

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE C

WEDNESDAY, 28 JULY 2021 AT 10:00 HOURS
IN ON-LINE MEETING, MICROSOFT TEAMS

Please note a short break will be taken approximately 90 minutes from the start of the meeting and a 30 minute break will be taken at 1300 hours.

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's meeting You Tube site (www.youtube.com/channel/UCT2kT7ZRPFCXq6_5dnVnYlw) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 DECLARATIONS OF INTERESTS

Members are reminded that they must declare all relevant pecuniary and non pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

3 APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3 - 10

4 MINUTES

To note the public part of the Minutes of the meeting held on 26 May 2021.

To confirm and sign the Minutes of the meeting held on 30 June 2021.

11 - 58

5 LICENSING ACT 2003 PREMISES LICENCE – REVIEWARK CONVENIENCE STORE, 85 TURVES GREEN, NORTHFIELD, BIRMINGHAM, B31 4AH

Report of the Interim Assistant Director of Regulation and Enforcement.
N.B. Application schedule to be heard at 10:00am.

6 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.

7 **EXCLUSION OF THE PUBLIC**

That in view of the nature of the business to be transacted which includes exempt information of the category indicated the public be now excluded from the meeting:-

Exempt Paragraph 3

P R I V A T E A G E N D A

1 **MINUTES**

To note the private part of the Minutes of the meeting held on 26 May 2021 and to confirm and sign the Minutes as a whole.

2 **OTHER URGENT BUSINESS (EXEMPT INFORMATION)**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE C 26 MAY 2021
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MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE C HELD ON WEDNESDAY 26 MAY 2021 AT 1000 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Nicky Brennan in the Chair;

Councillors Mary Locke and Neil Eustace.

ALSO PRESENT

Shaid Yasser – Licensing Section
Joanne Swampillai – Legal Services
Katy Townshend – Committee Services

(Other officers were also present for web streaming purposes but were not actively participating in the meeting)

1/260521 **NOTICE OF RECORDING/WEBCAST**

The Chairman advised, and the Committee noted, that this meeting would be webcast for live or subsequent broadcast via the Council's Internet site (www.civico.net/birmingham) and that members of the press/public would record and take photographs except where there are confidential or exempt items.

2/260521 **DECLARATION OF INTERESTS**

Members were reminded that they must declare all relevant and pecuniary and non-pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

There were no interests declared.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3/260521 Apologies were submitted from Cllr Mike Leddy and Cllr Martin Straker-Welds with Cllr Nicky Brennan and Cllr Mary Locke as the nominated Members, respectively.

4/260521 **MINUTES**

That the Public part of the Minutes of the meeting held on 18 March 2020 were noted.

That the public part of the Minutes of the meeting held on 29 July 2020 were noted.

That the public part of the Minutes of the meeting held on 11 November 2020 were noted.

That the Minutes of the meeting held on 7 April 2021 were confirmed and signed by the Chairman.

That the public part of the Minutes of the meeting held on 21 April 2021 were noted.

EXCLUSION OF THE PUBLIC

5/260521 **RESOLVED:-**

That in accordance with Regulation 14 of the Licensing Act 2003 (Hearing) Regulations 2005, the public be excluded from the hearing due to the sensitive nature of the evidence to be presented.

BIRMINGHAM CITY COUNCIL

LICENSING SUB – COMMITTEE C 30 JUNE 2021

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD ON WEDNESDAY 30 JUNE 2021, AT 1000 HOURS, AS AN ONLINE MEETING

PRESENT: - Councillor Nicky Brennan in the Chair;

Councillors Neil Eustace and Mike Leddy.

ALSO PRESENT

Bhapinder Nandhra – Licensing Section
Joanne Swampillai – Legal Services
Mandeep Marwaha – Committee Services

(Other officers were also present for web streaming purposes but were not actively participating in the meeting)

NOTICE OF RECORDING

- 1/300621 The Chair advised the meeting of housekeeping for online meetings and confirmed that the meeting was public and would be live streamed via Birmingham City Council's website (www.civico.net/birmingham). Members of the press/public may record and take photographs except where there are confidential or exempt items.
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DECLARATIONS OF INTERESTS

- 2/300621 Members were reminded that they must declare all relevant pecuniary and non-pecuniary interests arising from any business discussed at the meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.
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APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

- 3/300621 An apology was submitted on behalf of Councillor Mary Locke and it was noted that Councillor Mike Leddy was the nominated substitute member.
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4/300621

**LICENSING ACT 2003 PREMISES LICENCE – GRANT PASHAJ
MEDITERRANEAN CHARCOAL GRILL, 373 – 375 JOCKEY ROAD,
BOLDMERE, SUTTON COLDFIELD, B73 5XH**

The following report of the Interim Assistant Director of Regulation and Enforcement was submitted:-

(See document No. 1)

The following persons attended the meeting:

On behalf of the Applicant

Chero Hamzai – Applicant
Carl Moore - Licensing Consultant
Leo Charlambides – (Barrister) Applicants Legal Representative

Those Making Representations

No objectors were in attendance

* * *

The Chair introduced the Members and officers present and asked if there were any withdrawals of representation. None were withdrawn.

The Chair explained the hearing procedure prior to inviting Licensing Officer, Bhapinder Nandhra to outline the report.

The Chair invited the applicant to make their submission. At this stage Mr Charlambides made the following points on behalf of the applicant:-

- a) This was a relatively modest and straight forward application for a restaurant within the local area.
- b) Issues such as amenity, parking, impact on local area and traffic had already been considered by the Council via the planning remit. He highlighted this location had been deemed suitable for a restaurant.
- c) The application for the restaurant had a specific decking area which would be used for smoking purposes.
- d) The large garden area had been cleared.
- e) The interior had been fitted with imported marble, stone and tiles.
- f) He emphasised the hours the applicant had indicated were mindful of the area.
- g) He highlighted the restaurant was seeking to permit the sale of alcohol (for consumption both on and off the premises) to operate from:

- From Sunday to Thursday (Midday – 2145 hours) with the premises closing at 2200 hours.
 - Friday and Saturday – (Midday - 2245 hours with premises closing at 2300 hours.
- h) The applicant had previous experience of running a bar. Up until 4 years ago, she and her family lived in Holland where she ran a bar for 4 years.
- i) The applicant had been in the UK for the past 4 years and ran a takeaway which specialised in Greek food. This opened from 12 noon to 2300 hours. No alcohol was served at the takeaway and this operated from 1600 – 2200 hours.
- j) He added small local restaurants need the support of the local community. This was the main catchment area hence reflected in the operating hours.
- k) He noted the operating schedule dealt with aspects expected from a small restaurant in terms of training, role of DPS, CCTV and the role of alcohol.
- l) Discussions had taken place with the Environmental Health Officer who requested for the outside garden area to close at 1900hours. This had been agreed by the applicant.
- m) Smoking would only take place in the externally roofed area (which was indicated in the plan as the externally paved area).

At 1018 hours, the meeting was paused as Councillor Leddy had technical difficulties.

At 1021 hours, Councillor Leddy re-joined the meeting.

At this juncture, Mr Charlabides queried with Councillor Leddy at which point did he experience technical difficulties. Mr Charlabides added he was going through the plans of the premises. Councillor Leddy confirmed this was correct and Mr Charlabides resumed making his points.

