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18/4/17

Re: Burnt Oak Off Licence, 140 Burnt Oak Broadway, HA8 0EJ – Review (our ref: 54/17)

Please find attached my statement which I have written in relation to our inspection of the premises on 11th April 2017 to be included within the hearing pack. I have posted a copy to Mr Kanthakumar at his Stanmore address. Please feel free to contact us if you have any queries.

Regards



Vicky Wilcock

PC349SX

Licensing Officer

WITNESS STATEMENT

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

Statement of PC Vicky Wilcock URN: [] [] [] []

Age if under 18 Over 18..... (if over 18 insert 'over 18') Occupation: Police Officer.....

This statement (consisting of: 2..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: [Signature] Date: 18th April 2017

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

On TUESDAY 11th APRIL 2017 at 1225 hours PS Tuffin and I conducted a licensing inspection at BURNT OAK OFF LICENCE, 140 BURNT OAK BROADWAY HA80OJ was subject to a licensing inspection in company with a representative from Imperial tobacco UK & Ireland, Steve Horsey. He was with us to examine tobacco products in order to spot counterfeits.

The staff member working behind the till on arrival our arrival was a male I now know to be Rajaji DURAISAMY NAIDU dob 15/07/1958 of 3 St EDMUNDS DRIVE HA72AT. He was showing a customer a bag of rolling tobacco and telling him how much it was. The customer did not purchase the item and left the shop.

We informed NAIDU that we were there to conduct a licensing inspection and we would like to examine the alcohol and tobacco being sold as we had found non-UK duty paid alcohol and tobacco on our visit in January. I asked if he had a key for the stock room it was handed over to me.

While Naidu was initially spoken to by Sgt Tuffin, he opened his wallet to prove his ID with his bank card. Sgt Tuffin informed me that she had seen a number of notes in his wallet, but had seen him put the cash in the till drawer. He had claimed he was just helping out at the shop and was not paid, but it seemed that he was trying to hide the fact that he had money on him. He was visibly very nervous at being asked in depth questions about his presence in the UK and working in that shop.

The alcohol was priced competitively throughout (slightly cheaper than typical pricing in superstores like Tesco) and there was a lot of alcohol and tobacco stock within the premises.

Under the counter near the till drawer a card box (taped up to make in a way to allow easy access) was found to contain seven (7) packets of Polish MARLBOROUGH LIGHTS and a further ten (10) packets were found in a blue carrier bag under the counter further along. Without HMRC or Trading Standards it was difficult to tell what else could possibly be smuggled stock (not paid UK Duty)

The polish cigarettes were seized as we believed they were being sold from under the counter. A number of random tobacco products were examined by Steve Horsey to see if fake products could be found. He said that everything else (tobacco wise) appeared to be genuine 'cash and carry' stock.

Immigration checks were carried out on NAIDU who originally gave a different name, date of birth and address. First he claimed that he had indefinite leave to remain and had been in the country 2 years. When he was told he would be taken by us to his home address to get his ID he then he changed his story and said he came over via Dover two weeks ago in the back of a lorry. He admitted he was in the country illegally and the people that got him here had taken his documents from him when he was in France. He was arrested and taken to Wood Green Police Station where he would be seen by immigration officers.

Having requested follow up information from Immigartion on the result of this arrest, I was informed that He has been granted Temporary Release and is due to report back to them. He has previously been refused entry to the UK and denied visas.

Signature: [Signature] Signature witnessed by: