

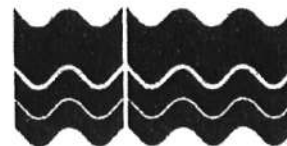
**Economy, Transport and Environment**  
**Rupert Clubb**  
 BEng (Hons) CEng MICE  
 Director

**Trading Standards**  
**Lucy V C Corrie**  
 LLB (Hons) DMS MTSI  
 Head of Service

Trading Standards Service  
 St Mary's House  
 52 St Leonards Road  
 Eastbourne, East Sussex  
 BN21 3UU

Tel: 0345 60 80 197  
 Fax: 01323 463422  
 Email: trading.standards@eastsussex.gov.uk

**East Sussex**  
**County Council**



Mr Robert Brown  
 Licensing Manager  
 Hastings Borough Council  
 Aquila House  
 Breeds Place  
 Hastings  
 East Sussex  
 TN34 3UY  
 When responding  
 please ask for  
 Lucy Corrie  
 01323 463421

Our Ref  
 P000946

Your  
 Ref

Date  
 21 November 2012

Dear Mr Brown

**Re: Licensing Act 2003 Section 17: application for a premises licence for the supply of alcohol at Sevens Mini Market, 57 Queens Road, Hastings, TN34 1HA**

I write with reference to the above application, a copy of which was sent to me on 5<sup>th</sup> November 2012 by the applicant's solicitors Funnell & Perring.

This Trading Standards service is a responsible authority within the meaning of the Licensing Act 2003 and as such wishes to comment on this application.

This service requested a review, in February 2012, of the premises licence of the above premises on the grounds that the licensing objective of preventing crime and disorder was not met. The review was heard by the Hastings Borough Licensing Review Sub committee on 20<sup>th</sup> March 2012. At that time Mr Bakitvar Kawani was the premises licence holder and the designated premises supervisor was Mr Kardo Osman.

The Sub committee was presented with evidence that an inspection of the premises by Trading Standards officers on 28<sup>th</sup> July 2010 revealed the presence of 4 bottles of Papus brand Brandy, 4 bottles of Glens brand Vodka and 1 bottle of Raymond Vadim champagne which breached the Consumer Protection from Unfair Trading Regulations 2008, Food Safety Act 1990, General Food Regulations 2004 and Trade Marks Act 1994.

The Public Analyst reported that a sample of the vodka contained 2.8% methanol which is injurious to health making the product unfit for human consumption. Also the brand holders of each of the products submitted to them for examination stated that they were not genuine products manufactured by them.

Further evidence was presented to the Sub committee concerning a subsequent visit by Trading Standards officers on 8<sup>th</sup> December 2011 when a further 12 bottles of illicit vodka were seized which also breached the above mentioned legislation.

Cont.....



INVESTOR IN PEOPLE

eastsussex.gov.uk

All these incidents indicated a general disregard for the law and a culture of non-compliance on the part of the then premises licence holder and the designated premises supervisor.

In April 2012 notice of an appeal against the revocation was lodged but was later withdrawn.

The current application indicates that the proposed designated premises supervisor is Kamal Kardo Osman. It is presumed that this is the same Mr Osman who was the designated premises supervisor of these premises from 2<sup>nd</sup> November 2011. This date predates the second visit to the premises by Trading Standards officers when 12 bottles of illicit vodka were discovered. It is of concern to this service that, should this licence be granted with this designated premises supervisor, his disregard for the law will be seen to be condoned.

During the course of investigating the above mentioned incidents this service liaised with Her Majesty's Customs and Excise (HMRC) regarding the activities at these premises. Subsequent action by HMRC has shown that an individual known as Ranjbar Kako has been investigated by HMRC relating to the fraudulent evasion of Excise Duty in connection with the supply of illicit cigarettes. Mr Kako has told HMRC investigators that he is employed by Sevens Mini Market as a delivery driver but has been unable to account for £7,700 cash found in his possession other than to say it was given to him to buy stock by Sevens Mini Market. He refused to disclose to the HMRC investigators what stock he was instructed to buy and who the owner of Sevens Mini Market was. HMRC investigators made an application to the court to detain the money under the Proceeds of Crime Act 2002. ~~The detail of this application is set out in the document attached to this letter.~~

Mr Kako was present at the Sevens Mini Market when Trading Standards officer visited on 8<sup>th</sup> December 2011 and signed the officer's visit note as 'Ass Manager'. A copy of this visit note is attached. This demonstrates that he may well be an individual who has an influence over the running of the business. If this is the case then there is every reason to believe that the disregard for the law will continue and the promotion of the licensing objective of preventing crime and disorder will be ignored.

Additionally it is respectfully suggested that should a licence be granted to this applicant so soon after the previous revocation the revocation process would become ineffective and the whole licensing process could be brought into disrepute.

Finally the Government's recently published 'Alcohol Strategy' has an underlying theme of restricting the sale of cheap alcohol and reducing the resulting harm to the community. Illicit and counterfeit alcohol is often of inferior quality which can result in enhanced health risks and is also invariably cheaper than legitimate products which can encourage over indulgence. The trade in these products can have a direct impact on the licensing objective of preventing crime and disorder and, I suggest, should also be taken into account when considering whether to grant a licence for these premises.

Yours sincerely



Lucy V C Corrie  
Head of Trading Standards