

**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