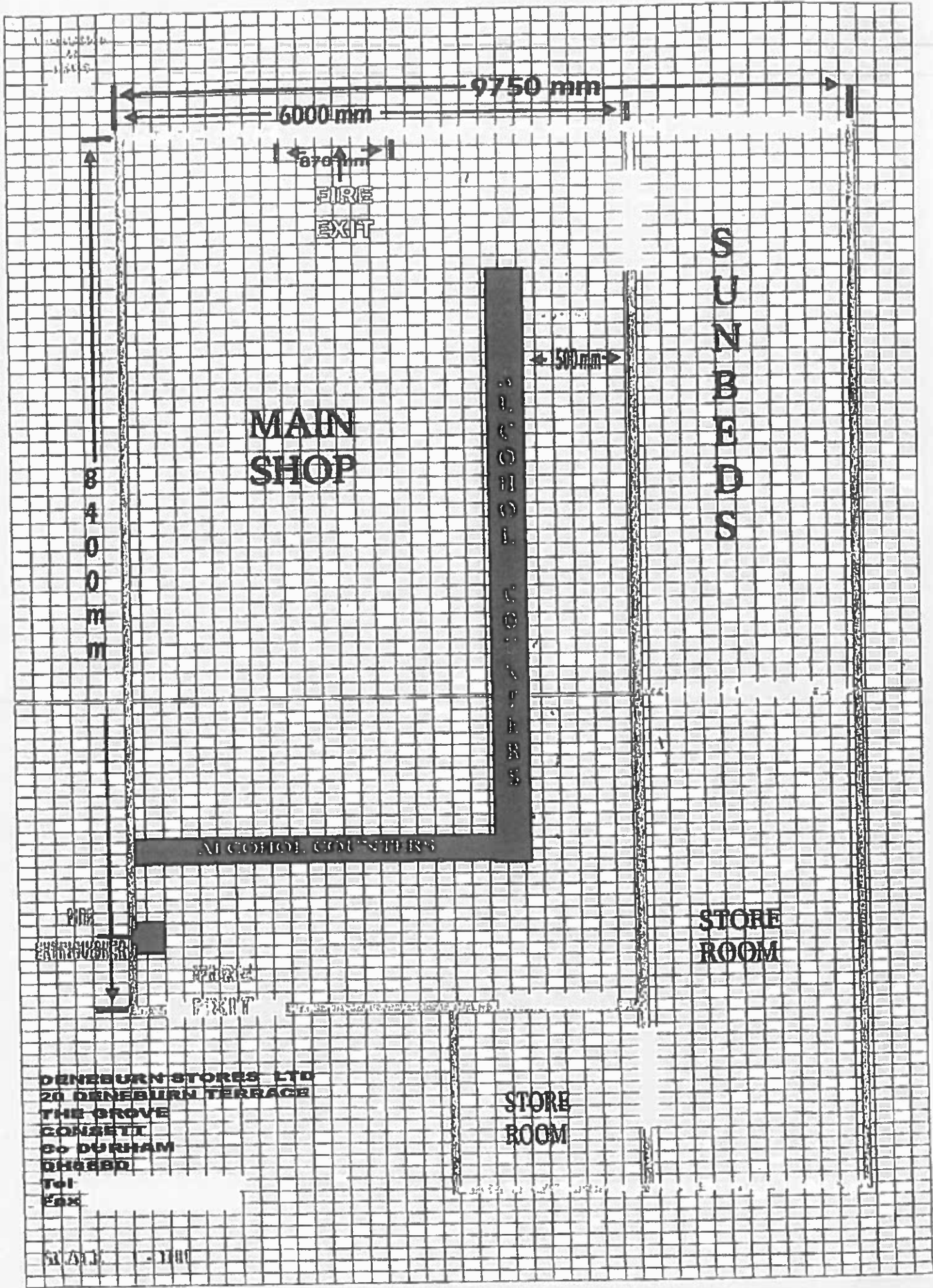


**Annex 4 – Plans attached**

Attached

A handwritten signature in blue ink, appearing to read "J. Waller". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

**Signature of Authorised Officer  
Head of Environment, Health and Consumer Protection**



MAIN SHOP

SUN BEDS

ALCOHOL COUNTERS

ALCOHOL COUNTERS

STORE ROOM

STORE ROOM

DENEURN STORES LTD  
 20 DENEURN TERRACE  
 THE GROVE  
 CONSETT  
 CO DURHAM  
 DH88BD  
 Tel  
 Fax

1110

## APPENDIX 2 – PLAN

Plan for identification purposes only; not to be used for scaling or formal documentation

# Durham County Council - IntraMAP



## APPENDIX 3 – REVIEW APPLICATION

**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 Durham County Council - Local Weights and Measures Authority

*(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 (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> DENEburn STORES 20 Deneburn Terrace The Grove	
<b>Post town</b> CONSETT	<b>Post code (if known)</b> DH8 8BD

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> GAPILRAJH SUNDARLINGHAM
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<b>Number of premises licence or club premises certificate (if known)</b> DWTSPR0201
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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)





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

See attached Grounds for Review



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

..... 29/6/16 .....

Capacity Consumer Protection Manager

.....

**Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)**

Durham County Council  
Environment, Health & Consumer Protection  
Annand House  
PO Box 617

**Post town**

Durham

**Post Code**

DH19HZ

**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. 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.

GROUNDS FOR REVIEW

1. We are seeking a review of the Premises Licence for Deneburn Stores, 20 Deneburn Terrace, Consett, County Durham as we believe it is an appropriate course of action to address concerns relating to the prevention of crime and disorder objective of the Licencing Act, 2003.
2. The holder of the Premises Licence and the DPS (Designated Premises Supervisor) is Mr Gopilrajh Sundarlingham. Mr Sundarlingham holds a personal licence issued to him by \_\_\_\_\_ in \_\_\_\_\_.
3. We are going to present evidence to the committee that shows that this premise exposed for Sale Vodka to which a False Trade Mark had been applied, contrary to section 92(1)(a) of the Trade Marks Act, 1994
4. In particular, on 11<sup>th</sup> February 2016, Durham County Council Trading Standards received intelligence from Durham Constabulary that Deneburn Stores had been named as the source of alcohol sold to a young people under the age of eighteen.
5. In the afternoon of 11<sup>th</sup> February, 2016, Graham Blount a Senior Trading Standards Officer and PCSO Michelle Williamson entered the store to discuss the matter with the premises licence holder, during the discussion Mr Blount noticed several 70Cl bottles of Glens vodka with a label that was no longer in use. He inspected the bottles and saw that the duty paid stamp did not fluoresce under Ultraviolet light suggesting the product was not genuine.
6. Follow up enquiries made by Mr. Blount revealed that the bottles on sale had been produced for export outside the European Union and at manufacture did not have a rear label with a UK Duty Stamp applied. At some stage of the export process the bottles had been diverted and a fake UK Duty Stamp Applied to a counterfeit rear label.
7. The Premises Licence Holder Mr. Gopilrajh Sundarlingham was interviewed under caution by Mr. Blount and DC Dean Haythornthwaite of Durham Constabulary on 4<sup>th</sup> March 2016, during the interview Mr. Sundarlingham produced all the invoices for the business from his taking the business over June 2015 to the date of the interview.
8. Examination of the invoices show that the premises purchased one or two cases of 70Cl bottles (six bottles in each case) of Glens Vodka every two weeks, up to the end of October 2015, then nothing was purchased again until 10<sup>th</sup> February, 2016 (the date before the visit but Trading Standards). When asked to explain this Mr Sundarlingham stated he had some invoices but they were at his accountants.
9. The single invoice supplied on the 13<sup>th</sup> April 2016, dated 8<sup>th</sup> January 2016 from a cash and carry in Croydon showed only the purchase of 2 cases of

PROTECT

Glens Vodka 70cl. A total of 12 bottles. All the other invoices provided were from local cash and carry's. Analysis of the invoices shows that the business went for 9 weeks without purchasing a single 70cl bottle of Glens Vodka. Strange in itself but more so in that the period covers Christmas and New Year.

10. In my experience a shop this size would continue to sell the same amount, if not more, during the run up to Christmas and New Year. The lack of any purchase invoices for a three month period would suggest it is likely that there will have been more than the original two cases of the non-Duty Paid Vodka delivered in the run up to the Christmas Period. This is reflected in the invoices supplied of purchases before and after the period in question which have shown a pattern of purchases.
11. The sale of Non-duty paid vodka is in direct contravention to the general licencing provision of encouraging criminal activity, and whilst it is for the Licensing Authority to determine the appropriate course of action, the Applicant would ask the Authority to suspend the premises licence as the most appropriate action to promote the licensing objectives.



## LICENSING ACT 2003 PREMISES LICENCE

Premises Licence Number  
Granted  
Issued

DWTSPR0201
24 November 2005
29 May 2015

### Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description	Issuing Authority
<b>DENEBURN STORES</b> 20 DENEBURN TERRACE THE GROVE CONSETT DH8 8BD	DURHAM COUNTY COUNCIL EHCP LICENSING SERVICES PO BOX 617 DURHAM DH1 9HZ
Telephone number: 01207 503310	

Where the licence is time limited the dates  
N/A

Licensable activities authorised by this licence  
Sale by Retail of Alcohol

### The opening hours of the premises (all times in 24hr format)

Monday	00:00 - 23:59	Non standard/seasonal timings:
Tuesday	00:00 - 23:59	
Wednesday	00:00 - 23:59	N/A
Thursday	00:00 - 23:59	
Friday	00:00 - 23:59	
Saturday	00:00 - 23:59	
Sunday	00:00 - 23:59	

Where the licence authorises the sale by retail of alcohol whether these are on and/or off sales  
OFF ALCOHOL SALES ONLY

The times the licence authorises the carrying out of licensable activities (all in 24hr format)

**Sale by retail of alcohol**  
Off Sales Only

Monday	00:00 - 23:59	Further details
Tuesday	00:00 - 23:59	
Wednesday	00:00 - 23:59	Non standard/seasonal timings:
Thursday	00:00 - 23:59	
Friday	00:00 - 23:59	
Saturday	00:00 - 23:59	
Sunday	00:00 - 23:59	

**Part 2**

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

MR GAPILRAJH SUNDARLINGAM  
20 DENEburn TERRACE  
THE GROVE  
CONSETT  
DH8 8BD

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

Company no:	N/A
Charity no:	N/A

**Name, address and telephone number of designated premises supervisor where the premises licence authorises the sale by retail of alcohol**

MR GAPILRAJH SUNDARALINGAM  
20 DENEburn TERRACE  
CONSETT  
DH8 8BD

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the sale by retail of alcohol**

**Annex 1 – Mandatory conditions**

No supply of alcohol may be made at a time when no designated premises supervisor has been specified in the licence or at a time when the designated premises supervisor does not hold a personal licence or his or her licence has been suspended. Every supply of alcohol under this premises licence must be made or authorised by a person who holds a personal licence.

The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

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 -

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.

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.

The responsible person must ensure that -

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.



## **Minimum Price of Alcohol:**

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:

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (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 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.

3 Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, 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.

This Premises Licence has been granted upon conversion under schedule 8 of the Licensing Act 2003 of the previous Justices' On Licence, and such rights and restrictions that applied to such Licence are hereby incorporated into this Premises Licence, subject to any express terms to the contrary hereinafter specified, and/or any restriction applying to a Premises Licence and/or any licensable activity.

## **Annex 2 – Conditions consistent with the premises Operating Schedule**

### **General**

In accordance with mediation held with Durham Constabulary, as a responsible authority, the following conditions were agreed;

1. The doors will be locked and the night hatch used between the hours of 22:00 and 05:00
2. CCTV system operational 24 hours a day to cover both internal and external of the shop. The system should have a recording facility available to keep data for 28 days and be available upon police request.

3. The premises will operate a Challenge 25 policy to be enforced with signage advertising this is in the shop.

4. All members of staff shall seek credible photographic proof of age from everyone anyone attempting to buy alcohol whose age is in doubt.  
Acceptable forms of identification shall be limited to a passport or a photo-card driving licence.

5. There shall be no irresponsible drinks offers on the premises.

6. Between the hours of 22:00 and 06:00 there shall be no illuminated signage advertising the premises open.

7. The premises will display clear and legible notices requesting patrons to have regard to local residents and to keep the noise to a minimum when leaving the premises.

8. The premises will operate an up to date refusal register which will be made available upon Police request or a local authority officer.

9. The premises will maintain a training record for each individual employee together with the details of refresher training will be carried out every 3 months.

**The prevention of crime and disorder**

1. The premises have CCTV cameras on and around the the site.

**Public Safety**

None

**The prevention of Public Nuisance**

1. The premises are fitted with a ADT alarm System.

**Protection of Children from Harm**

1. No Alcohol is sold to under 18's

2. Anyone who appears younger than 18 years will be requested to produce photographic ID

**Annex 3 – Conditions attached after a hearing by the licensing authority**

**Annex 4 – Plans attached**

Attached



**Signature of Authorised Officer  
Head of Environment, Health and Consumer Protection**



## LICENSING ACT 2003 PREMISES LICENCE SUMMARY

**Premises Licence Number**  
**Granted**  
**Issued**

<b>DWTSPR0201</b>
<b>24 November 2005</b>
<b>29 May 2015</b>

**Part 1 – Premises details**

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	<b>Issuing Authority</b>
<p><b>DENEBURN STORES</b>                  20 DENEBURN TERRACE                  THE GROVE                  CONSETT                  DH8 8BD</p>	<p>DURHAM COUNTY COUNCIL                  EHCP                  LICENSING SERVICES                  PO BOX 617                  DURHAM                  DH1 9HZ</p>
<p><b>Telephone number: 01207 503310</b></p>	

<b>Where the licence is time limited the dates</b> N/A
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<b>Licensable activities authorised by this licence</b> Sale by Retail of Alcohol
--

<b>The opening hours of the premises (all times in 24hr format)</b>		
Monday	00:00 - 23:59	<b>Non standard/seasonal timings:</b>
Tuesday	00:00 - 23:59	N/A
Wednesday	00:00 - 23:59	
Thursday	00:00 - 23:59	
Friday	00:00 - 23:59	
Saturday	00:00 - 23:59	
Sunday	00:00 - 23:59	

<b>Where the licence authorises the sale by retail of alcohol whether these are on and/or off sales</b> OFF ALCOHOL SALES ONLY
---

**The times the licence authorises the carrying out of licensable activities (all in 24hr format)**

<b>Sale by retail of alcohol</b> Off Sales Only		
Monday	00:00 - 23:59	Further details
Tuesday	00:00 - 23:59	
Wednesday	00:00 - 23:59	<b>Non standard/seasonal timings:</b>
Thursday	00:00 - 23:59	
Friday	00:00 - 23:59	
Saturday	00:00 - 23:59	
Sunday	00:00 - 23:59	

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

MR GAPILRAJH SUNDARLINGAM  
20 DENEburn TERRACE  
THE GROVE  
CONSETT  
DH8 8BD

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

Company no: N/A

Charity no: N/A

**Name of designated premises supervisor where the premises licence authorises the sale by retail of alcohol**

MR GAPILRAJH SUNDARALINGAM

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

NOT APPLICABLE



**Signature of Authorised Officer  
Head of Environment, Health and Consumer Protection**

**DURHAM COUNTY COUNCIL – CONSUMER PROTECTION  
ENVIRONMENT, HEALTH & CONSUMER PROTECTION**

**STATEMENT OF WITNESS**

(Criminal Procedure Rules, r6.2; Criminal Justice Act 1967, s.9)

**STATEMENT OF:** Graham John Blount  
**AGE:** (if over 18 enter "over 18") over 18  
**OCCUPATION:** Senior Trading Standards Officer  
**ADDRESS:** C/O EHCP (Trading Standards) PO Box 617,  
Durham, DH1 9HZ

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 8 day of June 2016

Signed .....  
.....

I am a Senior Trading Standards Officer employed by Durham County Councils Trading Standards Service in the Safety & Metrology Team. I hold the Diploma in Trading Standards awarded in 1992. I am currently qualified as a Trading Standards Practitioner through the Chartered Institute of Trading Standards. I am an Authorised Officer under the Licensing Act, 2003.

On 11<sup>th</sup> February, 2016 I was employed on routine enquiries into the sale of alcohol to underage youths. At approximately 1445 hours I entered the premises accompanied by PCSO 6832 of the Durham Constabulary Harm Unit to make enquiries. Whilst speaking to a man who claimed to be in charge who I now know to be \_\_\_\_\_, I noticed several bottles of Glens vodka with a front label that was not the label currently used by the manufacturer.

I inspected the bottles and saw that the UK Duty stamp on the rear label did not fluoresce. I advised Mr. \_\_\_\_\_ that I suspected the bottles to be counterfeit or duty evaded stock with a counterfeit rear label, and that I was seizing the bottles for further examination. I entered the details in Durham,

Signed: .....  
.....

Statement Taken by: .....

**STATEMENT OF: Graham John Blount**

Continuation Sheet 1

County Council premises search log 0058 which I asked Mr. to sign. Mr. signed the log and I now produce the log as exhibit GJB/1. I then seized the bottles and placed them in secure exhibit bags and I now produce them as exhibit GJB/Dene/1. I then checked the stockroom and the remainder of the shop and found no further bottles.

We left the premises at 1515hours and returned to the Office at Annand House, where I put the bottles in the secure evidence store.

On 4<sup>th</sup> March 2016, I interviewed the premises Licence Holder Gapilrajh Sundarlingham under caution. The interview was recorded and complied with the requirements of the Police and Criminal Evidence Act code of practice on recorded interviews. During the interview Mr. Sundarlingham produced a quantity of invoices I now produce copies of those invoices as exhibit GJB/2, and the summary of the interview as exhibit GJB/3.

On 13<sup>th</sup> April, 2016 I received an email from Mr. Sundarlingham with a further invoice dated 8<sup>th</sup> January, 2016. I now produce that invoice as exhibit GJB/4.

**Signed: .....** .....

Statement Taken by: .....

23/11

**CONSUMER PROTECTION**

Durham County Council  
Environment, Health and Consumer Protection  
EHCP ( Consumer Protection)  
PO Box 617  
Durham  
DH1 9HZ



Telephone 03000 261 016

**NOTICE OF POWERS AND RIGHTS**

CODE OF PRACTICE B of the POLICE AND CRIMINAL EVIDENCE ACT 1984 requires the issue of this notice of **POWERS AND RIGHTS** to the occupier of, or person entitled to grant access to, premises subject to inspection.

A duly authorised officer may, at all reasonable times, and on production of his/her credentials if requested, enter premises and inspect goods. Furthermore if an officer has grounds to suspect an offence has been or is being committed, may invoke additional powers in respect of goods, documents, books and records as summarised within this document.

**YOU HAVE RECEIVED A COPY OF THIS NOTICE IN ORDER TO ADVISE YOU OF THESE ADDITIONAL POWERS AND TO INFORM YOU OF YOUR RIGHTS.**

Address of Premises  
to be inspected

DENEBUEN STAIRS. DENEBUEN TERRACE  
CONSETT

Search by *Tick relevant box(es)	Consent		Statutory Power	<input checked="" type="checkbox"/>	Warrant	
--	---------	--	--------------------	-------------------------------------	---------	--

**STATUTE(S) UNDER WHICH SEARCH IS MADE**

TRADE MARKS ACT 1994 S.92(1)

Name of person given Notice:  Signature and Status:  STAFF MEMBER.  Date and Time search commenced:  1445 HRS 11/2/16	Other persons present:  PCSO M WILLIAMSON   Authorised Officer: G Blount.
---	--

## **YOUR RIGHTS**

To be given a copy of this notice.

You may ask a friend, neighbour or other person to witness the inspection, unless the officer in charge has reasonable grounds for believing that this would seriously hinder the investigation.

To be provided with a list or description of any property seized within a reasonable time. Under certain Acts you are entitled to be notified of the results of any tests which have been carried out.

To be allowed supervised access to items seized in order to examine or photograph them, or be provided with a photograph or copy (within reasonable time and at your expense) unless the officer in charge has reasonable grounds for believing that to do so would prejudice the investigation.

A copy of the Police and Criminal Evidence Act 1994 Codes of Practice is available for inspection at the address above or any Police Station.

Compensation may be payable in appropriate circumstances for damage caused in entering and inspecting premises. Claims for such compensation should be made to:-

Consumer Protection  
Durham County Council  
EHCP (Consumer Protection)  
PO Box 617  
Durham  
DH1 9HZ

## **SUMMARY OF OFFICERS POWERS**

This notice should be considered as a summary only, as it is impracticable to list all the powers in full for each statute. The powers will vary between statutes.

### **SUMMARY OF POWERS TO ENTER PREMISES AND INSPECT GOODS**

A duly authorised officer may, at all reasonable times, and on production of his credentials if requested, enter any business premises and inspect any goods, and if so authorised, inspect any weighing or measuring equipment.

### **SUMMARY OF POWERS TO INSPECT BOOKS, DOCUMENTS OR RECORDS**

If an authorised officer has reasonable cause to suspect that an offence has been committed then in order to determine whether it has been committed, he may on production of his credentials, require any person carrying on the business or employed in connection with the business to produce any books or documents relating to the business, and may take copies.

### **POWER TO SUSPEND GOODS**

An authorised officer may give written instruction suspending goods from supply.

### **SUMMARY OF POWERS TO BREAK OPEN ANY CONTAINER**

If necessary, in order to seize goods (books, records or documents) an officer may require a person having authority to do so, to break open any container, or if refused, the officer may break the container himself.

### **SEIZURE OF PROPERTY**

If an officer has reasonable cause to believe an offence has been committed then in order to ascertain whether the offence has been committed they may seize and detain any goods, books, documents, equipment or records, dependent upon the particular statute under which the power to seize is exercised.

Such goods, books, documents, equipment or records may be seized and detained if the officer believes that they may be required as evidence.



No items seized (tick if applicable)

9 + 70cl Bottles.

Premise Search Log Unique Reference No. ....

0058

**Reasons for Seizure**

FALSE TRADE MARK APPLIED TO BOTTLE LABELS

Force used to gain access

Yes ( )

No (X)

Reason why force used:-

Details and circumstances of any damage caused:-

DURHAM COUNTY COUNCIL - CONSUMER PROTECTION

PREMISES SEARCH LOG

DATE: 11 FEB 16

ADDRESS OF PREMISE: DENEBURN STORES DENEBURN RD DENEBURN

OFFICERS PRESENT: A BLOWM PCSD WILLIAMSAN

EXHIBITS OFFICER: A BLOWM INVESTIGATING OFFICER: A BLOWM

EXHIBITS SEIZED DURING INSPECTION

Time seized	Seal number	Exhibit reference number	Description of item seized	Section 50 notice applicable	Exact location where item was found
1500	R00762120	625/DENEBURN	9 x 70 CL BOTTLES GLEN'S VODKA	Y	SHELVE BEHIND TILL

Officers signature: ..... Print name: G. Blount Date: 11/2/16  
 Occuplers signature: ..... Print name: ..... Date: 11/2/16 page 1 of pages 1

CONSUMER PROTECTION  
Durham County Council  
Environment, Health and Consumer Protection  
EHCP (Consumer Protection)  
PO Box 617  
Durham DH1 9HZ  
Tel: 03000 261 016  
E mail: [tradingstandards@durham.gov.uk](mailto:tradingstandards@durham.gov.uk)



**NOTICE OF EXERCISE OF ADDITIONAL POWERS OF SEIZURE UNDER SECTION 50 OF THE CRIMINAL JUSTICE AND POLICE ACT 2001**

Section 50 of the Criminal Justice and Police Act 2001 allows for the seizure and removal of property found on premises where it is not reasonably practicable to complete a process of examination, searching or separation at the scene. Section 52 requires the provision of a written notice to the person from whom the property was seized, specifying various information.

**THE DETAILS CONTAINED IN THIS DOCUMENT ADVISE YOU OF THIS INFORMATION AND INFORM YOU OF YOUR RIGHTS.**

**Location of Seizure**

Record below (a) address of the premises from which the seizure was made or (b) location at which the seizure was made:

..... DENE BURN STUBS  
..... DENE BURN ROAD  
..... CONSETT  
.....  
.....

**Grounds for seizure**

The property to which this notice relates has been seized under Section 50 of the Criminal Justice and Police Act 2001. The grounds on which the powers have been exercised in this case are as follows:

Underlying power (see Schedule 1) on which the seizure was based: (Tick box/ complete as applicable)

Under a search warrant issued under (enactment)  
.....

Without warrant specify enactment  
..... TRADE MARKS ACT 1994 .....

Reasons why it was not reasonably practicable to complete the relevant process at the scene:  
..... TO BE SENT FOR EXAMINATION .....

Description of property seized: 9 x 70cl BOTTLES GLEN'S VODKA.

Premise Search Log unique reference number: 0058

Provision of written notice

Was a copy of this notice provided to the occupier or person who appeared to be in charge of the premises? (Tick as appropriate)

Yes

No

If 'Yes', record name and address of that person if known:  
DENOBLEN STORES.  
CONSETT

If 'No', record place on the premises where a copy of this notice was left:

Applying to attend examination of seized property

Any person with an interest in property seized under these powers who wishes to attend the initial examination of that property should apply to:

Name: A. Blount  
Address: P.O. Box 617  
DURHAM  
D.H. 9R2.

OFFICER COMPLETING NOTICE: A Blount  
ADDRESS: AS ABOVE  
TELEPHONE: 03000 260907 DATE: 11/2/16 TIME: 1505

## INFORMATION FOR INTERESTED PERSONS

### **Applying for the return of seized property**

Section 59 gives any person with a relevant interest<sup>1</sup> in property seized using these powers the right to apply to the appropriate judicial authority for it to be returned. The appropriate judicial authority will normally be a judge of the Crown Court.

The grounds on which an application can be made are:

- (a) that there was no power to make a seizure;
- (b) that the seized property is or contains an item subject to legal privilege<sup>2</sup> which there is no power to retain<sup>3</sup>;
- (c) that the seized property is or contains excluded material<sup>4</sup> or special procedure material<sup>5</sup> which there is no power to retain<sup>3</sup>;
- (d) that the seized property is or contains something which there is no power to retain once the examination is complete<sup>3</sup>.

Anyone wishing to make such an application in this case should give notice of that application to the officer who completed this notice.

Following an application, the appropriate judicial authority may order the return or retention of any or all of the relevant property or may give directions for its examination, separation etc. Alternatively it may dismiss the application. Anyone failing to comply with an order or direction given by a judge of the Crown Court under these provisions may be dealt with as if he had committed a contempt of the Crown Court.

### **Duty to secure property**

Section 60 creates a duty to secure property seized under these powers if an application for return of the property is made under Section 59, notice of the application is given to the relevant person<sup>6</sup> and application is based on the property being or containing legally privileged, excluded or special procedure material.

Section 61 specifies that the duty to secure is a duty in the person in possession of the seized property to ensure that, once notice of an application for return has been given, the property shall not be examined, copied or generally put to any other use without consent of the applicant or in accordance with the directions of the appropriate judicial authority.

---

### **Notes for Information**

<sup>1</sup>For the purpose of Section 59 a person with a relevant interest in the seized property is:

- (a) the person from whom it was seized;
- (b) any person with an interest in the property; or
- (c) any other person who had custody or control of the property immediately before the seizure.

<sup>2</sup>Legally privileged material includes communications between a professional legal advisor and his client in respect of legal advice or proceedings.

<sup>3</sup>The legislation does provide for the retention of certain inextricably linked material, including legally privileged, excluded or special material, if it cannot be separated from material that can be seized without prejudicing the use of that seizable material. Excluded and special procedure material can sometimes be seized where it is evidence in relation to an offence or itself the proceeds of an offence.

<sup>4</sup>Excluded material includes journalistic material and personal records which are held in confidence.

<sup>5</sup>Special procedure material includes confidential material created in the course of a business and journalistic material provided neither is excluded material.

<sup>6</sup>A "relevant person" for the purpose of giving notice of an application for return of property is:

- (a) the person who made the seizure;
- (b) the person in possession of the seized property;
- (c) the person whose name and address are specified in this notice.



**DURHAM COUNTY COUNCIL  
CONSUMER PROTECTION**

Property seized under powers contained in the Trade Marks Act 1994.  
(Conferred under the Trade Descriptions Act 1968).  
Detailed on Premise Search Log (URN)/ Described as\*:

..... \* (Delete as required)

Should the property be found upon examination to be counterfeit then you may have committed a criminal offence(s). You are hereby offered the opportunity to disclaim all ownership rights and title in the named articles.

**You should note that in doing so you may still be prosecuted.**

Should you choose to disclaim your rights and title in the articles then sign the disclaimer below.

Note: Disclaimed goods, other than those required as evidence in any legal proceedings which may be brought, will be destroyed or sent for de-branding to an authorised charity.

**DISCLAIMER**

I, ..... understand the above and hereby irrevocably disclaim all rights and title in the articles listed above.

Signed..... Date.....

Print Name.....

Witnessed by officer ..... Print Name .....

To other persons who may have an interest in the above seized goods (e.g. other occupants of the domestic premise, business premise/stall, spouse, partner). I confirm that I have no connection and/or ownership claim to the seized goods detailed on receipt number/ Exhibits log/Described as \*.....

Name..... Name..... Name.....

Signed..... Signed..... Signed.....

Date..... Date..... Date.....

Witnessed by Officer ..... Print name.....

Durham County Council EHCP (Consumer Protection) P.O. Box 617 Durham DH1 9HZ

Evidence Record Form

Name and address of person surrendering/from whom seized.....  
 DENEBURN STUBBS (DNSEJT)

Investigating Officer (Print name) ..... A BLOWNT (signature) .....

Witness (print name) ..... (signature) .....

Reason for seizure (legislation) ..... TRADE MARKS ACT ..... Date Service took possession ..... 11/2/16 .....

Date	Seal Number	Exhibit Reference	Location stored	Removed		Returned		Officer
				Date	Reason for removal	Date	New seal number	
4/3/16	R00762120	6B/DENEJA	ANNAND HOUSE	4/3/16	REMOVAL OF ONE BOTTLE FOR INT	4/3/16	J.	CS.

EXHIBIT 218/2.

Wholesaler	No Bottles	Date
Booker	6 x 70cl	8/6/15
Bestway	6	27/7/15
Costco	12	4/8/15
Bestway	6	25/8/15
Bestway	6	9/9/15
Booker	6	1/10/15
Bestway	6	14/10/15
Bestway	6	28/10/15
Best in	12	10/2/16
Booker	12	20/2/16
Booker	12	27/2/15



# BOOKER

www.booker.co.uk

Booker is the trading name of Booker Limited  
 Registered Office: Equity House, Wellingborough Road, Wellingborough, Northants NN1 1LT  
 Telephone: 01832 321000  
 Registered in England Number: 191182 VAT Number: GB 841 0315 81

BRANCH 208

GATESHEAD  
 Team Valley Trad Est  
 Gateshead  
 Tyne & Wear

NE11 0RH TEL : 01914 821114  
 FAX : 0191 4823932

CUSTOMER MRS GAPILRAJH  
 G&G RETAILERS  
 20 DENE BURN TERRACE  
 COMSETT  
 DH8 8BD  
 COUNTY DURHAM  
 TEL:

INVOICE NUMBER 0609001 PAGE 01

DATE 08/06/15 TIME 11:27

TILL 06 OPERATOR 53

CODE	DESCRIPTION	PACK SIZE	QTY	PRICE	VALUE	VAT	PRICE/PTN RRP POR
168784	Coca Cola PM49	24 250ml	1	4.89 P	4.89	B	0.49 50.1%
168785	Diet Coke PM49	24 250ml	2	4.89 P	9.78	B	0.49 50.1%
144876	Irn Bru PM99	6 2ltr	1	3.99	3.99	B	0.99 19.4%
126028	ES Orange Juice PM85	12 1ltr	1	5.95	5.95	B	0.85 30.0%
183672	ES Tropical Juice PM69	12 1ltr	1	4.35	4.35	B	0.69 37.0%

RETAIL GROCERY SUB-TOTAL : ITEMS : 6 GOODS : 28.96 EXC.VAT

105782	Cant Believe Its Not Butter	8 250g	1	8.89	8.89	A	1.29 13.9%
178109	Cat City Mat Cheddar PM289	1 200g	3	2.09	6.27	A	2.89 27.7%
134117	Dairylea Dunkers Jumbo PM69	15 47g	1	8.49	8.49	A	0.69 18.0%
129294	Mars Galaxy Drink Sports Cap	8 350ml	1	6.39 P	6.39	A	1.20 33.4%
129334	Mars Refuel Drink Sports Cap	8 350ml	1	6.39 P	6.39	A	1.20 33.4%
135856	Mars Starburst Sports Cap	8 350ml	1	6.39 P	6.39	A	1.20 33.4%
141104	Mars Refuel Caramel Sportcap	8 350ml	1	6.39 P	6.39	A	1.20 33.4%
153539	Skittles Milk Drink S/Cap	8 350ml	1	6.39 P	6.39	A	1.20 33.4%
229061	Funtime Choc Milk Drink PM29	30 200ml	1	5.99	5.99	A	0.29 31.1%
229681	Funtime Straw Milk Drink PMP	30 200ml	1	5.99	5.99	A	0.29 31.1%
229691	Funtime Ban Milk Drink PM29	30 200ml	1	5.99	5.99	A	0.29 31.1%
172875	HS Orange Juice Smooth PMP	8 330ml	1	2.65	2.65	B	0.59 32.6%
073772	EM Everyday Wholemeal Med	1 800g	3	0.75	2.25	A	1.00 25.0%
073795	EM Everyday White Medium	1 800g	1	0.75	0.75	A	1.00 25.0%
073795	EM Everyday White Medium	1 800g	10	0.75	7.50	A	1.00 25.0%
143597	On The Go Cheeseburger PM100	4 140g	1	3.20	3.20	A	1.00 20.0%
143589	On the Go S/Fired Ckn Burger	4 127g	1	3.20	3.20	A	1.00 20.0%

CHILLED SUB-TOTAL : ITEMS : 30 GOODS : 93.12 EXC.VAT

080718	Nescafe & GO Gold Blend Decf	8 12oz	1	4.09	4.09	A	
080842	Nescafe & GO Aero Hot Choc	8 12oz	1	4.09	4.09	A	
080844	Nescafe & GO Gold Blend Blck	8 12oz	1	4.09	4.09	A	
131665	Cadbury Hot Chocolate In Cup	1 8s	1	4.29	4.29	A	
182094	Nescafe & Go Maggi Chkn Soup	8 20g	1	4.09	4.09	A	
112437	Uncle Bens Tikka Masala	1 2.24kg	1	7.19	7.19	A	

CATERING GROCERY SUB-TOTAL : ITEMS : 6 GOODS : 27.84 EXC.VAT

233581	Black Tower Rose	6 75cl	1	25.35	25.35	B	6.69 24.2%
173815	Glens Vodka	6 70cl	1	47.49 P	47.49	B	13.29 28.5%
108081	Hopparberg Strbry&Lime Cider	15 500ml	1	23.99	23.99	B	2.59 25.9%

WINES SPIRITS BEERS SUB-TOTAL : ITEMS : 3 GOODS : 96.83 EXC.VAT

191613	FF Carrots	1 500g	1	0.50	0.50	A	0.69 27.5%
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FPUIT & VEG SUB-TOTAL : ITEMS : 1 GOODS : 0.50 EXC.VAT

/CONT



# COSTCO

## WHOLESALE

GATESHEAD WAREHOUSE (0191-461 9800)  
 Costco Wholesale UK Limited  
 UK Home Office, Hartspring Lane  
 Watford, Herts. WD25 8JS  
 Registered in England No 2635489  
 VAT NO: 650 1862 52

NO	DESCRIPTION	QTY	UNIT PRICE	TOTAL
0001264	HOVIS THK WHT 800G	1x	0.69	0.69 0
0001264	HOVIS THK WHT 800G	1x	0.69	0.69 0
0001264	HOVIS THK WHT 800G	1x	0.69	0.69 0
0001264	HOVIS THK WHT 800G	1x	0.69	0.69 0
0187951	PRINGLES SC E1 99	1x	5.49	5.49 2
0025938	MARTELL VS 70CL	1x	15.69	15.69 2
0025938	MARTELL VS 70CL	1x	15.69	15.69
0149811	HOVIS GRAN 800G	1x	0.99	0.99 0
0149811	HOVIS GRAN 800G	1x	0.99	0.99 0
0146830	SHIRNOFF 6/70CL	1x	54.99	54.99 2
0063927	GLENS CASE 12/70CL	1x	97.99	97.99
0184185	S PELL POHE 4/6PK	1x	6.97	6.97 2
0157367	J20 O&P 3X10X250ML	1x	12.49	12.49 2
0019201	SCH S/L TONIC12/LT	1x	8.69	8.69
0143067	KOPPRBERG 15/500ML	1x	19.99	19.99 2
0004712	KOPRB S/L 15/500ML	1x	19.99	19.99 2
0144310	DIET PEPSI 4/6/330	1x	4.79	4.79 2
0144674	WHOLE MILK 2X2L	5x	1.49	7.45 0

VAT CODE	EXCL. VAT	VAT
0 0.00%	36.47	0.00
2 20.00%	4,150.18	830.03

TOTAL (INCL. VAT) 5,016.68

CASH 4,000.00  
 EPS/VISA DEBIT 1,016.68  
 CHANGE 0.00

Total no. of items: 15

GAPIL RAJH SUNDARALINGAM  
 G&G RETAILERS  
 20 DENEUBURN TERRACE  
 CONSETT  
 DH8 8BD

VAT POINT: 04/08/15 15:10  
 RECEIPT NO: 0109 03 0212 1/5

This purchase has earned £7.06  
 towards your 2.00% reward  
 as an Executive Member.  
 (Maximum reward applies)

Your cashier today was JULIE  
 Thank you for shopping at Costco



# BESTWAY WHOLESALE

www.bestway.co.uk



DENEBOURN T/A GIANNI'S PETROLERS  
 SARUJA GATILARAJA  
 20 DENEBOURN TERRACE  
 THE GROVE  
 CONSETT  
 DN6 8BD

Team Valley  
 Bestway Northern LTD.  
 281 Princessway, Central  
 Team Valley Trading Estate  
 Gateshead, NE11 0TU  
 Tel : 0191 4977779  
 VAT Reg No. 538938589

Dist. VAT Reg No.

Account Payment Method: CA Invoice No : 271388 Time & Date: 14:33 on 25-Aug-2  
 Till Number: 2 Cashier ID : 4 Cashier Name: Security Card - D

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE	RRP	GR
052135	CARLTON SK 1325	10 S	20	1	49.84	49.84	3.25	7.
187913	RICHMOND KS MENTHOL 118	10 S	20	1	66.17	66.17	4.18	5.
09812	PLAYERS KS CRUSHBAL 1325	10 S	20	1	51.46	51.46	3.25	5.
05214E	CARLTON KS 1325	10 S	20	1	49.84	49.84	3.25	7.
178930	CARLTON SK 0619	19 S	10	1	47.45	47.45	6.19	8.
178330	CARLTON SK 0619	19 S	10	1	47.45	47.45	6.19	8.
78553	CARLTON KS 0619	19 S	10	1	47.45	47.45	6.19	8.
Trolley: 1 Cases: 1 Singles: 7		Total: 7		SUB TOTAL		359.86	INC VAT 43	
312852	RIEVAULX BRANDY	20CL	6x	1	18.15	18.15	4.49	19.
312893	RIEVAULX BRANDY	35CL	6x	1	29.99	29.99	7.09	15.
06072	GLENS VODKA	35CL	24x	1	106.79	106.79	6.59	20.
119683	SMIRNOFF 01379	70CL	6x	1	53.99	53.99	13.79	21.
126694	SMIRNOFF 0789	35CL	6x	1	33.89	33.89	7.89	14.
062312	RUSSIAN STANDARD 01399	70CL	6x	1	60.99	60.99	13.99	12.
588425	GLENS VODKA	70CL	6x	1	50.99	50.99	12.19	16.
58832E	GLENS VODKA	1LTR	6x	1	73.99	73.99	17.69	16.
380333	V KAT SCHIAPPIS 0675	70CL	6x	1	26.99	26.99	6.79	20.
287403	IMPERIAL STAG WHISKY	70CL	6x	1	53.49	53.49	12.49	14.
06018	GLENS VODKA	20CL	48x	1	127.49	127.49	3.39	20.
015000	IMPERIAL STAG WHISKY	35CL	24x	1	118.99	118.99	6.99	14.
016108	IMPERIAL STAG WHISKY	20CL	48x	1	140.79	140.79	4.39	19.
77142	SMIRNOFF GOLD 01799	70CL	1	2	12.79	25.58	17.99	14.
168138	GLENS PLATINUM VODKA	70CL	1	3	10.49	31.47	14.99	16.
249384	SWAN FILTER SLIM POP	120TIP	20	1	5.99	5.99	0.83	56.
050196	EXTRA SPEARMINT S/FREE	10PCE	30	1	6.39	6.39	0.40	36.
Trolley: 2 Cases: 13 Singles: 7		Total: 20		SUB TOTAL		965.96	INC VAT 115	

**COLNT TOTAL:** Cases: 13 Singles: 14 Total: 27 TOTAL GOODS 1325.62  
 GOODS 1325.62

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# BESTWAY WHOLESALE

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DENEUBURN T/A GIAN G RETAILERS  
 SARUFA GARILPAH  
 20 DENEUBURN TERRACE  
 THE GROVE  
 CONSETT  
 DH8 5BD

35 - Team Valley  
 Bestway Northern LTD.  
 262 Princessway Central  
 Team Valley Trading Estate  
 Gateshead, NE11 0TU  
 Tel : 0191 4877779  
 VAT Reg No.538938689

Dust: VAT Reg No.

Account Payment Method: CA Invoice No :275054 Time&Date:17:23 on 9-Sep-2011  
 Till Number:2 Cashier ID :4 Cashier Name:Security Card - D

ITEM CODE	DESCRIPTION	PACK SIZE	UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE	RRP	GMV	
119626	BALI RUM&COCONUT 175	70CL	6x	1	1	21.99	21.99P	6.99	37.01
322391	MIDSHIPMAN DARK RUM	35CL	6x	1	1	26.99	26.99P	6.49	16.81
178606	BACARDI C/BLANCA 01499	70CL	6x	1	1	64.99	64.99	14.99	13.27
254799	CARIBBEAN TWIST MIXD MANGO	70CL	6x	1	1	8.79	8.79P	2.99	41.20
588425	GLENS VODKA	70CL	6x	1	1	50.99	50.99	12.19	16.31
427188	CARIBBEAN TWIST B/LAGOON	70CL	6x	1	1	8.79	8.79P	2.99	41.20
150129	CARIBBEAN TWIST P/COLADA	70CL	6x	1	1	8.79	8.79P	2.99	41.20
060868	SIERRA TEQUILA GOLD	50CL		1	1	11.79	11.79P	16.49	14.20
060857	SIERRA TEQUILA SILVER	50CL		1	1	10.69	10.69P	14.99	14.40
118727	SIERRA TEQUILA SILVER	70CL		1	1	12.99	12.99P	18.99	17.91
685162	ANGELS PEACH SCHNAPPS	70CL		1	1	4.25	4.25	6.49	21.40
685162	ANGELS PEACH SCHNAPPS	70CL		1	1	4.25	4.25	6.49	21.40
685162	ANGELS PEACH SCHNAPPS	70CL		1	1	4.25	4.25	6.49	21.40
015000	IMPERIAL STAG WHISKY	35CL	24x	1	1	114.99	114.99P	6.79	15.30
118567	CARIBBEAN TWIST PEACHPAPA	70CL	6x	1	1	8.79	8.79P	2.99	41.20
066936	SMIRNOFF ICE	70CL	6x	1	1	14.39	14.39	3.99	27.87
066936	SMIRNOFF ICE	70CL	6x	1	1	14.39	14.39	3.99	27.87
588326	GLENS VODKA	1LTR	6x	1	1	73.99	73.99	17.69	16.31
119021	SIERRA TEQUILA GOLD	70CL		1	1	12.99	12.99P	18.99	17.91
653752	CHAPSTICK ORIGINAL 12/10SGL			12	1	6.69	6.69	1.12	40.27
048040	HUBBA BUBBA STRAWBERRY 76			20	1	4.39	4.39	0.39	32.40
048027	HUBBA BUBBA ATOMIC APPLE76			20	1	4.39	4.39	0.39	32.40
765794	BUBBALOO COLA	STD		50	1	1.79	1.79	0.05	28.40
780036	BUBBLICIOUS STRAW SPLASHSTD			18	1	2.79	2.79	0.27	31.11
048038	HUBBA BUBBA ORIGINAL 76			20	1	4.39	4.39	0.39	32.40
051215	AIRWAVES ORIG MENT/EUCL 10PCE			30	1	7.65	7.65	0.45	32.00
047807	AIRWAVES CHERRY MENTHOL 10PCE			30	1	7.65	7.65	0.45	32.00
051215	AIRWAVES ORIG MENT/EUCL 10PCE			30	1	7.65	7.65	0.45	32.00
047807	AIRWAVES CHERRY MENTHOL 10PCE			30	1	7.65	7.65	0.45	32.00
765804	BUBBALOO GREEN APPLE	STD		60	1	1.79	1.79	0.05	28.40
765804	BUBBALOO GREEN APPLE	STD		60	1	1.79	1.79	0.05	28.40
765815	BUBBALOO BLUEBERRY	STD		60	2	1.79	3.58	0.05	28.40

C/FWD AMOUNT: 541.29

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# BOOKER

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BRANCH 201

SUNDERLAND  
Addison Street  
Hendon  
Sunderland  
Tyne And Wear  
SR2 8BL TEL : 0191 5671356  
FAX : 0191 5655335

Booker is the trading name of Booker Limited  
Registered Office: Equity House, 161a Scarborough Road, Wellingborough, Northants NN16 1LF  
Telephone 01933 331000  
Registered in England Number 107353 VAT Number GB 644899581

CUSTOMER MRS GAPILRAJH  
G&G RETAILERS  
20 DENEBOURII TERRACE  
CONSETT COUNTY DURHAM  
DH8 8BD TEL:

INVOICE NUMBER 0131555 PAGE 01

DATE 01/10/15 TIME 14:02

TILL 01 OPERATOR 88

CODE	DESCRIPTION	PACK SIZE	QTY	PRICE	VALUE	VAT	PRICE/PTN RRP	POR
145536	Hartleys Strawberry PM149	6 340g	1	6.29	6.29	A	1.49	29.6%
168784	Coca Cola PM49	24 250ml	2	4.89 P	9.78	B	0.49	50.1%
077696	ES Energy Drink PM35	24 250ml	30	4.50	135.00	B	0.35	35.7%
	BUY 3 FOR 10.00							
174659	ES Sugar Free Energy PM35	24 250ml	6	4.50	27.00	B	0.35	35.7%
	BUY 3 FOR 10.00							
128804	Lucozade Energy Original PM95	24 380ml	1	8.99 P	8.99	B	0.95	52.7%
181039	ES Energy Drink PM100	12 1ltr	1	5.49	5.49	B	1.00	45.1%
179902	Space Raiders Beef PM20	40 20g	1	4.89	4.89	B	0.20	26.7%
190463	ES Tomato Ketchup PM69	8 470g	1	3.85	3.85	A	0.69	30.3%
9591	HS Ibuprofen Tablets	12 16s	1	2.95	2.95	B	0.59	50.0%
94815	HS Paracetamol Capsules	10 16s	1	4.39	4.39	B	1.09	51.7%

RETAIL GROCERY SUB-TOTAL : ITEMS : 45 GOODS : 166.63 EXC.VAT

116487	ES Mild Coloured Cheese PM100	8 180g	1	5.59	5.59	A	1.00	30.1%
116488	ES Mild White Cheese PM100	8 180g	1	5.59	5.59	A	1.00	30.1%
175163	Lunchables Ham/Cheese PM165	10 93.9g	1	13.29	13.29	A	1.65	19.5%
172676	HS Orange Juice With Bits PM	8 330ml	1	2.65	2.65	B	0.59	32.6%
133733	Mxd Cae Sandwich Tuna/Cheese	9 Sgl	1	8.09	8.09	A	1.29	30.3%

CHILLED SUB-TOTAL : ITEMS : 5 GOODS : 35.21 EXC.VAT

146903	Kinder Surprise	48 sgl	2	20.65 P	41.30	B	0.89	42.0%
172436	Lindor Treat Bar PM75	24 38g	1	11.49	11.49	B	0.75	23.4%
130767	HS Choc Caramel PM59 2/PM100	12 85g	1	3.99	3.99	B	0.59	32.4%
193394	CDM Oreo PM100	15 120g	1	9.95	9.95	B	1.00	20.4%
193394	CDM Oreo PM100	15 120g	1	9.95	9.95	B	1.00	20.4%
189913	CDM Giant Buttons PM100	12 80g	1	7.99	7.99	B	1.00	20.1%
188184	Maoam Stripes PM100	12 180g	1	7.29	7.29	B	1.00	27.1%
138436	Maoam Joystixx PM100	12 220g	1	7.29	7.29	B	1.00	27.1%

CONFECTIONERY SUB-TOTAL : ITEMS : 9 GOODS : 99.25 EXC.VAT

173815	Glens Vodka	6 70cl	1	47.89 P	47.89	B	13.29	27.9%
112678	Stella Artois PM4/549	6 4x500ml	1	21.49	21.49	B	5.49	21.7%
1431	Woodpecker Cider	24 500ml	3	17.49	52.47	B	1.39	37.1%
10375	Strongbow Dark Fruit PM4/565	6 4x500ml	1	20.99 P	20.99	B	5.65	25.7%
190375	Strongbow Dark Fruit PM4/565	6 4x500ml	1	20.99 P	20.99	B	5.65	25.7%
190375	Strongbow Dark Fruit PM4/565	6 4x500ml	1	20.99 P	20.99	B	5.65	25.7%

WINES SPIRITS BEERS SUB-TOTAL : ITEMS : 8 GOODS : 184.82 EXC.VAT

099536	ES U/S R/L Back Bacon PM100		1	4.20	4.20	A	1.00	30.0%
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MEAT SUB-TOTAL : ITEMS : 1 GOODS : 4.20 EXC.VAT

103072	Pre Pack Potatoes	10 2kg	1	7.50	7.50	A	0.99	24.2%
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FRUIT & VEG SUB-TOTAL : ITEMS : 1 GOODS : 7.50 EXC.VAT

186133	1st Class Stamps Book of 6	5 6 pack	1	18.29	18.29	A	3.78	3.2%
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NON-FOOD SUB-TOTAL : ITEMS : 1 GOODS : 18.29 EXC.VAT

\*\*\* MULTIBUYS SAVED YOU \*\*\* 42.00

/CONT



# BESTWAY WHOLESALE

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263

0203 4877779  
 DENEBURN TERRACE  
 THE CROSS  
 GATEHEAD  
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0191 4877779  
 Bestway Northern LTD.  
 300 Princessway Central  
 Team Valley, Trading Estate  
 Gateshead, NE11 0TU  
 Tel : 0191 4877779  
 VAT Reg No. 535938689

Inst. VAT Reg No. Reprint: 01:10:14 REPRINT: INVOICE Reprinted at: 11:13 on 14-Oct-2011  
 Account Payment Method: CA Invoice No: 1254033 Time & Date: 11:10 on 14-Oct-2011  
 Alt. Number: Carrier ID: 14 Carrier Name: Security Card - I

ITEM	DESCRIPTION	PACK	UNIT	OF QUANTITY	PRICE	EXT.	AMP	GMW
CODE		SIZE	PAK.			NET		
121015	FAMOUS GROUND	20CL	6	1	14.59	14.59	5.45	18.09
185527	JACK DANIELS	50CL	6x	1	31.99	31.99	7.75	17.37
12884	HIGH COMMISSIONER	20CL	6	1	15.49	15.49	4.03	21.88
182152	ANGELS PEACH SCHNAPPE	70CL	1	1	4.25	4.25	5.49	21.42
182152	ANGELS PEACH SCHNAPPE	70CL	1	1	4.25	4.25	5.49	21.42
182152	ANGELS PEACH SCHNAPPE	70CL	1	1	4.25	4.25	5.49	21.42
177741	SOUTHERN COMFORT	20CL	1	1	4.89	4.89	3.65	15.37
	Line Above Void		1	-1	-4.89	-4.89		
177740	SOUTHERN COMFORT	20CL	6x	1	27.99	27.99	5.25	18.82
134744	IRISH MEADOW	50CL	6x	1	26.99	26.99	6.39	22.78
193464	PERNOD	70CL	6x	1	89.49	89.49	18.49	18.94
188425	GLENS VODKA	70CL	6x	1	50.99	50.99	12.19	16.34
18170	GLENS VODKA	75CL	6x	1	106.79	106.79	6.35	23.61
188386	GLENS VODKA	1LTR	6x	1	74.99	74.99	17.89	15.22
18016	GLENS VODKA	20CL	66x	1	129.79	129.79	4.29	24.36
18553	SMIRNOFF	70CL	6x	1	53.79	53.79	13.79	21.99
110795	BELLE WHISKY 11499	70CL	6x	1	60.99	60.99	14.35	18.63
Trolleys:1 Cases:12 Singles:3 Total:15					SUB TOTAL	692.03		INC VAT 830.1

GROSS TOTAL: Cases:12 Singles:3 Total:15 TOTAL GOODS 692.03  
 NET TOTAL: 692.03  
 VAT: 138.41  
 TOTAL: 830.44



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# BESTWAY WHOLESALE

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WOODBURN T W & S WHOLESALE  
 25000000000000000000  
 10 PRINCESSWAY CENTRAL  
 TEAO VALLEY  
 GATESHEAD  
 NE11 0TU

25 - Teao Valley  
 Bestway Northern LTD.  
 262 Princessway Central  
 Teao Valley Trading Estate  
 Gateshead, NE11 0TU  
 Tel : 0191 4877773  
 VAT Reg No. 338532669

Dist. VAT Reg No.