- n) Mr Charlabides referred to the plan on page 23 of the document pack and highlighted referred to the premises being a 'horseshoe' shape.
- o) He referred to the decked area, in which the conditions wording was not clear. This should have referred to 'externally decked area' on the plan rather than roofed area. Smoking was contained within the open area.

At 1022 hours, the meeting was paused as the Chair had technical difficulties.

At 1023 hours, the Chair confirmed she was still in the meeting and her camera was switched off however, she could hear the discussions. The meeting resumed.

- p) Mr Charlambides referred to the Facebook comments from residents in the local area. This gave a flavour of conversations taking place in the local community.
- q) He felt the two representations submitted did not directly relate to licensing issues.

At this juncture, the Chair checked if any other attendees from the applicants side wished to make any further submissions.

Mr Charlambides confirmed no further submissions would be made. All those present from the applicants' side were in attendance to answer any questions from the Committee.

Members raised the following concerns around; parking around the premises; the use of alcohol in the garden area after 1900hours and monitoring the noise in the garden area.

In response to Members questions Mr Charlambides made the following points:-

- 1) Parking – he would check with Highways/parking section if the side parking was permitted. Beyond the footway there was a verge alongside the premises that could also be used for parking. However, he noted if this could not be used, then this would be avoided. He added the restaurant would mainly be used by people within the local catchment therefore walk there.
- 2) Parking was an individual responsibility and people should be considerate and lawful whilst making their parking arrangements.
- 3) The applicant was happy to place a sign in the premises to remind people to be mindful of parking.
- 4) No food or drink will be served after 7pm in the garden area.
- 5) It was in the applicant's interest to ensure the outside area was controlled from any noise. They were mindful residents were living around the premises.
- 6) For
- 7) the restaurant to be successful, the reputation of the restaurant was important to the applicant. The applicant recognised the garden area had to be operated in a way to avoid antisocial behaviour, nuisance or any concerns.
- 8) The waiters and waitresses would be serving to people in the outside area and this would be reviewed by the managers.
- 9) External CCTV was installed to monitor the garden area as well as physical inspections.

No further questions were raised by members.

On being invited to sum up, Mr Charlabides made the following points:

- The application was a fantastic local restaurant. The internal amenities were placed at a late stage therefore unable to share pictures with members. A great deal of time, money and effort had been taken to make this an attractive local community business.

At 1030 hours the meeting was adjourned in order for the Sub Committee to make a decision and all parties left the meeting. The Members, Committee Lawyer and Committee Manager conducted the deliberations in private and the decision of the Sub-Committee was sent out to all parties as follows: -

5/300621 **RESOLVED:** -

That the application by Pashaj Ltd for a premises licence in respect of Pashaj Mediterranean Charcoal Grill, 373 – 375 Jockey Road, Boldmere, Sutton Coldfield B73 5XH, be granted.

Those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will form part of the licence issued, together with the conditions agreed with the Environmental Health department of the City Council in advance of the meeting, namely:

1. Service of food and drinks in the outside garden area shall cease by 19.00 hours
2. Smoking shall only take place in the external paved area marked on the Plan submitted in the Report. Access to the main garden area (marked on the Plan) for smoking shall not be allowed

The Sub-Committee deliberated the operating schedule put forward by the applicant company and the likely impact of the application, including the agreed conditions, and concluded that by granting this application, the four licensing objectives contained in the Act will be properly promoted.

Members carefully considered the written representations made by other persons but were not convinced that there was an evidential and causal link between the issues raised and the effect on the licensing objectives. Ms Hamzai of Pashaj Ltd had previous experience of running a bar abroad, and since moving to the UK four years ago she had run a takeaway specialising in Greek food; she now wished to open a restaurant to serve the local community. The hours requested were very reasonable – operation only until 22.00 (23.00 at weekends). Suitable conditions had been agreed with the Environmental Health department in advance of the meeting, and those representing the applicant company were keen to cooperate with neighbours and other businesses to make the premises a success. Taking all the circumstances into consideration, there was no reason to suppose that the premises would not be capable of upholding the licensing objectives.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under s182 of the Licensing Act 2003 by the Secretary of State, the application for a premises

licence, the written representations received and the submissions made at the hearing by the applicant company via its counsel.

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.

The meeting ended at 1035 hours.

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CHAIR

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee C
Report of:	Interim Assistant Director of Regulation & Enforcement
Date of Meeting:	Wednesday 28th July 2021
Subject:	Licensing Act 2003 Premises Licence – Review
Premises:	Ark Convenience Store, 85 Turves Green, Northfield, Birmingham, B31 4AH
Ward affected:	Longbridge and West Heath
Contact Officer:	Bhupinder Nandhra, Senior Licensing Officer, licensing@birmingham.gov.uk

1. Purpose of report:

To consider an application to review a Premises Licence.

2. Recommendation:

To consider and determine the review application.

3. Brief Summary of Report:

Review application received on 3rd June 2021 from the Chief Inspector of Weights & Measures in respect of Ark Convenience Store, 85 Turves Green, Northfield, Birmingham, B31 4AH.

A representation has been received from West Midlands Police, as a responsible authority.

4. Compliance Issues:

4.1 Consistency with relevant Council Policies, Plans or Strategies:

The report complies with the City Council's Statement of Licensing Policy and the Council's Corporate Plan to improve the standard of all licensed persons, premises and vehicles in the City.

5. Relevant background/chronology of key events:

The Chief Inspector of Weights & Measures applied on 3rd June 2021 for a review of the Premises Licence under Section 51 of the Licensing Act 2003 for Ark Convenience Store, 85 Turves Green, Northfield, Birmingham, B31 4AH.

A representation has been received from West Midlands Police, as responsible authority, which is attached at Appendix 1.

Review application is attached. See Appendix 2.

The Premises Licence is attached at Appendix 3.

Site location plans are attached at Appendix 4.

When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003.

The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are: -

- a. The prevention of crime and disorder;
- b. Public safety;
- c. The prevention of public nuisance; and
- d. The protection of children from harm.

6. List of background documents:

Copy of the representation as detailed in Appendix 1.

Review Application Form, Appendix 2.

Copy of Premises Licence, Appendix 3.

Site location plans, Appendix 4.

7. Options available

Modify the conditions of Licence

Exclude a Licensable activity from the scope of the Licence

Remove the Designated Premises Supervisor

Suspend the Licence for a period not exceeding 3 months

Revoke the Licence

No Action

Where the authority takes a step to modify conditions or exclude a licensable activity, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

From: Mark Swallow

Sent: 07 June 2021 13:55

To: Licensing Online

Subject: Application to join proceedings Ark Convenience Store, 85, Turves Green, Northfield. B31 4AH.

Good Afternoon Licensing,

West Midlands Police support the representations made by Birmingham Trading Standards regarding Ark Convenience Store, 85, Turves Green, Northfield, Birmingham. B31 4AH. licence number 548. The representation is supported under the prevention of crime & disorder and public safety licensing objectives. The evidence submitted by Trading Standards clearly shows that this premises are supplying counterfeit wine and vodka, selling it to the public and passing it off as a legitimate product.

On 19 February 2020 Birmingham Trading Standards Service received notification from West Midlands Police that they had received a 'Crimestoppers' complaint saying that ARK Convenience Store, 85 Turves Green, Northfield, Birmingham B31 4AH was selling 'Krackoff' vodka that was 'unfit for human consumption' as it contained high levels of industrial alcohol.

