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The goods lated on form ENF156 attached have been seized under section 139 of the Customs and Excise Management Act 1979 This is without prejudice to any other action that the Commissioners for Revenue and Customs may take against you in connection with this matter. This may include, but is not limited to, issuing you with an assessment for the tax and duty evaded and a wrongdoing penalty, or referral to the relevant Prosecution Service to consider instituting prosecution proceedings

A person found guilty of fraudulent evasion of duty under section 170 of the Customs and Expise Management Act is liable to an unlimited fine and/or up to seven years mensonment

Details of HMRC officer Officer Name or Number (BLOCK LETTERS)

Details of person receiving letter I acknowledge receipt of this letter Name

Signature

Signature My LA Locce

Data Protection Act 1998

HM Revenue & Customs collects information in order to administer the taxes for which it is responsible (such as income tax, VAT, insurance premium tax, excise duties, air passenger duty, landfill tax, climate change levy), and for detecting and preventing crime,

Where is law permits we may also get information about you from third parties, or give information to mem, for example in order to check its accuracy, prevent or detect crime or protect with funds in other ways. These third parties may include the police, other overnme departments and agencies

nforma is available in large print, audio tape and Braille formats. Type Taggervice prefix number - 18001

HM Revenue & Customs	Appendix 4 b Seizure information notice			
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Appendix 5.

REF: WK/215088184

LICN_1

	LICENSING ENFORCE	MENT INSPECT	ION REPORT	_
Premises Name	Frentti	IN GN	21055	
Premises Address	34-9 130	ups rd	NILLA	A
Time of Visit:	Start: 20,30	2	Finish: 20.5	0.
During an inspection of	your premises on 13. M	ay	20.16 the fo	llowing was checked:
Part B of Premises Licer Address & tel no. of PLH Conditions of licence che	& DPS on licence correct?	Yes Yes Yes	No (If incorrect, No	insert new details below)
No. of condition not in compliance	с	Evidence/Ad	vice	
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Any other matter(s) that	need addressing: Minc	v yang	tion app	lication.
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You are required to have breaches may constitute	the above matters attended to a criminal offence and result in	withindays legal proceeding	of this notice. Failur s being brought agai	e to rectify the above nst you.
LICENSING ENF			INT OF NOTICE	
Signature of Officer on	visit:	Signature:	loees	
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Print Name:		Pfint Name &		DPSI
Charlotte R	remit		Gadleer,	PLH
Email/Tel:0208 37	79535765	A State of the second stat	7446105	
har lotte, palm		abdunge		cloud, com
Application for	ms can be downloaded at https://	new.enfield.gov.uk	/services/business-and	I-licensing
氏				









Mr Abdul Qadeer 4 Fleetwood Road Dollis Hill London NW10 1NN lease reply to:

Charlotte Palmer Licensing Enforcement B Block North, Civic Centre, SILVER Street, Enfield, EN1 3XA

E-mail Charlotte.palmer@enfield.gov.uk

Textphone : 020 8379 4419 My Ref : LN/200700399 Your Ref : Date : 13th May 2016

Dear Mr Qadeer

The Tobacco (Manufacture, Presentation and Sale) (Safety) Regulations 2002 Consumer Protection Act 1987 Licensing Act 2003

Food and Wine Express, 349 Bowes Road, London, N11 1AA - LN/200700399

I write to you as the current premises licence holder and designated premises supervisor of the above named business.

On Friday 22nd April 2016 your premises was searched for counterfeit and non-duty paid alcohol and tobacco. One hundred and seven packets of non duty paid hand rolling tobacco and thirty four bottles of vodka with counterfeit back lables were found in the premsies.

The tobacco and cigarette packets had foreign labelling. They were not subject to UK duty and did not bear the 'UK DUTY PAID' labelling. Also the required warning label such as: smoking harms you and others around you was in a foreign language. The Tobacco (Manufacture, Presentation and Sale) (Safety) Regulations 2002 which require English warnings were thus contravened, amounting to a criminal offence under the Consumer Protection Act 1987.

The Department for Culture, Media and Sport (DCMS) Guidance (11.27) states that there are certain criminal activities that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. The list includes the sale or storage of smuggled tobacco and alcohol.

lan Davis Director – Regeneration & Environment Enfield Council Civic Centre, Silver Street Enfield EN13XY





Website: www.enfield.gov.uk

For help with this document, please contact the above officer who will be able to assist in line with our accessible information policy

DCMS guidance (11.28) goes on to say that it is envisaged that 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.