Account Payment Method:CP Invoice No :287326 Time&Date:6:14 on 28-Oct-2018  
 Bill Number:2 Cashier ID :4 Cashier Name:Security Card - D

ITEM CODE	DESCRIPTION	UNIT	QUANTITY	PRICE	EXT. PRICE	RATE	GMV
210616	V KAT SCHWAPPE 0495	70CL	1	15.43	15.43	9.99	21.88
288422	GLENS VODKA	70CL	1	50.99	50.99	12.19	16.34
15000	IMPERIAL STAG WHISKY	75CL	1	29.99	29.99	6.99	14.19
261082	MESSER SCHITT	70CL	2	8.69	13.28	10.00	19.72
292135	NO 20.20 STRAWBERRY ROSE	75CL	2	5.35	10.70	7.99	19.65
214455	NO 20.20 ORANGE JUBILEE	75CL	2	5.35	10.70	7.99	19.65
072106	BAILEYS IRISH CREAM	70CL	2	11.69	23.38	15.99	12.27
Trolley:1 Cases:3 Singles:4 Total:11				SUB TOTAL	158.63	INC VAT 190.3	

COUNT TOTAL:	Cases:3	Singles:8	Total:11	TOTAL GOODS	158.63
				GOODS	158.63
CODE	RATE	GOODS	VAT		
A	20.00	158.63	31.73		
			VAT-TOTAL		31.73
			INVOICE-TOTAL		190.36

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# BOOKER

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Booker is the trading name of Booker Limited  
 Registered Office: Equity House, Arthingborough Road, Wellingborough, Northants NN3 1LT  
 Telephone: 01933 371000  
 Registered in England Number 187380. VAT Number GB 844 9315 81

BRANCH 208

GATESHEAD  
 Team Valley Trad Est  
 Gateshead  
 Tyne & Wear

NE11 0RH TEL : 01914 821114  
 FAX : 0191 4823932

CUSTOMER MRS GAPILRAJH  
 G&G RETAILERS  
 20 DENEburn TERRACE  
 CONSETT  
 DH8 8BD  
 COUNTY DURHAM  
 TEL:

INVOICE NUMBER 0356472 PAGE 01

DATE 20/02/16 TIME 13:54

TILL 03 OPERATOR 114

CODE	DESCRIPTION	PACK	SIZE	QTY	PRICE	VALUE	VAT	STD RRP	POR
077696	ES Energy Drink PM35	24	250ml	3	4.50 M	13.50	B	0.35	25.7%
	BUY ANY 3 FOR 10.00					3.50-			
120439	HS Salt Ving Stks PM59 2/100	12	75g	1	3.49	3.49	B	0.59	40.8%
143072	HS Slted Popcorn PM59 2/P100	12	60g	1	3.49	3.49	B	0.59	40.8%
143074	HS Swt Popcorn PM59 2/PM100	12	60g	1	3.49	3.49	B	0.59	40.8%
044591	HS Ibuprofen Tablets	12	16s	1	2.95	2.95	B	0.59	50.0%
0060	HS Paracetamol ETS Tablets	12	16s	2	3.39	6.78	B	0.69	50.9%
10013	HS Paracetamol Ex Str Tabs	10	16s	1	4.05	4.05	B	0.69	29.6%
189692	Lynx APA Black PM329	6	150ml	1	9.69 P	9.69	B	3.29	41.1%
105336	Tusk Hunter Body Spray PM100	12	150ml	1	4.75	4.75	B	1.00	52.5%
105337	Tusk Safari Bodyspray PM100	12	150ml	1	4.75	4.75	B	1.00	52.5%
163704	Lynx Apollo Bodyspray PM329	6	150ml	1	9.69 P	9.69	B	3.29	41.1%
140643	HS Comp Cat Chick PM79 450g	8	450g	1	3.65	3.65	B	0.79	30.7%
140644	HS Com Cat Rabbit/Duck PM79	8	450g	1	3.65	3.65	B	0.79	30.7%
140645	HS Cat Comp Herring PM79	8	450g	1	3.65	3.65	B	0.79	30.7%
141232	HS Cat Food CIG Pch Lamb P29	24	100g	1	3.99	3.99	B	0.29	31.2%
141237	HS Cat Fd CIJ Pch W/Fsh PM29	24	100g	1	3.99	3.99	B	0.29	31.2%
141239	HS Cat Fd CIJ Pch Chkn PM29	24	100g	1	3.99	3.99	B	0.29	31.2%
141175	HS Cat Food CIG Rabbit PM55	12	400g	1	3.85	3.85	B	0.55	30.0%
141177	HS Cat Food CIJ Salmon PM55	12	400g	1	3.85	3.85	B	0.55	30.0%
141178	HS Cat Food CIJ Chicken PM55	12	400g	1	3.85	3.85	B	0.55	30.0%
141097	HS Cat Food CIJ M/PACK PM289	4	6x400g	2	6.69	13.38	B	2.89	30.6%
140642	HS Com Dog Beef & Veg PM115	5	950g	1	3.33	3.33	B	1.15	30.5%
193998	HS Cmp Chkn/Veg PM115 2/P200	5	950g	1	3.33	3.33	B	1.15	30.5%
103844	ES Dog CIG Chicken PM100	6	1.24kg	1	3.45	3.45	B	1.00	31.0%
103844	ES Dog CIG Chicken PM100	6	1.24kg	2	3.45	6.90	B	1.00	31.0%
103845	ES Dog CIG Beef PM100	6	1.24kg	1	3.45	3.45	B	1.00	31.0%
141248	HS Dog Food CIG Chicken PM55	12	400g	1	3.85	3.85	B	0.55	30.0%
141266	HS Dog Food CIJ Chicken PM55	12	400g	1	3.85	3.85	B	0.55	30.0%
100269	HS Dog Food CIJ Beef PM55	12	400g	1	3.85	3.85	B	0.55	30.0%
100071	HS Dog Food CIG Beef PM55	12	400g	1	3.85	3.85	B	0.55	30.0%
141246	HS Dog Food CIG Can PM289	4	6x400g	2	6.69	13.38	B	2.89	30.6%

RETAIL GROCERY SUB-TOTAL : ITEMS 37 GOODS : 160.22 EXC.VAT

785121	Lurpak Spreadable	12	250g	1	18.69	18.69	A	1.99	21.7%
941250	Lurpak Spreadable	1	250g	4	1.59	6.36	A	1.99	20.1%
112195	Stork SB	8	250g	1	6.19	6.19	A	1.00	22.6%
116487	ES Mild Coloured Cheese PM100	8	180g	2	5.59	11.18	A	1.00	30.1%
128664	HS Cheese Slices PM135	6	200g	1	5.59	5.59	A	1.35	31.0%
128664	HS Cheese Slices PM135	6	200g	1	5.59	5.59	A	1.35	31.0%
VOID NOTE									
128664	HS Cheese Slices PM135	6	200g	1-	5.59	5.59-	A		
*175163	Lunchables Ham/Cheebe PM165	10	101.9g	2	13.29	26.58	A	1.65	19.5%
034891	Baker St Mega Burger Buns	1	4s	2	1.14	2.28	A	1.49	23.5%
034891	Baker St Mega Burger Buns	1	4s	1	1.14	1.14	A	1.49	23.5%
035041	Baker St Plain Burger Buns	1	6s	2	1.09	2.18	A	1.49	26.8%
112513	Baker St Hot Dog Rolls	1	5s	1	1.09	1.09	A	1.49	26.8%
179563	HS Half Baguette White PM69	1	300g	3	0.49	1.47	A	0.69	29.0%
179566	HS Petit Pains White PM69	1	300g	3	0.49	1.47	A	0.69	29.0%
199824	Snax on the Go Veg Sandwich	9	140g	1	6.93	6.93	A	1.29	40.3%

BOOKER  
 CASH & CARRY  
 PAID  
 WITH THANKS

/CONT

# BOOKER

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Booker is the trading name of Booker Limited  
 Registered Office: Equity House, Inghilborough Road, Welldingborough, Northants NN8 1LT  
 Telephone: 01933 371000  
 Registered in England Number 197380 VAT Number G7 843 9115 31

BRANCH 208

GATESHEAD  
 Team Valley Trad Est  
 Gateshead  
 Tyne & Wear

NE11 0RH TEL : 01914 821114  
 FAX : 0191 4823932

CUSTOMER MRS GADILRAJH  
 G&G RETAILERS  
 20 DENE BURN TERRACE  
 CONSETT COUNTY DURHAM  
 DH8 8BD TEL:

INVOICE NUMBER 1087436 PAGE 01  
 DATE 20/02/16 TIME 13:45  
 TILL 10 OPERATOR 112

CODE	DESCRIPTION	PACK SIZE	QTY	PRICE	VALUE	VAT	STD RRP	PO%
196058	Carlton SK PM634	10 19s	1	49.66	49.66	B	6.34	6.0%
196074	L&B KS Blue Ice Cap PM689	10 19s	1	54.54	54.54	B	6.89	5.0%
199245	Sterling KS Dual PM699	10 17s	2	55.19	110.38	B	6.99	5.3%
199245	Sterling KS Dual PM699	10 17s	1	55.19	55.19	B	6.99	5.3%
200347	Players KS PM343	20 10s	1	54.20	54.20	B	3.43	5.2%
200353	Players SK PM343	20 10s	1	54.20	54.20	B	3.43	5.2%
200354	Players SK PM640	10 18s	1	49.05	49.05	B	6.40	8.0%
200369	Richmond KS PM780	10 19s	3	62.11	186.33	B	7.80	4.4%
200373	Richmond KS Smooth PM780	10 19s	1	62.11	62.11	B	7.80	4.4%
200374	Richmond SK PM442	20 10s	1	70.39	70.39	B	4.42	4.4%
200375	Richmond SK PM785	10 19s	1	62.49	62.49	B	7.85	4.5%
200479	JPS SK Blue PM415	20 10s	1	65.59	65.59	B	4.15	5.2%
200505	JPS KS Blue PM735	10 19s	4	58.59	234.36	B	7.35	4.3%
200506	JPS KS Blue PM412	20 10s	3	65.90	197.70	B	4.12	4.0%
200537	L&B KS Blue PM710	10 19s	3	56.29	168.87	B	7.10	4.9%
201709	Players KS Crushball PM333	20 10s	1	52.43	52.43	B	3.33	5.5%
202097	Carlton KS PM343	20 10s	1	53.73	53.73	B	3.43	6.0%
200525	L&B KS Original PM860	10 20s	3	68.45	205.35	B	8.60	4.5%
200526	L&B KS Original PM458	20 10s	3	71.71	215.13	B	4.58	6.1%
200529	L&B KS Fresh Burst PM860	10 20s	1	68.45	68.45	B	8.60	4.5%
082131	Regal K/S	10 20s	1	76.75	76.75	B	9.79	5.9%
135373	Golden Virginia Smth H/Pk: 8g	10 8g	1	23.35	23.35	B	3.04	7.8%
188266	Gold Leaf PM417	10 12.5g	1	31.27	31.27	B	4.17	10.0%

TOBACCO SUB-TOTAL : ITEMS 37 GOODS : 2201.52 EXC.VAT

\*077696 FS Energy Drink PM35 24 250ml 0.00 FREE B 0.35

RETAIL GROCERY SUB-TOTAL : ITEMS 2 GOODS : 0.00 EXC.VAT

TOTAL ITEMS:	39					TOTALS:	GOODS	2201.52
RATE	GOODS	MULT	NETT	VAT		VAT	440.30	
A: 0.00	0.00	0.00	0.00	0.00				
B: 20.00	2201.52	0.00	2201.52	440.30				
INVOICE TOTAL							2641.82	

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# BOOKER

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BRANCH 208

CUSTOMER

MRS

GAPILRAJH

INVOICE NUMBER 0356472 PAGE 02

DATE 20/02/16 TIME 13:54

Booker is the trading name of Booker Limited  
Registered Office Equity House, Irthlingborough Road, Wellingborough, Northants NN8 1LT  
Telephone: 01933 371600  
Registered in England. Number 197383. VAT Number GB 848 9315 81

CODE	DESCRIPTION	PACK SIZE	QTY	PRICE	VALUE	VAT	RRP	POR
143589	On the Go S/Fired Ckn Burger	4 127g	1	3.20	3.20	A	1.00	20.0%
149999	On The Go Hot Dog	4 145g	1	3.20	3.20	A	1.00	20.0%
147795	DFE Chicken Bites	1 200g	4	0.67	2.68	A	1.00	33.0%
CHILLED		SUB-TOTAL	ITEMS	30	GOODS :	100.23	EXC.VAT	
183803	Smirnoff Red PM479	6 20cl	1	19.99 P	19.99	B	4.79	16.5%
173815	Glens Vodka	6 70cl	2	49.99	99.98	B	13.29	24.8%
WINES SPIRITS BEERS		SUB-TOTAL	ITEMS	3	GOODS :	119.97	EXC.VAT	
099536	ES U/S R/L Back Bacon PM100	6 150g	1	4.20	4.20	A	1.00	30.0%
112686	ES Smkd R/L Back Bacon PM100	6 150g	1	4.20	4.20	A	1.00	30.0%
MEAT		SUB-TOTAL	ITEMS	2	GOODS :	8.40	EXC.VAT	
*** MULTIBUYS SAVED YOU ***			3.50					

TOTAL ITEMS:	72				
RATE	GOODS	MULT	NETT	VAT	TOTALS: GOODS
A: 0.00	108.63	0.00	108.63	0.00	388.82
B: 20.00	283.69	3.50	280.19	56.04	56.04
					INVOICE TOTAL
					444.86

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www.booker.co.uk

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 Telephone: 01833 371000  
 Registered in England. Number 191383 VAT Number GB 848 5315 81

BRANCH 208

GATESHEAD  
 Team Valley Trad Est  
 Gateshead  
 Tyne & Wear

NE11 0RH TEL : 01914 821114  
 FAX : 0191 4823932

CUSTOMER MRS GAPILRAJH  
 G&G RETAILERS

INVOICE NUMBER 0449890 PAGE 01

DATE 27/02/16 TIME 13:35

TILL 04 OPERATOR 124

CODE	DESCRIPTION	PACK SIZE	QTY	PRICE	VALUE	VAT	STD RRP	POR
130101	Yorkshire Tea Bags PM249	5 80s	1	9.99	9.99	A	2.49	19.8%
158275	T&L Granulated Sugar	10 500g	1	6.29	6.29	A	0.89	29.3%
149966	Mountain Dew PM99	12 500ml	1	4.99 P	4.99	B	0.99	49.6%
100437	Lucozade Sport R/Berry PM99	12 500ml	1	5.99 P	5.99	B	0.99	39.5%
178132	HS NAS Apple/Blackcrt PM70	12 1ltr	1	4.65	4.65	B	0.70	33.6%
178133	HS NAS Orange PM70	12 1ltr	1	4.65	4.65	B	0.70	33.6%
111197	HZ Ravioli PM125 2/PM200	6 400g	1	4.99 P	4.99	A	1.25	33.5%
111107	Walkers Crisp Tomato Ketchup	48 32.5g	1	13.99 P	13.99	B	0.57	38.6%
120038	HS Cheese Puffs PM59 2/100	12 75g	1	3.49	3.49	B	0.59	40.8%
120439	HS Salt Ving Stks PM59 2/100	12 75g	1	3.49	3.49	B	0.59	40.8%
120452	HS Onion Rings PM59 2/100	12 75g	1	3.49	3.49	B	0.59	40.8%
120453	HS Bacon Rashers PM59 2/100	12 75g	1	3.49	3.49	B	0.59	40.8%
143069	HS Prawn Cracker PM59 2/P100	12 40g	1	4.19	4.19	A	0.59	40.8%
190158	HS Burger Bites PM59 2/PM100	12 75g	1	3.49	3.49	B	0.59	40.8%
143074	HS Swt Popcorn PM59 2/PM100	12 60g	1	3.49	3.49	B	0.59	40.8%
049591	HS Ibuprofen Tablets	12 16s	1	2.95	2.95	B	0.59	50.0%
050367	HS Paracetamol Tabs BP	12 16s	1	2.29	2.29	B	0.59	61.2%
103844	ES Dog CIG Chicken PM100	6 1.24kg	1	3.45	3.45	B	1.00	31.0%
103845	ES Dog CIG Beef PM100	6 1.24kg	1	3.45	3.45	B	1.00	31.0%

RETAIL GROCERY SUB-TOTAL : ITEMS 19 GOODS : 92.81 EXC.VAT

099752	Sweet Dreams Choc Lick Jar	1 3Kg	1	8.99	8.99	B	25.50	57.7%
099755	Sweet Dreams Choc Nibbles	1 3Kg	1	8.99	8.99	B	25.50	57.7%
032599	Frys Turkish Delight Std	48 bar	1	21.49	21.49	B	0.69	22.1%
*172436	Lindor Treat Bar PM75	24 38g	1	11.49	11.49	B	0.75	23.4%
940140	Kinder Bueno	30 43g	1	12.99 P	12.99	B	0.73	28.8%
130744	HS Choc Raisins PM59 2/PM100	12 85g	1	3.99	3.99	B	0.59	32.4%
130745	HS Chc Mini Egg PM59 2/PM100	12 85g	1	3.99	3.99	B	0.59	32.4%
130783	HS Choc Honeycomb PM59 2/100	12 85g	1	3.99	3.99	B	0.59	32.4%
111187	HS Choc Caramel PM59 2/PM100	12 85g	1	3.99	3.99	B	0.59	32.4%
111188	HS Choc Peanuts PM59 2/PM100	12 85g	1	3.99	3.99	B	0.59	32.4%
134417	CDM Caramel PM100	13 120g	1	8.09 P	8.09	B	1.00	25.3%
101346	Maoam Stripes	12 160g	1	6.99	6.99	B	1.29	45.8%

CONFECTIONERY SUB-TOTAL : ITEMS 12 GOODS : 98.98 EXC.VAT

194406	Glens Vodka PM699	6 35cl	1	25.99	25.99	B	6.99	25.6%
194408	Glens Vodka PM429	48 20cl	1	129.99	129.99	B	4.29	24.2%
173815	Glens Vodka	6 70cl	1	45.99 P	45.99	B	13.29	30.8%
173815	Glens Vodka	6 70cl	1	45.99 P	45.99	B	13.29	30.8%
201304	Fosters PM4/449	6 4x500ml	5	17.59	87.95	B	4.49	21.6%

WINES SPIRITS BEERS SUB-TOTAL : ITEMS 9 GOODS : 335.91 EXC.VAT

*103072	Pre Pack Potatoes	10 2kg	1	6.99	6.99	A	0.99	29.4%
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FRUIT & VEG SUB-TOTAL : ITEMS 1 GOODS : 6.99 EXC.VAT

/CONT

# BOOKER

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Booker is the trading name of Booker Limited  
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NE11 0RH TEL : 0191 4821114  
 FAX : 0191 4823932

CUSTOMER MRS GAPILRAJH  
 G&G RETAILERS

INVOICE NUMBER 1097909 PAGE 01

DATE 27/02/16 TIME 13:45

TILL 10 OPERATOR 112

CODE	DESCRIPTION	TEL:	PACK SIZE	QTY	PRICE	VALUE	VAT	STD RRP	POR
196058	Carlton SK PM634		10 19s	1	49.66	49.66	B	6.34	6.0%
196065	Players KS PM614		10 18s	1	47.05	47.05	B	6.14	8.0%
196065	Players KS PM614		10 18s	1	47.05	47.05	B	6.14	8.0%
196074	L&B KS Blue Ice Cap PM689		10 19s	1	54.54	54.54	B	6.89	5.0%
199245	Sterling KS Dual PM699		10 17s	4	55.19	220.76	B	6.99	5.3%
199962	Sterling KS Dual PM413		20 10s	1	65.19	65.19	B	4.13	5.3%
199962	Sterling KS Dual PM413		20 10s	2	65.19	130.38	B	4.13	5.3%
199997	Windsor Blue KS PM685		10 18s	1	54.58	54.58	B	6.85	4.4%
200344	Players KS Crushball PM640		10 18s	1	49.05	49.05	B	6.40	8.0%
200348	Players SK Menthol PM640		10 18s	1	50.69	50.69	B	6.40	5.0%
200367	Richmond KS Menthol PM438		20 10s	1	69.80	69.80	B	4.38	4.4%
200368	Richmond KS PM438		20 10s	1	69.80	69.80	B	4.38	4.4%
200369	Richmond KS PM780		10 19s	2	62.11	124.22	B	7.80	4.4%
200478	JPS SK Blue PM735		10 19s	1	58.59	58.59	B	7.35	4.3%
200505	JPS KS Blue PM735		10 19s	4	58.59	234.36	B	7.35	4.3%
200506	JPS KS Blue PM412		20 10s	1	65.90	65.90	B	4.12	4.0%
200537	L&B KS Blue PM710		10 19s	2	56.29	112.58	B	7.10	4.9%
202094	Carlton KS PM660		10 19s	1	51.70	51.70	B	6.60	6.0%
202097	Carlton KS PM343		20 10s	1	53.73	53.73	B	3.43	6.0%
200525	L&B KS Original PM860		10 20s	8	68.45	547.60	B	8.60	4.5%
VOID NOTE									
200525	L&B KS Original PM860		10 20s	4	68.45	273.80	B		
200526	L&B KS Original PM458		20 10s	1	71.71	71.71	B	4.58	6.1%
200526	L&B KS Original PM458		20 10s	1	71.71	71.71	B	4.58	6.1%
199973	Amber Leaf 3 in 1 PM385		10 10g	1	29.39	29.39	B	3.85	8.4%
229891	Swan Menthol Ex Slim Filters		20 box	1	9.15	9.15	B	0.99	44.5%

TOBACCO SUB-TOTAL : ITEMS 36 GOODS : 2065.39 EXC.VAT

\* 196 ES Energy Drink PM35 24 250ml 2 0.00 FREE B 0.35

RETAIL GROCERY SUB-TOTAL : ITEMS 2 GOODS : 0.00 EXC.VAT

TOTAL ITEMS:	38					TOTALS:	GOODS	2065.39
RATE	GOODS	MULT	NETT	VAT		VAT	413.08	
A: 0.00	0.00	0.00	0.00	0.00				
B: 20.00	2065.39	0.00	2065.39	413.08				
INVOICE TOTAL							2478.47	

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# BESTWAY WHOLESALE



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Page:1

RN T/A G & G RETAILERS

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OVE  
T  
D

36 - Team Valley  
Bestway Northern LTD.  
262 Princessway Central  
Team Valley Trading Estate  
Gateshead, NE11 0TU  
Tel : 0191 4877779  
VAT Reg No.538938689

AT Reg No.

Invoice No :311946 Time&Date:15:25 on 10-Feb-2016  
Payment Method:CA Invoice No :311946 Time&Date:15:25 on 10-Feb-2016  
Cashier ID :4 Cashier Name:Security Card - D

DESCRIPTION	PACK SIZE	UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE	RRP	GM%	VAT
JACK DANIELS	20CL	6x	1	34.15	34.15	8.39	18.59	A
IMPERIAL STAG WHISKY	35CL	24x	1	116.99	116.99P	6.99	16.32	A
GLENS VODKA	70CL	6x	1	50.99	101.98	12.19	16.34	A
SMIRNOFF 41379	70CL	6x	1	60.49	60.49	13.79	12.27	A
V KAT SCHNAPPS	1LTR	6x	1	39.99	39.99	9.49	15.72	A
RUSSIAN STANDARD VODKA	70CL	6x	1	61.49	61.49	14.99	17.96	A
IRISH MEADOW	70CL	6x	1	26.99	53.98	5.79	6.77	A
BACARDI C/BLANCA 41499	70CL	6x	1	64.99	64.99	14.99	13.29	A
Trolley:1 Cases:10 Singles:0	Total:10	SUB TOTAL		534.06		INC VAT	640.87	
NURUFEN CAPLETS 12/11	12 S		12	14.35	14.35	2.25	36.22	A
BESTIN IBUPROFEN	16 S		12	2.99	2.99	0.42	28.81	A
BESTIN PARACETAMOL	16 S		12	1.99	1.99	0.28	28.93	A
BUBBALUD STRAWBERRY	STD		60	1.79	1.79	0.05	28.40	A
BUBBALUD COLA	STD		60	1.79	1.79	0.05	28.40	A
EXTRA BUBBLEMINT BOTTLE 46PCE			6	7.69	7.69	1.99	22.71	A
Trolley:2 Cases:0 Singles:6	Total:6	SUB TOTAL		30.60		INC VAT	36.72	
FAMOUS GROUSE 41599	70CL		1	11.29	22.58	15.99	15.27	A
CAPTAIN MORGAN RUM	70CL		1	12.75	12.75	17.49	12.52	A
BBAAMS ALL IN ONE 6/5 160ML			6	16.99	16.99	4.85	29.94	A
BENYLIN ADULT CHESTY 6/5150ML			6	13.89	13.89P	3.99	30.38	A
CALPOL INFANT S/FREE 100ML			6	9.29	9.29P	3.29	43.53	A
Trolley:3 Cases:0 Singles:6	Total:6	SUB TOTAL		75.50		INC VAT	90.60	

TOTAL: Cases:10 Singles:12 Total:22 TOTAL GOODS 640.16  
 GOODS 640.16  
 RATE GOODS VAT  
 20.00 640.16 128.03  
 VAT-TOTAL 128.03

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BESTWAY WHOLESALE



**DURHAM COUNTY COUNCIL – TRADING STANDARDS SERVICE**

**RECORD OF TAPE RECORDED INTERVIEW**  
Continuation Page No. 1

**INTERVIEWEE:** Gapilrajh Sundarlingham      **TAPE NO(S):** 16/7/GB

**DURHAM COUNTY COUNCIL – TRADING STANDARDS SERVICE**

**RECORD OF TAPE RECORDED INTERVIEW**

**POLICE AND CRIMINAL EVIDENCE - CODE OF PRACTICE 'E'**

<b>Person Interviewed:</b> Gapilrajh Sundarlingham		<b>Exhibit No:</b> GJB/3
<b>Place of Interview:</b> Annand House, Meadowfield, County Durham		<b>No. of pages:</b> 5
<b>Date of Interview:</b> 4 <sup>th</sup> March 2016		<b>Officer's Signature</b>
<b>Time Commenced:</b> 12:13	<b>Duration of Interview:</b> 41.20	
<b>Time Concluded:</b> 12:55	<b>Tape Reference Nos:</b> 16/7/GB	
<b>Interviewing Officer(s):</b> Graham Blount, DC2065 Dean Haythorntwaite		
<b>Other persons present:</b> None		

<b>Tape Counter Times</b>	<b>Person Speaking</b>	<b>Text</b>
0.00		Mr Blount introduced the interview confirming the persons present, time, date and location of the interview. Mr Sundarlingham confirmed his name and gave his home address as _____ and his date of birth as _____. Mr Blount continued by explaining how the interview would be conducted and that it was being recorded. Mr Blount then explained that the reason for the interview was to investigate the events that took place on 11 <sup>th</sup> February, 2016, at Deneburn Stores, Consett, County Durham and the seizure of a quantity of Glens Vodka.
1.34	GJB	I must caution you and tell you that you do not have to say anything, but it may harm your defence if you fail to mention when questioned something which you later rely on in court. Anything you do say may be given in evidence. You are not under arrest, and you are free to leave at any time. The time is now 12.15
2.15		Mr Blount then carried on to explain the caution in detail to ensure Mr. Sundarlingham understood. Mr. Blount also confirmed that Mr. Sundarlingham was not represented and Mr. Blount reiterated that Mr. Sundarlingham was entitled to legal representation, Mr. Sundarlingham confirmed that he was happy to continue without legal representation. Mr. Sundarlingham confirmed that his home address, and date of birth stated earlier was correct. Mr. Blount outlined the legislation that the investigation was being carried out under and some of the areas that he would be questioning Mr. Sundarlingham on. Mr. Blount then went on to outline the basic facts he then asked Mr. Sundarlingham to explain in detail how he came to be in possession of the bottles of Glens Vodka that were seized.

**DURHAM COUNTY COUNCIL – TRADING STANDARDS SERVICE**

**RECORD OF TAPE RECORDED INTERVIEW**  
Continuation Page No. 2

**INTERVIEWEE:** Gapilrajh Sundarlingham      **TAPE NO(S):** 16/7/GB

Tape Counter Times	Person Speaking	Text
4.25		Mr. Sundarlingham explained that he had purchased the shop at the beginning of May 2015 (22 <sup>nd</sup> ) and that he had no idea where it came from, he then suggested it might be old stock that had been in the stockroom from the previous owner, or that he often purchased from three or four cash and carries. He again claimed that he did not know where it had come from.
5.13		Mr. Blount then asked Mr. Sundarlingham to explain about how he managed the business and to explain why he gave an address in London.
		Mr. Sundarlingham explained that he ran the shop during the week and then went home to                    at the weekend to stay with his wife and family. During the week he stops in the flat connected to the shop. It is his first off licence but did own a petrol station which he had run for two years. He does hold a personal licence
6.10		Mr Blount asked if there was a stock inventory supplied when Mr. Sundarlingham had purchased the shop. He stated he only got a stock price and that it did not specify brands or quantities. Mr Sundarlingham confirmed that he had bought the shop from                    the previous premises licence holder. He employs two staff. He confirmed that he is the current premises licence holder and the designated premises supervisor. Mr Sundarlingham then produced the invoices for the business since taking over in May 2015.
10.00		Mr. Blount then asked about the purchase of stock for the business, and in particular the purchase of vodka. Mr Sundarlingham stated that he normally bought stock at the same rate, but if it is on promotion he will buy a larger quantity, but if it is not on promotion he will continue to buy as he cannot afford to run out of stock. When asked Mr. Sundarlingham stated that he normally sold a box, which is 6 bottles, a week
		Mr Blount showed Mr. Sundarlingham an example of a genuine bottle and then one of the bottles seized from the shop, Mr. Sundarlingham stated that he hadn't noticed the difference. He confirmed that the cash and carry's he used were Booker, Bestway, and Costco, he has no regular one it is whichever offers the best deals. He denied being offered alcohol by people visiting the shop. He stated that he trusted the staff not to buy anything when he wasn't there as the shop has CCTV.
12.47		Mr Sundarlingham asked what was wrong with the vodka that had been seized. Mr. Blount then explained the reasons why the product had been seized.



**DURHAM COUNTY COUNCIL – TRADING STANDARDS SERVICE**

**RECORD OF TAPE RECORDED INTERVIEW**

Continuation Page No. 3

**INTERVIEWEE:** Gapilrajh Sundarlingham      **TAPE NO(S):** 16/7/GB

Tape Counter Times	Person Speaking	Text
		DC Haythornthwaite then asked to clarify some of the areas that had been discussed up to this point. He confirmed the details of the premises address, and that Mr. Sundarlingham's wife was the owner of the premises. Mr. Sundarlingham then was asked if he went home every weekend and he stated that not every weekend.
		DC Haythornthwaite then asked what the business trading hours were. Mr. Sundarlingham stated that the business is licenced 24 hours a day, 7 days a week, but normal week days the business would be open 6 in the morning until midnight, and Friday and Saturday they would be open 24 hours, and Sunday they would close at 2 in the morning. Mr. Sundarlingham stated that either he or , one of his staff would be responsible for locking and unlocking the shop. Mr. Sundarlingham also stated he did most of the stock purchasing, but occasionally if he wasn't available, would go to the cash and carry. When asked he stated would purchase stock about 20% of the time, and that stock was purchased every week, and occasionally twice a week.
17.55		DC Haythornthwaite then asked Mr. Sundarlingham to explain the process of getting the stock from the cash and carry to shop shelves. Mr. Sundarlingham explained the process for Bestway was that he went to the site, purchased the stock and it is then delivered by Bestway, and then the staff put the stock out. The other cash and carry's he brings the stock back to the shop in his own vehicle. Mr. Sundarlingham stated they had a small stock room but most of the stock is kept on the shop floor.
		DC Haythornthwaite then asked about the purchase of the stock and shop, Mr. Sundarlingham stated that a stocktaker, A1 Stocktakers had handled the inventory during the sale. There followed a discussion as to the methodology of the stocktaking and purchase of the shop. Mr Sundarlingham stated he had got a friend who has a business to look over the quantities in the report presented by A1 and that they had said it was right, but he did not carry out a full stock take himself when he took over the business.
23.40		DC Haythornthwaite asked Mr. Sundarlingham if he could remember for certain if there was any Glens vodka in the shop when he took over, he replied that he thought there was but couldn't say for certain, but he did remember all the shelves were full when he took over.
		Further discussion as to Mr. Sundarlingham's experience, he produced his personal licence

**DURHAM COUNTY COUNCIL – TRADING STANDARDS SERVICE**

**RECORD OF TAPE RECORDED INTERVIEW**

Continuation Page No. 4

**INTERVIEWEE:** | Gapilrajh Sundarlingham | **TAPE NO(S):** | 16/7/GB

Tape Counter Times	Person Speaking	Text
		issued by the London Borough of Harrow, and that it had been issued in 2011.
		DC Haythornthwaite then summarised what had been said to this point.
27.19		Mr Blount then outlined his initial findings having looked through the invoices that Mr. Sundarlingham had provided, and that he had checked all the purchases of 70cl bottles of Glens. The first purchase was 8 <sup>th</sup> June 2015, and every two weeks or so, 6 or 12 bottles are purchased. The pattern then stops on the 28 <sup>th</sup> October 2015. There is a gap then until 20 <sup>th</sup> February 2016 when the pattern of 12 bottles starts again. Mr. Blount asked for an explanation of the gap.
		Mr Sundarlingham stated it may have been that he purchased a large quantity on promotion and had been selling during that period.
		Mr. Blount pointed out that the shop was buying 6 to 12 bottles a fortnight, and if, as Mr. Sundarlingham had originally stated the offending bottles were old stock bought from the previous owner surely they would have all been sold within a month of taking the shop over?
		Mr. Sundarlingham then said it may have been in the stockroom and only just put out when the stockroom was cleaned or checked.
23.05		DC Haythornthwaite asked if that was the case with the Glens, and Mr. Sundarlingham stated he didn't think so, but they had found other stuff when they had cleaned out the stockroom, so it may have happened.
30.05		When asked, Mr. Sundarlingham stated he did not have permission to use the Glens Trademark, but he also stated that he didn't understand what a trade mark was. Mr. Blount then explained the offences surrounding illegal use of trade marks. Mr. Blount gave Mr. Sundarlingham the opportunity to tell him where it came from, and he stated that he did not know where it had come from.
		Mr. Blount then put it to Mr. Sundarlingham was it possible that someone could have come into the shop with two cases and sold them. Mr. Sundarlingham said he was 90% sure that had not happened, and he conceded that it could have happened.

**DURHAM COUNTY COUNCIL – TRADING STANDARDS SERVICE**

**RECORD OF TAPE RECORDED INTERVIEW**

Continuation Page No. 5

**INTERVIEWEE:** Gapilrajh Sundarlingham      **TAPE NO(S):** 16/7/GB

Tape Counter Times	Person Speaking	Text
		Mr. Blount summarised what had been said, and asked Mr. Sundarlingham if he had any other invoices to cover the period that there is no purchases of Glens vodka. Mr. Blount asked Mr. Sundarlingham to explain again why there was a gap in the purchasing over the Christmas period. Mr. Sundarlingham said he would check with his accountant.
		DC Haythornthwaite asked about the EPOS till system that was in the shop to find out if the till recorded the sales of stock and was it possible to generate a report to see how much vodka had been sold. Mr. Sundarlingham said that he didn't use that facility but he is not sure if it was possible to do that.
36.53		Mr. Blount asked if Mr. Sundarlingham wished to add or clarify anything? He didn't.
38.38		DC Haythornthwaite put it to Mr. Sundarlingham that having looked at the invoices that the shop seems to buy the same amount and at the same price, he then asked did he remember a point at all when he felt that he had so much Glens in stock that he would stop buying it. He said he didn't really remember that. DC Haythornthwaite then put it to him that he had said he bought it when it was on offer but looking at the invoices that doesn't seem to be the case.
		Mr Blount again reiterated the lack of invoices. DC Haythornthwaite gave Mr. Sundarlingham the opportunity to admit anything that he hadn't already said that may be relevant. He did not. Mr. Blount handed Mr. Sundarlingham the statutory notice and ended the interview at 12.55.

Head Office  
 Weybridge Stadium Industrial Estate, First Way, Weybridge, Middlesex, HA9 0TU T 020 8963 8181 F 020 8962 4400  
 E accounts@dhamecha.com W www.dhamecha.com



Trade Card

Cheque  
 Dhamecha Cash & Carry  
 67th Fitcham Road,  
 Crawley, Surrey.  
 CR4 3AF  
 Tel: 0044 1483 8181  
 VAT Reg No. 927135213

Customer Reg No.

Account: 835 Current Method of Payment: 14 Invoice No: 1157047 Trade Date: 11/05/14 on 11/05/14  
 Bill Number: 13 Card No: 14 Dealer Name: Operator: 3

ITEM CODE	DESCRIPTION	PACK UNIT OF SALE	QUANTITY	PRICE	EXT. PRICE		
71423	B I W SLIC 5% 1.47% 10's	10	1	41.80	41.80		
711393	WHIPPIN 1/2 5% 1.10% 10's	10	1	55.65	55.65		
72323	IPS 1/2 SLIC 7.14% 10's	10	1	55.65	55.65		
74200	B V CLASSIC 5.05% 10's	10	1	39.25	39.25		
Trolley: Cassis: Single:							
41423	WHIPPIN 1/2 5% 1.10% 10's	10	1	7.27	7.27		
111393	WHIPPIN 1/2 5% 1.10% 10's	10	1	5.49	5.49		
240763	WHIPPIN 1/2 5% 1.10% 10's	10	1	5.49	5.49		
040213	WHIPPIN 1/2 5% 1.10% 10's	10	1	5.49	5.49		
040200	WHIPPIN 1/2 5% 1.10% 10's	10	1	7.95	7.95		
Trolley: Cassis: Single:							
11873	SIENA 100% 70cl	1	1	5.45	5.45		
11873A	SIENA 100% 70cl	1	1	5.45	5.45		
011502	SIENA 100% 70cl	1	1	12.43	12.43		
011510	SIENA 100% 70cl	1	1	7.85	7.85		
140231	APOLLO SPECTA 70cl	1	1	6.97	6.97		
140232	APOLLO SPECTA 70cl	1	1	6.97	6.97		
140233	APOLLO SPECTA 70cl	1	1	6.97	6.97		
140234	APOLLO SPECTA 70cl	1	1	6.97	6.97		
140235	APOLLO SPECTA 70cl	1	1	6.97	6.97		
011510	SIENA 100% 70cl	1	1	7.85	7.85		
075001	HENNESSY 50cl	1	1	6.75	6.75		
075002	HENNESSY 50cl	1	1	6.75	6.75		
112910	JAMA 50cl 50cl 50cl	1	1	35.93	35.93		
Trolley: Cassis: Single:							
CASH TOTAL:				Cases: 1	Single: 21	Total: 22	TOTAL GROSS 157.29

CODE DATE PRICE VOT

1 20.00 35.11 04.81

2 0.00 35.29 0.00

VAT-TOTAL 22.81

INVOICE-TOTAL 134.48

Thank You for shopping at Dhamecha - Crawley



DURHAM CONSTABULARY

Form MG11(T)  
(amended Jun 07)

Witness Statement

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

URN

Statement of **Michelle WILLIAMSON**

Age **Over 18** (if over 18 insert 'over 18').

Occupation: Specialist Licensing PCSO

This statement (consisting of 1 page(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.

Signature:

Date: - 23<sup>rd</sup> May 2016

Tick if witness evidence is visually recorded  (supply details on rear)

I am a serving Police Community Support Officer within Durham Constabulary working from the Harm Reduction Unit, Meadowfield.

At 14:44hrs on Thursday 11<sup>th</sup> February 2016, I attended Deneburn Stores, 20 Deneburn, The Grove, Consett with Durham County Councils Trading Standards Officer Graham BLOUNT to carry out a general licensing enforcement visit. At this time the person in charge of the store at this time was \_\_\_\_\_, dob \_\_\_\_\_

During the visit BLOUNT's attention was drawn to a number of bottles of Glens vodka on the shelves. On closer inspection of one of the bottles looked like the rear label had been removed and another fitted. BLOUNT spoke \_\_\_\_\_ if the owner of the store was available to which we got told no, he was out. BLOUNT then informed \_\_\_\_\_ that he was seizing the 9 bottles of Glens that was on display and completed the relevant paperwork. \_\_\_\_\_ PCSO 6832.

Signature:

PROTECT  
Signature witnessed by:

PTO

**APPENDIX 4 –  
STATEMENT OF LICENSING POLICY**

## **7.0 The Prevention of Crime and Disorder**

7.1 Licensed premises, especially those offering late night / early morning entertainment, alcohol and refreshment may sometimes, if not properly managed, become a source of public nuisance, generating crime and disorder problems.

7.2 As a matter of policy, the Licensing Authority will require every holder of a premises licence, club premises certificate or temporary event notice to be responsible for minimising the impact of crime, disorder and anti-social behaviour by their patrons both on and within the immediate vicinity of their premises, including for example on the pavement, in a beer garden or in a smoking shelter.

7.3 The Licensing Authority recommends that all applicants demonstrate in their Operating Schedules that suitable and sufficient measures, ranging from the design and layout of the premises through to the daily operation of the business have been identified and will be implemented and maintained with the intention of preventing crime and disorder. Procedures to deal with drunken customers, violence and anti social behaviour in and outside premises and the provision of closed circuit 14 television in certain premises should be considered by applicants, licensees and event organisers when addressing this issue.

7.4 The Licensing Authority encourages Personal Licence holders to actively participate in established "Pubwatch" schemes, where issues relating to crime and disorder can be addressed. The Licensing Authority support involvement in "Best Bar None" initiative which enables premises to demonstrate good safe operating procedures. Such schemes have been very successful in reducing the negative impact of alcohol across a range of circumstances.

7.5 The Licensing Authority recognises and promotes effective and responsible management of all licensed and authorised premises through competent and efficient and regular instruction, recorded training, supervision of staff and the adoption of good practice, such as 'Challenge 25'. These are considered to be among the most important control measures for the achievement of all Licensing Objectives. The Licensing Authority will take a positive view of anyone who invests in appropriate training, and in particular nationally accredited qualifications tailored to the Licensing sector. Training records should be kept available for inspection by all enforcement agencies.

7.6 The application for premises licence must identify a Designated Premises Supervisor (DPS) who must also hold a Personal Licence. The DPS does not have to be present on the premises at all times when alcohol is being sold. However, the DPS and Premises Licence Holder remain responsible for the premises at all times. It is important that there is an accountable, responsible person present when alcohol is being sold or supplied to ensure, for example, that alcohol is not sold to persons who have had too much to drink, or to those under the age of 18 years.

7.7 Someone should always be present on premises or at an event during times when licensable activities are taking place who can discuss any problems or issues arising from the licensable activities offered on the premises with officers from Licensing Authority and Police. The Licensing Authority considers it to be good

practice if the DPS or Premises Licence Holder is present in the licensed area of the premises:

- Between 22:00 hours and closing time, when the premises is one that regularly opens after midnight for both regulated entertainment and the sale or supply of alcohol for consumption on the premises.
- At all times when the premises is a "vertical drinking establishment" where little or no seating is provided.
- At times where there is a substantial increase in customers i.e. for televised major sporting events etc.

7.8 The Licensing Authority will only impose a maximum number of people that can attend premises or an event where there is a clear and justifiable need in respect of that particular premises or event. Any such decision will be based on the nature and style of the operation. The Licensing Authority will consider information provided by the applicant and any other body, in particular the Council's Building Control Section, Environmental Health Section and the Durham and Darlington Fire and Rescue Service before setting a maximum number. Applicants will be expected to detail the arrangements that would be put in place e.g. provision of door staff to ensure that the permitted number of people attending the premises or event will not be exceeded.