On 24 February 2021 Trading Standards and Environmental Health Officers went to ARK Convenience Store to follow up this matter. The officers told the man serving at the till, a Mr Ranjit Singh Sandhu the reason why they were there and said they would need to check the stock. The officers found 3 bottles of Krackoff vodka with a hand written price of "£10.99" on the sales shelf on display behind the counter and said that they would need to take them for further examination. Whilst in the shop Trading Standards Officer Martin Williams also checked other products and noticed suspicious special offers for one particular brand of wine on display in various parts of the shop. The officers found 16 bottles of counterfeit wine on three different display shelves in the shop. There were a further 22 bottles in boxes above the fridge display at the rear of the shop and a further 31 counterfeit bottles in the store- room at the back of the shop.

In total officers found 69 counterfeit bottles of this particular brand of wine with seven different fake lot codes of various varieties including Merlot, Shiraz and Chardonnay. Mr Sandhu was advised that all the suspect bottles would be seized for further examination. On 2 March 2021 it was confirmed by the wine brand holder, that all the bottles seized were counterfeit. One of the bottles of Krakoff vodka was sent to the public analyst for testing. A lab report was sent back on 24 March 2021 detailing that the sample of Krakoff vodka did not contain any material that was harmful, however HMRC have now confirmed that no duty had been paid on these products.

On 24 March 2021 Trading Standards received a new complaint from a member of the public who had purchased wine of a different make from ARK Convenience Store the previous weekend he said; "...a brand I had bought and drunk before, however it was clearly fake, it was unpalatable..." After checking lot codes of counterfeit product with the manufacturers of this wine Trading Standards went back to ARK Convenience Store on 29 March 2021 and found and seized 7 bottles of this wine with the fake lot code which were on display on the shelves.

Samples were sent to the manufacturers for testing on 14 April 2021. On 28 May 2021, after testing and analysis the manufacturers confirmed that the 7 bottles seized from the shop were also counterfeit products. This was the same variety and lot code as the consumer had purchased previously. In total 69 bottles of various varieties of one brand of counterfeit wine was seized from the shop, ARK Convenience Store on 24 February 2021. There were also 3 bottles of illicit vodka. A further 7 counterfeit bottles of a different make of wine entirely was also seized from the shop on 29 March 2021 following the consumer complaint. It is impossible to say how many bottles of both brands of wine and illicit vodka have been sold before the intervention. Whilst the sample bottle of Krakoff was not found to contain harmful alcohol, HMRC has confirmed that it is illicit product where no duty has been paid.

More often than not the illegitimate purchase and sale of counterfeit alcohol is made by cash transactions with no traceability and therefore no UK duty being paid. Such transactions are unlikely to be shown on the company accounts avoiding the payment of taxes. The wider public is therefore fraudulently deprived of money to provide much needed public services. Traders acting unscrupulously purchasing counterfeit alcohol more likely than not 'off the back of a lorry' cannot have any idea where the wine has originated from or even if it was fit for human consumption. The only intention for these traders is to maximise profit, seemingly without a thought for the consequences and impact on the victims – with making money being the only driving factor.

Trading Standards have stated that the vodka seized was in fact not harmful to health but this is more by luck than judgement as the premises would not have known this when they were selling the counterfeit wine and vodka to the public. The victims of this are not only the public but the brand itself. Trading Standards have indicated that the brand owner and Food Standards Agency believe after some investigation that the counterfeiting of this wine is a large scale international criminal enterprise, using organised criminal gangs in the UK to distribute it. The money generated by this criminal black market activity normally goes straight back to fund other organised crime which has a further negative on its victims and the wider community.

There were 76 bottles of wine seized from these premises and 3 bottles of vodka this is counterfeiting on an industrial scale. When the bigger picture is looked at this criminal activity becomes more disturbing. The below information was taken from the Crimestoppers Website (a guest blog from The Wine and Spirit Trade Association) states that alcohol duty fraud costs the British public £600 Million per year. The article goes on to quote very similar findings to that Trading Standards and West Midlands Police have stated in their representations:

The best estimate for duty fraud is that it costs about £600m per year across wines, beers and spirits. This is money that should be going towards boosting public services and not to criminal gangs. The negative impacts reach much further than taking money away from the taxman:

- *It puts money into the pockets of criminals, who use it to fund other activity such as people trafficking;*
- *It directly damages your business in the communities it operates, by siphoning customers away;*
- *More widely, it damages the reputation of the industry as a whole by associating it with criminal activity.*

The fake alcohol menace is another level of threat altogether. It may be inferior liquid posing as a premium product. More worryingly, it may not be fit for human consumption at all and contain methanol or other harmful substances. At worst, this could lead to death for a consumer. Illicit alcohol and duty fraud are a direct threat to the reputation of the industry and, in some cases, consumer health.

<https://crimestoppers-uk.org/campaigns-media/blog/2019/sep/alcohol-fraud-costs-the-british-public-%C2%A3600-million-every-year>

West Midlands Police have no confidence in the management of this premises. The purchase of this counterfeit wine could have only been made outside the recognised legitimate supply chain with the premises knowingly crossing that threshold and being prepared to put the safety of its customers in jeopardy. The premises has not paid UK duty on the wine or vodka or paid tax as this sort of illegal black market activity is unlikely to go through the company accounts. Furthermore by circumventing the legitimate supply chain the premises have more than likely gone on to fund organised criminal gangs, damage the reputation of the brands in the process without caring about the consequences to the public, the brands and victims of these organised crime gangs.

West Midlands Police request the revocation of these premises licence.

The premises have not been served with this application.

Mark Swallow. 60264.

West Midlands Police.

**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 Martin Williams (on behalf of Donna Bensley Chief Inspector of Weights &
Measures)**

Apply for the review of a premises licence under section 51 of The Licensing Act 2003 for the
premises described in part 1 below.

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
ARK Convenience Store Ltd 85 Turves Green, Northfield	
Post town BIRMINGHAM	Post code (if known) B31 4AH
Name of premises licence holder or club holding club premises certificate (if known) Mr Surinder Singh	
Number of premises licence or club premises certificate (if known) 548	

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible
authority (please read guidance note 1, and complete (A)
or (B) below)

☐

2) a responsible authority (please complete (C) below)

YES

3) a member of the club to which this application relates

☐

Premises licence review ARK Convenience Store Ltd. 85 Turves Green 9925895 Page 1

(please complete (A) below)

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

Please tick ✓ yes

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐

Current postal
address if
different from
premises
address

Post town

Post Code

Daytime contact telephone number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address; Martin Williams Birmingham Trading Standards 1-3 Ashted Lock Way Aston Birmingham B7 4AZ Our Ref: 9925895
Telephone number (if any)
E-mail address (optional)

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

- | | |
|---|---------------------------------|
| | Please tick one or more boxes ✓ |
| 1) the prevention of crime and disorder | Yes |
| 2) public safety | Yes |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | Yes |

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

On 19 February 2020 Birmingham Trading Standards Service received notification from West Midlands Police that they had received a 'Crimestoppers' complaint saying that ARK Convenience Store, 85 Turves Green, Northfield, Birmingham B31 4AH was selling 'Krackoff' vodka that was 'unfit for human consumption' as it contained high levels of industrial alcohol.

On 24 February 2021 Trading Standards and Environmental Health Officers went to ARK Convenience Store to follow up this matter.

The officers told the man serving at the till, a Mr Ranjit Singh Sandhu the reason why they were there and said they would need to check the stock.

The officers found 3 bottles of Krackoff vodka with a hand written price of "£10.99" on the sales shelf on display behind the counter and said that they would need to take them for further examination.

Whilst in the shop Trading Standards Officer Martin Williams also checked other products and noticed suspicious special offers for one particular brand of wine on display in various parts of the shop.

Officer Williams had with him a list of counterfeit lot codes for this brand and checked the bottles on display.

The officers found 16 bottles of counterfeit wine on three different display shelves in the shop. There were a further 22 bottles in boxes above the fridge display at the rear of the shop and a further 31 counterfeit bottles in the store- room at the back of the shop.

In total officers found 69 counterfeit bottles of this particular brand of wine with seven different fake lot codes of various varieties including Merlot, Shiraz and Chardonnay. Mr Sandhu was advised that all the suspect bottles would be seized for further examination and he was given a receipt with a list of the items taken from search book No. 900.

On 2 March 2021 It was confirmed by the wine brand holder, that all the bottles seized were counterfeit.

One of the bottles of Krakoff vodka was sent to the public analyst for testing. A lab report was sent back on 24 March 2021 detailing that the sample of Krakoff vodka did not contain any material that was harmful, however HMRC have now confirmed that no duty had been paid on these products.

On 24 March 2021 Trading Standards received a new complaint from a member of the public who had purchased wine of a different make from ARK Convenience Store the previous weekend he said;

“...a brand I had bought and drunk before, however it was clearly fake, it was unpalatable...”

After checking lot codes of counterfeit product with the manufacturers of this wine Trading Standards went back to ARK Convenience Store on 29 March 2021 and found and seized 7 bottles of this wine with the fake lot code which were on display on the shelves.

Samples were sent to the manufacturers for testing on 14 April 2021. Finally on 28 May 2021, after testing and analysis the manufacturers confirmed that the 7 bottles seized from the shop were also counterfeit product. This was the same variety and lot code as the consumer had purchased previously.

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

In total 69 bottles of various varieties of one brand of counterfeit wine was seized from the shop, ARK Convenience Store on 24 February 2021. There were also 3 bottles of illicit vodka.

A further 7 counterfeit bottles of a different make of wine entirely was also seized from the shop on 29 March 2021 following the consumer complaint.

(It is impossible to gauge how many bottles of both brands of wine and illicit vodka have been sold before we were made aware)

Joint working with various organisations is trying to stem the flow of illicit alcohol, (wine and vodka) in this case. It would appear that large-scale operations are afoot, probably originating abroad, using organised crime gangs in the UK to distribute and sell the produce at retail level.

Whilst the sample bottle of Krakoff was not found to contain harmful alcohol, HMRC has confirmed that it is illicit product where no duty has been paid.

Trading Standards is aware of several different varieties of illicit Krakoff branded vodka across the country. The Crimestoppers intel is likely to have been linked to a police licence review of a shop in Lincoln in February 2021 where 5 bottles of Krakoff vodka were seized and found to contain high levels of industrial alcohol. The Krakoff in this case was not harmful but likely to have been a refinement from the original fake product.

Trading Standards has been working with HMRC and the wine inspectorate section of the Food Standards Agency, (FSA) to trace the source of the counterfeit wines.

The FSA has sent many of the counterfeit varieties for analysis and *"although the traceability of the suspect wines is unclear, there are currently no specifically identified concerns for health regarding the consumption of these products"* It appears that substandard wine, rather than anything harmful has been used in the production of these fake products.

Previous history of this shop.

There is no previous history of similar issues at ARK Stores in recent years.

Recommendations.

Counterfeit alcohol is worse than non-duty as it is specifically manufactured to look like genuine brands and mislead customers into making purchases of what appear to be genuine products. In this case the product is not harmful but that is likely in order to avoid detection and so prolong the scam.

We have had members of the public complain about substandard wine from several other stores in Birmingham. In each case the consumers said they were on the verge of changing brands as they were unhappy with the quality of the product. We do not know how long this has gone on for or how many other innocent members of the public have been affected. It is obvious to see the detrimental affect this can cause to a genuine brand.

This also subverts the normal supply chains of legitimate trade as it is controlled by criminal organisations who seek to maximise profit by avoiding legitimate controls and systems including not paying taxes or duty.

The review will need to consider the confidence in management of the shop to ensure they do not engage in and encourage criminal activity which also affects citizens of Birmingham and beyond.

The owner has not been able to demonstrate where the supply was purchased from and said they buy all their stock from local cash & carry's.

There is no doubt the owners would have known the product was illicit and from a dubious source.

In most cases this type of product is bought from a van that turns up at the shop offering cheap product and supplies no invoices or record of the supplier or items supplied.

Retail shops should be able to provide full traceability; this doesn't appear to be the case to date. Although the product does not present health risks, buying goods from unknown sellers indicates a lack of concern for the safety of the products sold and the community who buy from them.

We invite Committee to consider all available options in relation to this request for a review.

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

No

If yes please state the date of that application

Day	Month	Year

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

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 YES
- I understand that if I do not comply with the above requirements my application will be rejected YES

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

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

Signature

.....

Date 3 June 2021

.....

Capacity Trading Standards Officer

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	Post Code
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. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

LICENSING ACT 2003PREMISES LICENCE

Premises Licence Number:

548 / 2

Part 1 - Premises details:

Postal address of premises, or if none, ordnance survey map reference or description	
ARK Convenience Store Ltd 85 Turves Green Northfield	
Post town:	Post Code:
Birmingham	B31 4AH
Telephone Number:	

Where the licence is time limited the dates
N/A

Licensable activities authorised by the licence
M2 Sale of alcohol by retail (off the premises)

The times the licence authorises the carrying out of licensable activities				
Monday - Saturday	08:00	-	23:00	M2
Sunday	10:00	-	22:30	M2
Christmas Day	12:00	-	15:00	M2
	19:00	-	22:30	M2
Good Friday	08:00	-	22:30	M2

The opening hours of the premises
Not Specified

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

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence Mr Surinder Singh	
Post town:	Post Code:
Telephone Number:	
Email Not Specified	

Registered number of holder for example company number or charity number (where applicable) N/A

Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol Mr Surinder Singh	
Post town:	Post Code:
Telephone Number:	

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol	
Licence Number 037389	Issuing Authority SANDWELL METROPOLITAN BOROUGH COUNCIL

Dated 30/10/2012

Carolyn Bennett
Senior Licensing Officer
For the Director of Regulation and Enforcement

Annex 1 – Mandatory Conditions

No supply of alcohol may be made under the premises licence (a) at a time when there is no designated premises supervisor in respect of the premises licence, or (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every retail sale or supply of alcohol made under this 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.

(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) In this condition:— (a) “permitted price” is the price found by applying the formula $P = D + (D \times V)$, where— (i) P is the permitted price, (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; (b) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; (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 would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny. (4) Where the permitted price 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, 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.

No supply of alcohol may be made under the premises licence (a) at a time when there is no designated premises supervisor in respect of the premises licence, or (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Annex 2 – Conditions consistent with operating schedule

2a) General conditions consistent with the operating schedule

No enforceable conditions identified from operating schedule.

2b) Conditions consistent with, and to promote the prevention of crime and disorder

No enforceable conditions identified from operating schedule.

2c) Conditions consistent with, and to promote, public safety

No enforceable conditions identified from operating schedule.

2d) Conditions consistent with, and to promote the prevention of public nuisance

No enforceable conditions identified from operating schedule.

2e) Conditions consistent with, and to promote the protection of children from harm

No enforceable conditions identified from operating schedule.

Annex 3 – Conditions attached after hearing by licensing authority

3a) General committee conditions

N/A

3b) Committee conditions to promote the prevention of crime and disorder

N/A

3c) Committee conditions to promote public safety

N/A

3d) Committee conditions to promote the prevention of public nuisance

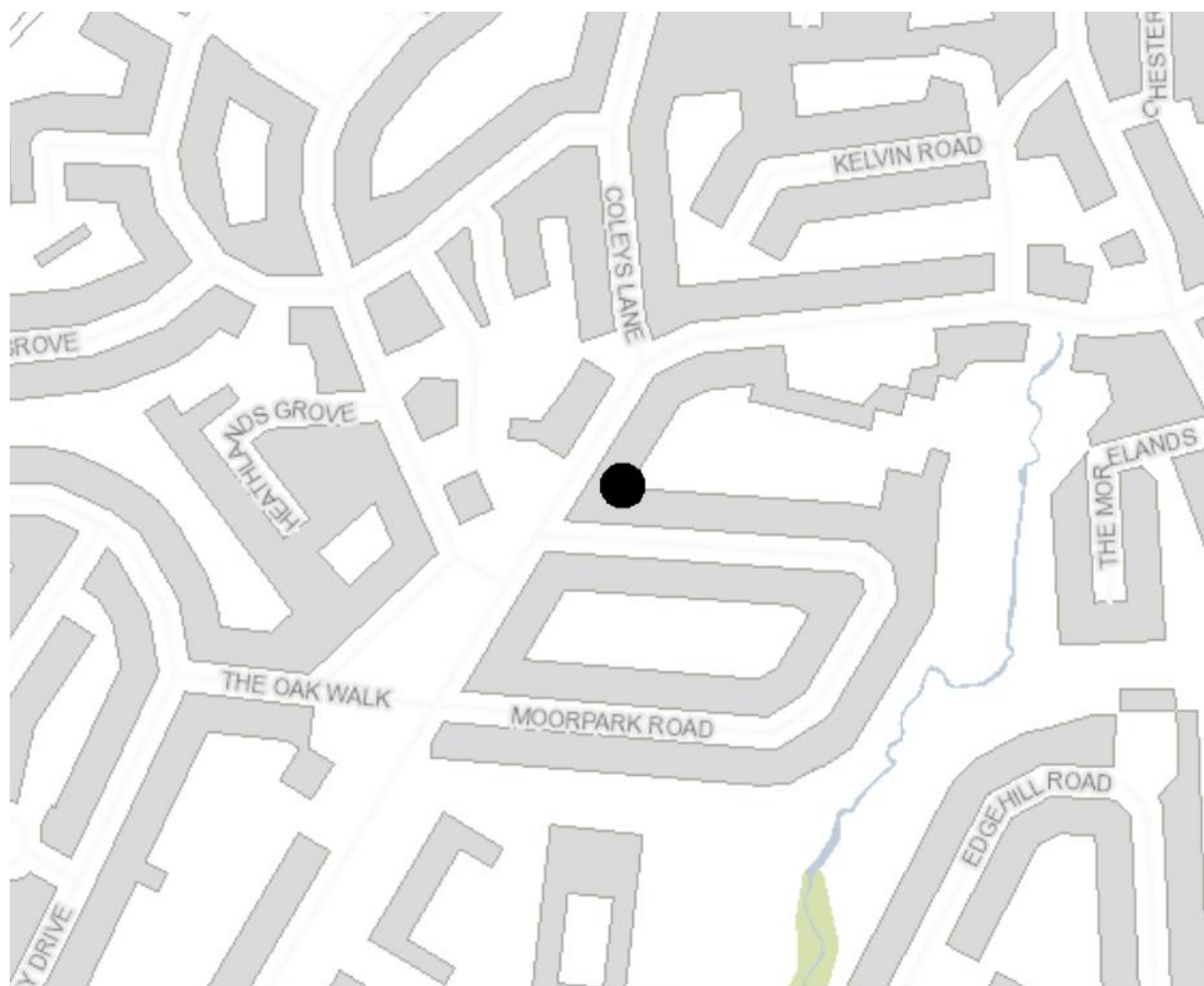
N/A

3e) Committee conditions to promote the protection of children from harm

N/A

Annex 4 – Plans

The plan of the premises with reference number **79580-548/2** which is retained with the public register kept by Birmingham City Council and available free of charge for inspection by appointment only. Please ring the Licensing Section on 0121 303 9896 to book an appointment.





IN THE MATTER OF

B E T W E E N

Birmingham City Council

-and-

Ark Convenience Stores Limited

Witness Statement of Mr Amrit Singh Ark

I, Amrit Singh Ark, whose date of birth is , of
will say the following:

1. Except where otherwise stated, I make this statement on the basis of facts and matters within my own knowledge. Where any statement I make is based on information supplied to me, I believe the same to be true.
2. I am the son of Mr Surinder Singh Ark, Director/Owner of Ark Convenience Stores Limited (the Business), registered and trading from 85 Turves Green, Birmingham, England, B31 4AH.
3. The Business operates as a convenience store, selling alcohol, cigarettes, groceries and confectionery.

Trip to India

4. On 23 February 2021, my dad flew out to India for an emergency, as my grandparents, his parents, were extremely unwell and had contracted Covid-19.
5. I recall at the time I dad was extremely scared and anxious as they do not have any family in India, and also because of everything that was being played on

the news channels showing how India was one of the most impacted countries at the time.

6. In order for him to travel to India, he asked me if I could help out at the shop as and when needed and I agreed to do so.
7. In addition to me helping out, my dad employed my uncle, Lakhbir Singh, on a full-time basis and Mr Ranjit Sandhu on a part-time basis.
8. I recall that my dad booked a ticket and flew out to India on Tuesday 23 February from London Heathrow Airport at 8.45 am and my uncle went to drop him off.

Purchase of Seized Stock

9. On the same day that my dad flew out, a *Representative* visited the shop.
10. I have seen *Representatives* come to the shop before, marketing new lines of stock and offering special discounted stock, and this gentleman was the same.
11. Although I cannot now recall who he said he worked for, I do recall him explaining to me that his company had preferential relationships with wholesalers and manufacturers and as a result of this, they get stock cheaper than what is available at the cash and carry's.
12. He was selling wines, beers and spirits.
13. The gentleman was well dressed, in a shirt and tie, and also showed me his business ID card. He spoke to me for some time, before showing me a pricelist on his iPad.
14. During his time at the shop, he received numerous calls from what I understood were his customers, he was taking orders and generally talking about stock availability.

15. I also saw him make calls to his Head Office to get updates on stock and arrange deliveries for his customers, which made me believe more so that he was a legitimate *Representative*.
16. It was at this stage that I asked him what his best sellers were, and he pointed out some wines on his price list and I ordered a selection of wines from him.
17. In total the order was for around £275, and he asked me to complete and sign an order form, in which he took the shops details and my email address, so that an invoice could be emailed to me from his Head Office.
18. He then went to his van and unloaded the goods into the shop.
19. Once the goods were unloaded, I paid him the monies due in cash and he left the shop.
20. I then priced up and placed some of the stock on the shelves, with the remainder being placed in the back.
21. At no point did I think that he was not a legitimate *Representative*.

Visits by Trading Standards – 24 February 2021 and 29 March 2021

22. At some point on the afternoon of 24 February 2021 I received phone calls from both my uncle and Mr Sandhu informing me that Trading Standards had arrived at the shop and had highlighted several bottles of wine that they wanted further information on.
23. Although I was uncertain, it seemed to be the stock that I had purchased from the *Representative*, only the day before.

24. At the time I did not say anything, as I was scared that it was my fault, so I frantically tried to call my dad and after some time I managed to speak with him.
25. Again, I did not tell him that I had purchased the alcohol that had been seized, but at the time he told me that he would sort things out when he got back to the UK, but that he had to look after my grandparents in India.
26. When my dad got back to the UK, I told him what had happened and how I had purchased alcohol from the *Representative* that had visited the shop.
27. My dad asked me what the name of the supplier was, where they were based *etc.* and a copy of the invoice. When I told him that I did not know, and they never sent me an invoice, my dad was not happy. He reminded me again that only he buys stock as he has the overall liability as the licence holder.
28. A further visit was undertaken by Trading Standards on 29 March 2021, where further stock was seized, and it was at this stage that I told my dad about all the stock that had been purchased

New/Updated Stock Purchase Procedures

29. After the second seizure, my dad asked me to point out any remaining bottles on the premises that I had purchased from the *Representative*, I checked the whole shop and there was not any left. At the same time, my dad carried out a full stock check to satisfy himself that everything else in the shop was ok.
30. Furthermore, my dad arranged a meeting at the shop, in which he invited me, my uncle and Mr Sandhu, where he reminded all of us that only he buys stock, and that no one else has permission to do so, even if for some reason he is not available, and the stock runs out.
31. My dad now finds himself facing a licence review through no fault of his for stock that I purchased, not him for which I am really sorry.

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed: _____

Dated: 20-7-21

IN THE MATTER OF

B E T W E E N

Birmingham City Council

-and-

Ark Convenience Stores Limited

Witness Statement of Mr Surinder Singh Ark

I, Surinder Singh Ark, whose date of birth is , of
will say the following:

1. Except where otherwise stated, I make this statement on the basis of facts and matters within my own knowledge. Where any statement I make is based on information supplied to me, I believe the same to be true.
2. I am the Director of Ark Convenience Stores Limited (the Business), registered and trading from 85 Turves Green, Birmingham, England, B31 4AH.
3. The Business operates as a convenience store, selling alcohol, cigarettes, groceries and confectionery.
4. Due to the nature of the Business, namely selling alcohol, both the Business and I have current and valid Premises and Personal Licences issued by Birmingham City Council. In particular, I have held my Personal Licence for the last nine years or so¹.

¹ Appendix 5

5. During the time I have operated the Business, I have never been subject to proceedings by any authority, for example, Trading Standards, HM Revenue & Customs and/or the Police. Furthermore, I have never been subject to any licence review by Birmingham City council.
6. In order to assist me operate the business, I have one full-time member of staff, my brother Mr Lakhbir Singh (Lakhbir), and one part-time member of staff, Mr Ranjit Sandhu (Ranjit). On occasion I will also seek the assistance of my sons, although not very often.
7. Except s stated below, all the buying of stock is carried out by me, and I source goods from reputable cash and carry's and directly from suppliers by way of visiting *Representatives*.

Trip to India

8. On or around January/February 2021, my younger brother, went to India to visit our parents, as they were unwell and we were extremely concerned about their wellbeing due to Covid-19 and the state of matters in India at that time.
9. As he arrived back in the UK, I was contacted by my parents, who informed me that they had both contracted Covid-19 and needed urgent medical care.
10. Due to their ages, and health issues, I was extremely scared and anxious, furthermore, as the eldest son, and with little to no family support in Punjab, especially due to the horrific Covid-19 conditions in India at the time, I had no choice but to go and be with my parents.
11. I flew out on a flight on Tuesday 23 February from London Heathrow Airport at 8.45 am and arrived at Amritsar Airport on Wednesday 24 February².

² Appendices 1 and 2

12. This was not a planned visit by me, I booked my travel ticket the same day that I was informed of my parents ill health and flew out within a day or two of the same.
13. In normal circumstances, when I am not in the shop, my brother will be working, however on this occasion, due to the urgency of my trip, he had to drop me off to Heathrow Airport.

Visit by Trading Standards – 24 February 2021

14. As I arrived in India, I was contacted by my son, Amrit, who informed me that Trading Standards had been to the shop and seized a number of bottles of *Krackoff Vodka* and some mixed wines³.
15. I now understand the total number of bottles seized was 69.
16. I recall at the time, as I had not long arrived in Punjab, I was more concerned with the health of my parents, however I do recall informing Amrit that we had nothing to worry about as all the stock had been purchased by me from reputable wholesalers and that I would sort it out when I got back home.
17. I was not informed of anything else by Amrit at this stage.

Purchase of Seized Stock – Mixed Wines

18. I arrived back in the UK on Monday 15 March 2021⁴, at which point I spoke with Amrit and we discussed what had happened.
19. It was at this stage that he informed me that a *Representative* had visited the shop on the day I flew out, Tuesday 23 February, offering various spirits, wines and beers for sale at good prices.

³ Appendix 3

⁴ Appendix 1

20. Amrit went onto inform me that the *Representative* had informed him that his company has buying accounts with large cash and carry's and due to the amount of stock that they purchase, they obtain discounts that are not available to customers which they then pass on to the retailers.
21. During the course of this visit Amrit, decided to buy some stock that he thought would sell well.
22. Amrit does not buy stock for the shop, albeit he does sometimes assist me when I go to cash and carry's *etc.*
23. Buying stock is my sole responsibility and I would never buy from a *Representative* who was not from a recognised wholesaler/supplier.

Purchase of Seized Stock – *Krackoff Vodka*

24. I note that the complaint to *crime stoppers* was made in circa February 2020, one year prior to the February 2021 visit by Trading Standards, and due to the passage of time, and the fact that *Krackoff Vodka* is such a slow seller, these bottles have been in stock for a number of years prior to this date.
25. I do not now recall where I purchased them from, and nor have I been able to locate any invoice for them at this time.

Visit by Trading Standards – 29 March 2021

26. A further visit was undertaken by Trading Standards on 29 March 2021, where further stock was seized⁵.
27. Due to the fact that on two separate occasions stock has been seized from the Business, I have now undertaken an *audit* of the stock to satisfy myself that the remaining stock on the premises is legitimate and can be accounted for.

⁵ Appendix 4

28. However, I note that there are some wines seized that are dated 2016, I do not believe that these wines were purchased by Amrit from the *Representative*, and I certainly do not believe that they are counterfeit and/or nonduty paid stock and I put Birmingham City Council to strict proof and wish for them to establish the same.

New/Updated Stock Purchase Procedures

29. As I have stated above, only I purchase stock for the Business.

30. However due to my emergency visit to my parents in India, Amrit tried to use his initiative and purchased stock from a *Representative*, at which he thought was a good price, that he should have not done so, and I find myself having a review of my premises licence.

31. I understand that goods that have been deemed *counterfeit*, were seized from my Business, for which I hold the Personal Licence, but the goods were not purchased by me and I reiterate paragraph 28 above.

32. I also understand as the Personal Licence holder, I have overall responsibility for compliance, and I have now again reiterated and brought processes into place that mean only I can buy stock⁶.

33. This also includes if I am away, and stock lines are sold out, that no one under any circumstances will buy any further stock.

34. I am not *engaged* in or *encourage criminal activity*, I did not buy the seized stock and therefore could not *have known that it was illicit and from a dubious source*.

35. This was a simple mistake by my son.

⁶ Appendix 6

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed: _____

Dated: 20/07/21

IN THE MATTER OF

B E T W E E N

Birmingham City Council


-and-

Ark Convenience Stores Limited

Appendix 1

My Trip

TUE, FEB 23, 2021 - London (LHR) to Delhi (DEL) - Confirmed

Air India (AI) 162
Confirmation Number: JECB7

 DEPART 8:45 AM LHR
 NON STOP
 ARRIVE 10:25 PM DEL

PASSENGERS

Name	eTicket Number	Seat	Special Services
ARK, SURINDER SINGH	0983898472310	023C Confirmed	<input type="checkbox"/>
<input checked="" type="checkbox"/> Carry-On 8 Kilograms Bag 1 Chgs May Apply if Bags Exceed Ttl Wt Allowance Bag 2 Chgs May Apply if Bags Exceed Ttl Wt Allowance Bag 3 Chgs May Apply if Bags Exceed Ttl Wt Allowance Bag 4 Chgs May Apply if Bags Exceed Ttl Wt Allowance <input type="checkbox"/> Baggage Allowance 2 Piece Plan Bag 1 Baggage Charges Data Not Available Bag 2 Baggage Charges Data Not Available Bag 3 Baggage Charges Data Not Available Bag 4 Baggage Charges Data Not Available Applies to: LHR ATQ			

Class Of Service: Economy


AIRPORT INFO

Heathrow (LHR)
London, GB
Terminal 2Delhi Indira Gandhi Intl (DEL)
Delhi, IN
Terminal 3

FLIGHT INFO

Boeing 787-8
Meal

WED, FEB 24, 2021 - Delhi (DEL) to Amritsar (ATQ) - Confirmed

Air India (AI) 453
Confirmation Number: JECB7

 DEPART 5:55 AM DEL
 NON STOP
 ARRIVE 7:10 AM ATQ

PASSENGERS

Name	eTicket Number	Seat	Special Services
ARK, SURINDER SINGH	0983898472310	013A Confirmed	<input type="checkbox"/>
<input checked="" type="checkbox"/> Carry-On 8 Kilograms Bag 1 Chgs May Apply if Bags Exceed Ttl Wt Allowance Bag 2 Chgs May Apply if Bags Exceed Ttl Wt Allowance Bag 3 Chgs May Apply if Bags Exceed Ttl Wt Allowance Bag 4 Chgs May Apply if Bags Exceed Ttl Wt Allowance			

Class Of Service: Economy

AIRPORT INFO

Delhi Indira Gandhi Intl (DEL)
Delhi, IN
Terminal 3Raja Sans. Aipt (ATQ)
Amritsar, IN

FLIGHT INFO

Airbus A319
Snack

SUN, MAR 14, 2021 Amritsar (ATQ) to Delhi (DEL) - Confirmed

IN THE MATTER OF

B E T W E E N

Birmingham City Council

-and-

Ark Convenience Stores Limited

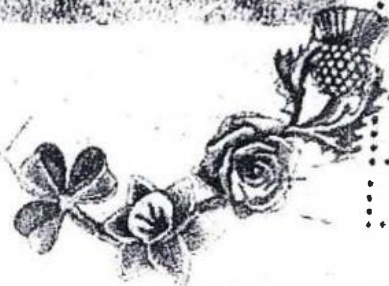
Appendix 2

THIS PAGE IS RESERVED FOR OFFICIAL OBSERVATIONS
CETTE PAGE EST RESERVEE AUX OBSERVATIONS OFFICIELLES (11)

THERE ARE NO OFFICIAL OBSERVATIONS



HOLDER'S SIGNATURE/SIGNATURE DU TITULAIRE



UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

PASSPORT
PASSEPORT

9.

GBR

ARK

SURINDER SINGH

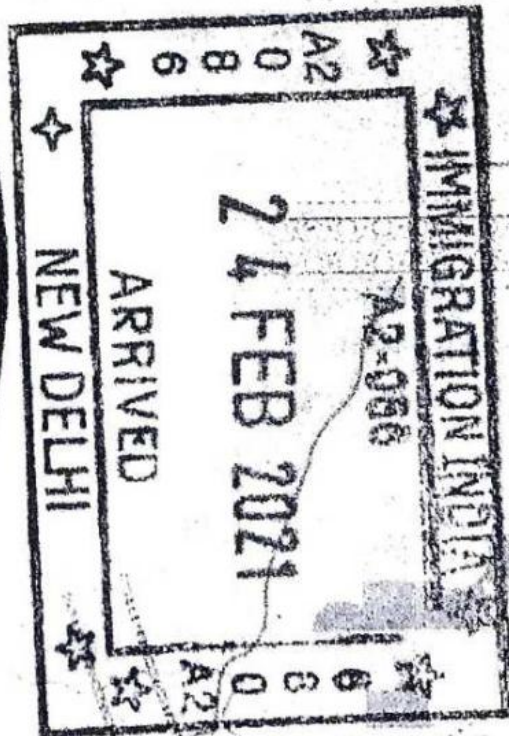
BRITISH CITIZEN

08 NOV / NOV 18 HMPD

08 NOV / NOV 28

SEE PAGE ABOVE.

[illegible]



IN THE MATTER OF

B E T W E E N

Birmingham City Council

-and-

Ark Convenience Stores Limited

Appendix 3

**NOTICE OF POWERS AND RIGHTS
POWERS OF ENTRY WITH / WITHOUT WARRANT****Police and Criminal Evidence Act 1984, Code of Practice B
Consumer Rights Act 2015**

This notice is issued under the above legislation to advise you of your rights, and of the officer's Powers, during this inspection of your premises. Your premises are being inspected because the officer in charge suspects that a criminal offence may have been committed.

Name and Address of Premises:

Suvinet Singh ARK Concrements Shop Ltd
85 Turners Green. Warrington.

This inspection is being carried out using ~~statutory powers contained within~~ the legislation detailed below. The statutory powers available may vary depending upon the legislation concerned. Some of the powers the officer may wish to exercise have been summarised, as far as practicable, on the reverse of this notice, together with a summary of your rights.

This inspection is being conducted under powers contained within the following legislation:

TMA 1994 . FSA 1990 .
CRA 2015

The purpose of the inspection is:

CHECK ALCOHOL.

Date of Inspection:

24-2-2021

Time of Inspection:

5.10 pm

Entry Warrant Used:Yes ☐No ☒

You should be advised that obstructing a duly authorised officer is a criminal offence. Obstruction includes where a person intentionally obstructs an officer, intentionally fails to comply with instructions given by an officer, without good reason fails to give an officer assistance or information reasonably required and/or makes a statement or a reckless statement which they know is false or misleading.

I have read and understood the details contained within this notice and have received a copy for my records.