Consequently, the Licensing Authority is considering reviewing the premises licence. The Licensing Authority believes that additional conditions need to be added to the premises licence to strengthen the licensing objectives.

As an alternative to having your licence reviewed, the Licensing Authority are prepared to offer you the opportunity to apply for a minor variation to voluntarily add conditions to the premises licence and / or to improve some of the current conditions.

Enclosed is a document showing suggested amendments to the conditions.

If you agree to apply for the minor variation please do so by Friday 27th May 2016. A minor variation application form is enclosed.

If you do not agree to submit the minor variation, it will leave the Licensing Authority with no choice but to pursue a review of the premises licence. You will then run the risk of having the licensing committee impose stricter restrictions on the premises licence and possibly even suspension of revocation of the licence.

Please consider this letter to be a warning as to your future conduct. Should further similar offences be committed at the premises, the Licensing Authority shall take immediate action in order to have the premises licence permanently revoked, as recommended by the Secretary of State guidance and or to prosecute you.

You must buy tobacco, alcohol and any other branded product from a reputable seller. These products must be evidenced by receipts which must be available for inspection upon request.

If you have any queries about the enclosed list of conditions or are unable to apply for a minor variation within the time frame given please contact me via email: <u>charlotte.palmer@enfield.gov.uk</u>

Yours sincerely

Charlotte Palmer Senior Licensing Enforcement Officer

cc: Mr Abdul Qadeer, Food and Wine Express, 349 Bowes Road, London, N11 1AA

Appendix 6b.

Food and Wine Express, 349 Bowes Road, London, N11 1AA

Amended / additional conditions to be added to premises licence LN/200700399

Annex 2 - Conditions consistent with the Operating Schedule

- 3.
- There shall be no adult entertainment or services, activities or matters ancillary to the use of the premises that may give rise to concern in respect of children.
- 4. A CCTV system shall be installed, operated and maintained at the premises.

REMOVE – see condition 10.

5. A panic-alarm system shall be installed, operated and maintained at the premises.

REMOVE – see condition 12

6. Signs shall be displayed at the exit to the premises reminding customers to leave quietly and respect the neighbours.

AMEND TO - Prominent, clear and legible notices shall be displayed at all public exits from the premises requesting customers respect the needs of local residents and leave the premises and area quietly. These notices shall be positioned at eye level and in a location where they can be read by those leaving the premises.

7. Signs shall be displayed at the exit to the premises stating 'You are entering a drinking control area and no alcoholic drinks are to be opened on the streets within this area.'

8. The 'Think 21' proof-of-age scheme shall be operated at the premises.

AMEND TO - The premises shall operate the Local Authority or similar proof of age scheme and display the relevant material.

- 9. No children under the age of 14 years shall be admitted to the premises between 21:00 and 07:00 unless they are accompanied by an adult.
- 10. The premises must be fitted with a digital Closed Circuit Television (CCTV) system, which must conform to the following points: (1) If the CCTV equipment is inoperative or not working to the satisfaction of the Police or Licensing Authority, the premises shall not be used for licensable activities unless with prior agreement from the Police; (2) Cameras must be sited to observe the entrance doors both inside and outside, the counter areas and all alcohol displays; (3) Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification not less then 120% of screen; (4) Cameras viewing till areas must capture frames not less then 50% of screen; (5) Cameras overlooking floor areas should be wide angled to give an overview of the premises. They must be capable of detection i.e. not less than 10% of screen; (6) Be capable of visually confirming the nature of the crime committed; (7) Provide a linked

record of the date, time and place of any image; (8) Provide good quality images - colour during opening times; (9) Operate under existing light levels within and outside the premises; (10) Have the recording device located in a secure area or locked cabinet; (11) Have a monitor to review images and recorded picture quality; (12) Record images as near to real time as possible; (13) Recorded images must be of sufficient quality that persons can be identified from the recorded pictures as well as the live view; (14) Be regularly maintained to ensure continuous quality of image capture and retention; (15) Comply with the Data Protection Act (DPA) and any applicable British Security Industry Association (BSIA) codes of practice; (16) Have signage displayed in the customer area to advise that CCTV is in operation; (17) Be operated by the correct procedures, to ensure an evidence trail is recorded and can be retrieved for evidential purposes; (18) Digital images must be kept for 31 days; (19) Checks should be frequently undertaken to ensure that the equipment performs properly and that all the cameras are operational and a log kept; (20) The medium on which the images have been recorded should not be used when it has become apparent that the quality of the images has deteriorated; (21) Access to recorded images should be restricted to those staff that need to have access in order to achieve the purposes of using the equipment; (22) All access to the medium on which the images are recorded should be documented; (23) Police will have access to images at any reasonable time; (24) The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police on request; (25) Disclosure of the recorded images to third parties should only be made in limited and prescribed circumstances, law enforcement agencies, Prosecution agencies, relevant legal representatives and people whose images have been recorded and retained.

11. If the premises operate past 01:00 'Raid Control' must be installed: (1) A time delay safe is fitted which must be secured to the fabric of the building or counter area; (2) A separate covert real time camera is fitted above the front door facing inwards. (Raid Cam); (3) A smoke note system is installed; (4) A training package is provided and all staff must be fully trained in the Raid Controls use; (5) Minimise cash in till by use of the time delay safe.

REMOVE – Raid control is no longer available.

- 12. An alarm system to EU 50131 (or if existing system to BS4737) must be installed at the premises. A panic button facility must be provided at the counter.
- 13. A personal licence holder is to be present on the premises and supervise the sale of alcohol, throughout the permitted hours for the sale of alcohol. This person should be fluent in English in order to properly conduct the sale of alcohol and more importantly to refuse the sale if so required.
- 14. There must be 2 members of staff on duty at all times the premises are open.
- 15. All alcohol displays must be in full view of the counter area.

- 16. The till must be capable of prompting staff to ask for ID to ensure there are no underage sales.
- 17. The premises must operate the local authority or similar proof of age scheme and display the relevant material. Only passports, photographic driving licences and ID with the P.A.S.S. logo must be accepted.

REMOVE – see amended Condition 8.

- 18. The loading and unloading from vehicles supplying either goods or services to the front or the rear of the premises shall not take place between the hours of 20.00 and 08.00. This shall include all deliveries.
- 19. Staff shall actively discourage patrons from congregating in the vicinity of the premises.
- 20. A method of documenting refused sales for example a "refusal book or diary" must be kept at the point of sale, or one at each point of sale where necessary, or recorded electronically on the till. This must be completed on each separate occasion that an individual is refused a sale of alcohol; where the individual does not provide the identification or the individual is suspected to be under age.

AMEND TO - A written record of refused sales shall be kept on the premises and completed when necessary or recorded electronically on the till. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.

- 21. The owner/licensee/manager must undertake routine monitoring of the refusals records.
- All staff who make sales of alcohol must receive regular training (induction and refresher) this should include: (1) Application of the "Think 21" or "Challenge 21" proof of- age scheme or similar; (2) Penalties for selling to an under age person; (3) Asking for appropriate photographic identification; (4) The refusals process; (5) Any other information as deemed appropriate.

AMEND TO - All staff who make sales of alcohol shall receive induction and refresher training (at least every three months) relating to the sale of alcohol, and the times and conditions of the premises licence

23. Training must be documented and records kept for at least 2 years.

AMEND TO - All training relating to the sale of alcohol and times and conditions of the licence shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.

24. Any training provided must be provided and verified by a competent person for example the designated premises supervisor.

Add the following conditions:

- Only the Premises Licence Holder or Designated Premises Supervisor shall purchase alcohol and / or tobacco stock.
- The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers.
- The premises licence holder shall ensure that all receipts for goods bought are kept together in a file or folder as evidence that they have been brought into the UK through legal channels. Receipts shall show the following details: (1) Seller's name and address; (2) Seller's company details, if applicable; (3) Seller's VAT details, if applicable. Copies of these documents shall be retained for no less than 12 months and shall be made available to police or authorised officers of the council on request within five working days of the request. The most recent three months' worth of receipts shall be kept on the premises and made available to the police or authorised officers of the council on request.
- All tobacco products which are not on the tobacco display shall be stored in a container clearly marked 'Tobacco Stock'. This container shall be kept within the store room or behind the sales counter.
- Tobacco products shall only be taken from the tobacco display behind the sales counter in order to make a sale.
- *LBE currently promote the "Think 25" policy

To: Mr Adbul Qadeer Food and Wine Express 349 Bowes Road London N11 1AA



Enviromental Health & Regulation PO Box 57, Civic Centre Silver Street Enfleld, Middlesex EN1 3XD

Tel: 0208 379 1000

TRANSFER OF PROPERTY DISCLAIMER

Ref: WK/ 200700399

I hereby transfer to the London Borough of Enfield all rights and property in the following articles which were in my possession, custody or control

At: Food and Wine Express, 349 Bowes Road, London, N11 1AA

On: 22nd April 2016

I am authorised to waive all rights from this date, this date being the date of seizure by an officer of this service. I further indemnify the London Borough of Enfield against any claim or encumbrance present or future in relation to these goods.