7.9 Whenever security operatives/door supervisors are employed at licensed premises to carry out security functions they must be licensed by the Security Industry Authority (SIA). If a licensee directly employs security operatives they will need to be licensed by the SIA as a supervisor/manager.

7.10 The numbers of licensed door supervisors, both male and female, required at any premises will be dependent upon the nature of the activities licensed and the characteristics and capacity of the establishment and hours of trading.

7.11 In addition to the requirement of the Licensing Authority to promote the Licensing Objectives, the Council also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can do to prevent crime and disorder in its area and to consider crime and disorder in its decision making process.

7.12 Toughened/Safety Glass Policy: Licensed venues that provide the sale or supply of alcohol for consumption on the premises should consider the introduction of toughened/safety glass. This policy expectation applies to those premises that would be considered as carrying a higher risk for potential crime and disorder. In particular it is expected in premises considered to be high volume vertical drinking establishments and those premises open beyond midnight in areas where there is a high concentration of venues (but not premises in those areas that are viewed as low risk in this context).

7.13 Drugs/Knives/Weapons: The Licensing Authority will expect licensees to take all reasonable steps to prevent the presence of drugs on licensed premises and to take appropriate steps to prevent drugs changing hands within the premises in order to prevent tragedies as a result of drug misuse. The Licensing Authority will expect licensees to be familiar with the Home Office Drug Strategy booklet entitled Safer



Clubbing (ISBN 1840827807) or other subsequent editions. The Licensing Authority also expects that licence holders will also take steps to prevent the presence of knives and other weapons on their premises and that a log be kept of all drug, knife and weapon incidents. Licence holders should also consider arranging training for their staff on drugs, knives and weapons and to have policies for dealing with the possession of drugs, knives and weapons and the supply of drugs.

## **22.0 Reviews**

22.1 The Licensing Act provides a mechanism for reviewing premises licences and Club Premises Certificates where problems associated with premises undermine the licensing objectives following grant or variation.

22.2 At any stage during the life of a premises licence or a club premises certificate, an application for a review can be made to the Licensing Authority by any responsible authority, elected Member or any other person. However, where an application for a review is considered to be frivolous vexatious or repetitious or where an application for a review is considered not relevant to the licensing objectives the Licensing Authority will reject it.

22.3 The proceedings set out in the Act for reviewing premises licences and club premises certificates represent a key protection for the community. Unless an application is withdrawn, deemed to be frivolous, vexatious or repetitious or does not relate to the licensing objectives, the Licensing Authority will hold a hearing and take any necessary steps to promote the licensing objectives, such as modification of conditions, exclusion of licensable activities, removal of the designated premises supervisor, suspension of the licence/certificate for up to 3 months or the revocation of the licence/certificate.

22.4 Local residents can request that their licensing authority review a premises licence where activities at licensed premises are undermining one or more of the licensing objectives.

22.5 It is always worth considering other options before requesting a review of a licence, including:

- Talking to those who manage the premises to let them know about the problem and give them the opportunity to address the issues,
- Asking the licensing department at your council to talk to those who manage the premises on your behalf, or
- Talking to the relevant "responsible authority" (e.g. local authority exercising environmental health functions in relation to noise nuisance, or the police in relation to crime and disorder) about the problem.

22.6 If a request for a review of the premises licence is made by e.g. a local resident, they are required to notify the holder of the premises licence or club premises certificate and the "responsible authorities", by sending them a copy of the request, together with any accompanying documents, on the same day as the request is given to the licensing authority. The licensing authority will advertise the review to enable others (responsible authorities or other persons) to comment on it.

Responsible authorities have the option, if they wish, to comment on any application for a review.

22.7 A licensing authority must act on requests for review unless they consider the request to be irrelevant, repetitive, frivolous or vexatious. Frivolous representations would concern minor issues which the licensing authority could not reasonably be required to take any action to remedy. Representations may be considered vexatious if they appear to be intended to cause aggravation or annoyance without reasonable cause.

22.8 The licensing authority will advertise the fact that a request for review of the licence has been received, and allow a period of 28 days for other persons to make representations to it (such representations can be for or against the activities at the premises in question).

22.9 After the period for making representations has expired, the licensing authority will hold a hearing to consider the request unless the request for review has been withdrawn. The request will in most cases be considered by the licensing sub-committee who will hear representations from all parties involved.

22.10 The licensing authority will invite you to attend the hearing and give the applicant for the review the opportunity to address the licensing sub-committee in support of the request for review. They must then give the authority at least 5 working days' notice (prior to the start of the hearing), advising:

- If they will attend the hearing in person,
- Whether they will be represented by someone else (e.g. councillor / MP / lawyer / residents' association representative / friend),
- If they think that a hearing is unnecessary (if, for example, the parties have come to an agreement before the formal hearing), or
- They may also request permission for another person to attend the hearing, and must advise the licensing authority how that person may be able to assist the authority in relation to the request for review

22.11 Once the sub-committee has listened to and considered all views and evidence, it must decide what (if any) action is appropriate to promote the licensing objectives. Actions can include:

- No action,
- Modifying the conditions of the licence (change, add or remove conditions – Including operating hours),
- Excluding a licensable activity from the licence,
- Removing the designated premises supervisor,
- Suspend the licence for a period (not exceeding 3 months), and
- Revoke the licence.

22.12 The Licensing Authority will not expect a premises licence to be reviewed more than once within any 12 month period on similar grounds, except in exceptional circumstances or where it arises following a Closure Order.

22.13 Appeals against the decisions of the Licensing Authority - There is a right of appeal for all parties concerned with the request for review (i.e. the applicant for the review, the premises licence holder or any other person who made relevant

representations in relation to the application). This means that they can appeal to the magistrates' court if they are not happy with the decision of the licensing authority.

22.14 If there is an appeal against a licensing authority's decision, and you are unsuccessful, the magistrates' court can award costs against the appellant if it sees fit. This would mean that they would have to pay other parties' legal costs as well as your own. However, the Magistrates' Association and the Justices' Clerks Society has advised that awarding costs for a licensing appeal should be an **exception** and not a rule, and any resident with reasonable grounds for appeal should not be penalised.

22.15 If the licence holder appeals against the licensing authority's decision, the appeal will be heard by the magistrates' court. The licensing authority will be the respondent to the appeal and may call the person who brought the review (and any other person or responsible authority) as a witness in support of its case. The decision of the licensing authority in relation to the review will be suspended until the appeal is determined.

22.16 An application to appeal the decision must be made within 21 days of the notice of decision.

22.17 In hearing an appeal against the Licensing Authority's decision, the court will have regard to this policy and the guidance issued under Section 182 of the Licensing Act 2003. However, the court would be entitled to depart from both of these documents if it considers it justified so to do.

22.18 In respect of personal licences, appeals must be made to the Magistrates' Court in the area where the licence was issued. Appeals in relation to all other authorisations must be made to the Magistrates' Court where the premises or event is situated.

**APPENDIX 5 –  
SECTION 182 GUIDANCE**

## **S182 GUIDANCE – CRIME AND DISORDER**

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2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).

2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority ("SIA") as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.

2.3 Conditions should be targeted on deterrence and preventing crime and disorder. For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.

2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

## **S182 GUIDANCE- REVIEWS**

11.1 The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.

11.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.

11.3 An application for review may be made electronically, provided that the licensing authority agrees and the applicant submits a subsequent hard copy of the application, if the licensing authority requires one. The licensing authority may also agree in advance that the application need not be given in hard copy. However, these applications are outside the formal electronic application process and may not be submitted via GOV.UK or the licensing authority's electronic facility.

11.4 In addition, the licensing authority must review a licence if the premises to which it relates was made the subject of a closure order by the police based on nuisance or disorder and the magistrates' court has sent the authority the relevant notice of its determination, or if the police have made an application for summary review on the basis that premises are associated with serious crime and/or disorder.

11.5 Any responsible authority under the 2003 Act may apply for a review of a premises licence or club premises certificate. Therefore, the relevant licensing authority may apply for a review if it is concerned about licensed activities at premises and wants to intervene early without waiting for representations from other persons. However, it is not expected that licensing authorities should normally act as responsible authorities in applying for reviews on behalf of other persons, such as local residents or community groups. These individuals or groups are entitled to apply for a review for a licence or certificate in their own right if they have grounds to do so. It is also reasonable for licensing authorities to expect other responsible authorities to intervene where the basis for the intervention falls within the remit of that other authority. For example, the police should take appropriate steps where the basis for the review is concern about crime and disorder or the sexual exploitation of children. Likewise, where there are concerns about noise nuisance, it is reasonable to expect the local authority exercising environmental health functions for the area in which the premises are situated to make the application for review.

11.6 Where the relevant licensing authority does act as a responsible authority and applies for a review, it is important that a separation of responsibilities is still achieved in this process to ensure procedural fairness and eliminate conflicts of interest. As outlined previously in Chapter 9 of this Guidance, the distinct functions of acting as licensing authority and responsible authority should be exercised by different officials to ensure a separation of responsibilities. Further information on how licensing authorities should achieve this separation of responsibilities can be found in Chapter 9, paragraphs 9.13 to 9.19 of this Guidance.

11.7 In every case, any application for a review must relate to particular premises in respect of which there is a premises licence or club premises certificate and must be

relevant to the promotion of one or more of the licensing objectives. Following the grant or variation of a licence or certificate, a complaint regarding a general issue in the local area relating to the licensing objectives, such as a general (crime and disorder) situation in a town centre, should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time, could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.

11.8 Where a licensing authority receives a geographic cluster of complaints, the authority may consider whether these issues are the result of the cumulative impact of licensed premises within the area concerned. In such circumstances, the authority may also consider whether it would be appropriate to include a special policy relating to cumulative impact within its licensing policy statement. Further guidance on cumulative impact policies can be found in Chapter 13 of this Guidance.

11.9 Representations must be made in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing. Representations may be made electronically, provided the licensing authority agrees and the applicant submits a subsequent hard copy, unless the licensing authority waives this requirement.

11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.

11.11 If the application for a review has been made by a person other than a responsible authority (for example, a local resident, residents' association, local business or trade association), before taking action the licensing authority must first consider whether the complaint being made is relevant, frivolous, vexatious or repetitious. Further guidance on determining whether a representation is frivolous or vexatious can be found in Chapter 9 of this Guidance (paragraphs 9.4 to 9.10).

Repetitious grounds of review

11.12 A repetitious ground is one that is identical or substantially similar to:

- a ground for review specified in an earlier application for review made in relation to the same premises licence or certificate which has already been determined; or
- representations considered by the licensing authority when the premises licence or certificate was granted; or
- representations which would have been made when the application for the premises licence was first made and which were excluded then by reason of the prior issue of a provisional statement; and, in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or grant.

11.13 Licensing authorities are expected to be aware of the need to prevent attempts to review licences merely as a further means of challenging the grant of the licence following the failure of representations to persuade the licensing authority on an earlier occasion. It is for licensing authorities themselves to judge what should be regarded as a reasonable interval in these circumstances. However, it is recommended that more than one review originating from a person other than a responsible authority in relation to a particular premises should not be permitted within a 12 month period on similar grounds save in compelling circumstances or where it arises following a closure order.

11.14 The exclusion of a complaint on the grounds that it is repetitive does not apply to responsible authorities which may make more than one application for a review of a licence or certificate within a 12 month period.

11.15 When a licensing authority receives an application for a review from a responsible authority or any other person, or in accordance with the closure procedures described in Part 8 of the 2003 Act (for example, closure orders), it must arrange a hearing. The arrangements for the hearing must follow the provisions set out in regulations. These regulations are published on the Government's legislation website ([www.legislation.gov.uk](http://www.legislation.gov.uk)). It is particularly important that the premises licence holder is made fully aware of any representations made in respect of the premises, any evidence supporting the representations and that the holder or the holder's legal representative has therefore been able to prepare a response.

#### **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 which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.

11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate 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 informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.

11.18 However, where responsible authorities such as 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 address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate.

11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- 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;



- 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) 10;
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
- revoke the licence.

11.20 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 that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

11.21 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.

11.22 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 that impact upon the licensing objectives.

11.23 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 an appropriate 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 appropriate and proportionate to the promotion of the licensing objectives. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

### **Reviews arising in connection with crime**

11.24 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; money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role

when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. 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. 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 beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.

11.26 Where the licensing authority is conducting a review on the grounds 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 licence holder 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 appropriate 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 licence holder.

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 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 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 knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter;
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

11.28 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.

#### **Review of a premises licence following closure order**

11.29 Licensing authorities are subject to certain timescales, set out in the legislation, for the review of a premises licence following a closure order. The relevant time periods run concurrently and are as follows:

- when the licensing authority receives notice that a magistrates' court has made a closure order it has 28 days to determine the licence review – the determination must be made before the expiry of the 28th day after the day on which the notice is received;
- the hearing must be held within ten working days, the first of which is the day after the day the notice from the magistrates' court is received;
- notice of the hearing must be given no later than five working days before the first hearing day (there must be five clear working days between the giving of the notice and the start of the hearing).

### **Review of a premises licence following persistent sales of alcohol to children**

11.30 The Government recognises that the majority of licensed premises operate responsibly and undertake due diligence checks on those who appear to be under the age of 18 at the point of sale (or 21 and 25 where they operate a Challenge 21 or 25 scheme). Where these systems are in place, licensing authorities may wish to take a proportionate approach in cases where there have been two sales of alcohol within very quick succession of one another (e.g., where a new cashier has not followed policy and conformed with a store's age verification procedures). However, where persistent sales of alcohol to children have occurred at premises, and it is apparent that those managing the premises do not operate a responsible policy or have not exercised appropriate due diligence, responsible authorities should consider taking steps to ensure that a review of the licence is the norm in these circumstances. This is particularly the case where there has been a prosecution for the offence under section 147A or a closure notice has been given under section 169A of the 2003 Act. In determining the review, the licensing authority should consider revoking the licence if it considers this appropriate.