Signed:

[Redacted Signature]

Print Name:

RANJIT SINGH SANDHU

Position:

SHOP ASSISTANT

Authorised Officer Signature:

[Signature]

Print Name:

MARTIN WILLIAMS

Position:

OFFICER IN CHARGE

SEIZED PROPERTY RECORD

Occupier's Name:

Date:

Suninder Singh

24-2-2021

Premises Name and Address:

Ayl Convenience Store Ltd
85 Turves Green
Northfield

Officer in Charge Name:

Officer in Charge Telephone:

Martin Williams

Exhibit Ref	Description	Location Found	Time Found	Seal Number	S.50/51 Seizure
	2x L1111 1930E1 2019 merlot	Front shelf	5.45pm	0605 4305	
	1x 2019 merlot L9318 144E1	Front shelf	"	0605 4305	
	1x 2016 merlot L17193	"	"	0605 4305	
	2x 2019 Chiraz L01360040E1	Front shelf	5.50pm	0605 4304	
	1x 2019 Chiraz L01360040E1	Side shelf	5.53pm	0605 4325	
	3x 2016 merlot L01156(2) 147055(1)	Side shelf	5.55pm	0605 4324	
	1x 2019 merlot L01111930E1	Side shelf	5.55pm	0605 4324	
	3 Krackoff Vodka (one is separate to be sn off)	Shelf behind counter	5.57pm	0605 4321 (1307558)	
	2x yellow fuel Charkhary L014006 56E1	Back fridge	6.01pm	0.19 5190	

Exhibits Officer's Signature:

Occupier's Signature:

CONTINUATION OF SEIZED PROPERTY RECORD

Exhibit Ref	Description	Location Found	Time Found	Seal Number	S.50/51 Seizure
	3 full boxes and one box with 4 bottles. 2014 (wing) Yellow Tail LC1360040 E 1	Back fridge in shop	6 07pm	09915 189 (4h-711)	
	"	"		09915 188	
	"	"		09915 187	
	"	"		09915 186	
	1 full box yellowtail Shiraz LC1360040 C 1	Store Room back room	6 15pm	09915 181	
	1 full box yellowtail merlot 2011 LC1360040 E 1	Store Room back room	6 20pm	09915 182	
	1 full box yellowtail merlot 2011 LC1360040 E 1	Store Room back room	6 24pm	09915 185	
	1 full box yellowtail Cribernet Sauvignon 2011 LC1360040 E 1	Store Room back room	6 26pm	09915 184	
	1 full box yellowtail merlot 2011 LC1360040 E 1	Store Room back room	6 20pm	09915 183	
	1 bottle of yellowtail merlot 2011 LC1360040 E 1	Store Room back room	6 33pm	0605 3224	

Exhibits Officer's Signature:



Occupier's Signature:



IN THE MATTER OF

B E T W E E N

Birmingham City Council

-and-

Ark Convenience Stores Limited

Appendix 4



**NOTICE OF POWERS AND RIGHTS
POWERS OF ENTRY WITH / WITHOUT WARRANT**

**Police and Criminal Evidence Act 1984, Code of Practice B
Consumer Rights Act 2015**

This notice is issued under the above legislation to advise you of your rights, and of the officer's powers, during this inspection of your premises. Your premises are being inspected because the officer in charge suspects that a criminal offence may have been committed.

Name and Address of Premises:

Mr. Singher Singh
85 Turves Green
Birmingham B31 4AH

This inspection is being carried out using statutory powers contained within the legislation detailed below. The statutory powers available may vary depending upon the legislation concerned. Some of the powers the officer may wish to exercise have been summarised, as far as practicable, on the reverse of this notice, together with a summary of your rights.

This inspection is being conducted under powers contained within the following legislation:

SUSPECTED ~~CRIMINAL OFFENCE~~ / ~~CONSUMER~~
17/10/2015 - ~~BEFORE~~ ~~WIFE~~ / ~~RIGHTS ACT~~
2015

The purpose of the inspection is:

SEARCH INSPECT ~~FOR~~ ~~SUSPECTED~~ ~~CRIMINAL OFFENCE~~
WIFE

Date of Inspection:

Time of Inspection:

Entry Warrant Used:

29/3/21

11.5.30

Yes ☐ No ☒

You should be advised that obstructing a duly authorised officer is a criminal offence. Obstruction includes where a person intentionally obstructs an officer, intentionally fails to comply with instructions given by an officer, without good reason fails to give an officer assistance or information reasonably required and/or makes a statement or a reckless statement which they know is false or misleading.

I have read and understood the details contained within this notice and have received a copy for my records.

Signed:

[Redacted Signature]

Print Name:

Ranjit Singh Sandhu

Position:

SHOP ASS. Gen

Authorised Officer Signature:

[Redacted Signature]

Print Name:

E. SANGHA

Position:

T.S.O.

SEIZED PROPERTY RECORD

Occupier's Name:

M. Sinder Singh

Date:

29/3/21

29/3/21

Premises Name and Address:

Ark Convenience Store Ltd.
88 TRINITY GREEN Birmingham

Officer in Charge Name:

M. Williams

Officer in Charge Telephone:

831 4444

Exhibit Ref	Description	Location Found	Time Found	Seal Number	S.50/51 Seizure
TB1/1	2 BOTTLES of PINK GIGGO L9132 14.38 EU	Shop floor shelf by door	17:45	06054322	
	2 BOTTLES of PINK GIGGO L9132 14.38 EU	Shop floor shelf by door	17:50		
	2 BOTTLES of SANGUIN BLOC L0090816AD	Shop floor shelf by door	17:51		
TB1/2	2 BOTTLES of PINK GIGGO L9132 15.12 6n 80+)	Stock room	14:10	TS09896	

Exhibits Officer's Signature:

[Signature]

Occupier's Signature:

[Signature]

White Copy - Retain in Book

Pink Copy - Issue to Occupier

IN THE MATTER OF

B E T W E E N

Birmingham City Council

-and-

Ark Convenience Stores Limited

Appendix 5.

Certificate of Employers' Liability Insurance (a)

(Where required by regulation 5 of the Employers' Liability (Compulsory Regulations), one or more copies of this certificate must be displayed policy holder employs persons covered by this policy).

1. Policy number [REDACTED]

2. Name of policy holder Ark Convenience Stores Limited

3. Date of commencement of insurance policy 25/08/2015

4. Date of expiry of insurance policy 25/08/2016

We hereby certify that subject to

1. the above



Sandwell

Metropolitan Borough Council

Licensing Act 2003 - Personal Licence

Surinder Singh

The holder of this licence is authorised to sell or supply alcohol or to authorise the sale or supply of alcohol in accordance with a Premises Licence granted under the Licensing Act 2003

Licence No: 037389

Expires: 10/09/2022



ADDRESS:

NAME:

Mr. Surinder Singh



IN THE MATTER OF

B E T W E E N

Birmingham City Council

-and-


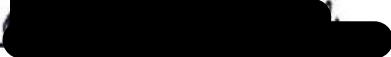


Ark Convenience Stores Limited

Appendix 6 .

Record of Discussion

I agree and understand that I, the undersigned, will not purchase any stock to be sold at **Ark Convenience Store, situated at 85 Turves Green, Birmingham, B31 4AH.**

Furthermore, I understand that stock will only be purchased by **Surinder Singh Ark** and no one else, and if anyone else purchases stock, I will inform **Surinder Singh Ark** immediately and without fail.

Print Name	Sign	Date
Amrit Singh Ark:		<u>02/04/21</u>
Ranjit Sandhu:		<u>02/04/2021</u>
Lakhvir Singh:		<u>02/04/2021</u>
Surinder Singh Ark:		<u>2/04/2021</u>