(signed)......(date)......

for and on behalf of [Insert name of business]

(witnessed by).....(date).....

(print name).....

Full details of the goods being signed over for disposal are detailed in the attached Schedule

F H07/17

To: Mr Adbul Qadeer Food and Wine Express 349 Bowes Road London N11 1AA



Enviromental Health & Regulation PO Box 57, Civic Centre Silver Street Enfleld, Middlesex EN1 3XD

Tel: 0208 379 1000

TRANSFER OF PROPERTY DISCLAIMER – Schedule of Goods

Ref: WK/ 200700399

Quantity*	Description
12	70cl Glens Vodka
22	70cl Smirnoff Vodka
30	50g packets of Golden Virginia Hand Rolling Tobacco
77	50g packets of Amber Leaf Hand Rolling Tobacco

Human Rights Act 1998

Under Article 1 of the First Protocol of the European Convention on Human Rights every legal or natural person is entitled to peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and the general principles of International Law. In waiving all rights in the articles listed above I recognise that I have no rights in the intellectual property in any copyright and/or registered trade marks contained on or in those items and that the items would be liable to forfeited by the courts if an application was so made.



LICENSING AUTHORITY REPRESENTATION

ADDITIONAL INFORMATION

Name and address of premises:

Food and Wine Express 349 Bowes Road London N11 1AA

Type of Application:

Review of Premises Licence

Detailed below is information not previously included in the review application submitted on 17/06/16:

Friday 17/06/16 - 22:40 - 23:15 - Out of Hours Licensing Enforcement Officers (CPX, EVG) visited the premises to hand deliver the review application. Premises Licence Holder and another male were there on arrival. The officers explained that they were there to deliver a licence review application as no minor variation had been submitted. The Premises Licence Holder claimed that he had tried to call to the officer as he did not understand the paperwork but there was no answer. The officer advised that they had not received any voicemails from him. The Premises Licence Holder asked if he could submit the minor variation now and officer advised that the review had now been submitted. He called his wife and spoke to her in another language. He advised that she would come down to speak to the officers. While the officers waiting they checked the outstanding licence conditions. Condition 16 - No till prompt. Advised that they could apply to remove this condition from the licence via a full variation application but not a minor variation. Condition 20 - refusals book - no entries since last check on 13/05/16. A group of 4 girls who looked underage entered and hovered around behind the officers and eventually left without attempting to purchase anything. Condition 22/23/24 - Mr Rasheed Awan (staff) was working during the visit but according to the training book no training had been carried out since 2014 - Mr Awan confirmed this condition says regular training. The wording of this condition is being updated as part of the review. This is the third inspection and the same conditions were still not in compliance. The officers gave 7 days to comply with conditions. 23:00 - Mrs Qadeer arrived at the premises. She brought the minor variation letter with her and stated she did not understand the letter and had tried to phone the officer to discuss it. The officers explained the review process to her and that the blue notice must be displayed for 28 days. Explained how to submit a variation if they want to remove any other conditions. To date no such application has been received.

Duly Authorised: Charlotte Palmer, Licensing Enforcement Officer

Contact: charlotte.palmer@enfield.gov.uk

-P.Omer

Date: 26/07/2016

Signed:

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Age if under 18	Over 18	(if over 18 insert '	over 18') Occupati	ion: I	Police Co	nstable		
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Page 2 of 2

Continuation of Statement of Martyn Fisher PC 357YE

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.

The premises licence was also inspected on 18th March 2016 and 13th May 2016 where a number of conditions were found to be in non-compliance. Inspection reports were left on both occasions and advice given on how to rectify the outstanding matters. Despite this advice, further breaches were identified.

Despite being given every opportunity by LBE licensing officers to remedy the outstanding licence conditions and mitigate further HMRC offences by way of submitting a minor variation, Mr Qadeer has chosen to do nothing. This shows that Mr Qadeer is unwilling or unable to uphold the licensing objectives and if a suspension of the licence is granted for three months, he should use this time wisely to acquaint himself with the premises licence and conditions thereon so that in future he will be able to comply with his duties as both the premises licence holder and designated premises supervisor.

Police fully support this review application by LBE licensing enforcement and agree that the suspension of the premises licence for a period of 3 months and the addition/amendment of conditions as listed in LBE licensing representations be granted to uphold the licensing objectives, particularly with regards to the prevention of crime and disorder.

R37E Signature 2003(1)

Signature witnessed by: