

## APPENDIX 4

*[Insert name and address of relevant licensing authority and its reference number (optional)]*

### **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 Lawrence Eldridge

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

#### **Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> High Wycombe Food & Wine 180 Desborough Road	
<b>Post town</b> High Wycombe	<b>Post code (if known)</b> HP11 2QA

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Jaswin Singh Sethi
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<b>Number of premises licence or club premises certificate (if known)</b> 554/PREM
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#### **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)

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

Lawrence Eldridge  
Buckinghamshire & Surrey Trading Standards  
County Hall  
Aylesbury  
Buckinghamshire  
HP20 1UP

Telephone number (if any)

07789 876236

E-mail address (optional)

Lawrence.eldridge@surreycc.gov.uk

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

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

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

This alcohol licence review is being applied for as a result of illegal tobacco being sold from the premises. A test purchaser acting on behalf of Buckinghamshire & Surrey Trading Standards entered the premises in December 2019 and a purchase of illegal tobacco was made. Surjan Singh Sethi stored the tobacco products in his van, which was kept outside the front of the store. Surjan Singh Sethi pleaded guilty to 8 offences at High Wycombe Magistrates Court on the 17<sup>th</sup> February 2021 in relation to the supply of these illegal tobacco products.

Although Surjan Singh Sethi is not listed as the alcohol licence holder for the premises, he did state during a PACE interview with Trading Standards that he is a partner of the business with his brother Jaswin Singh Sethi.

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

Buckinghamshire & Surrey Trading Standards made a test purchase of illegal tobacco products, from the premises in December 2019. The test purchaser went into the premises and asked for cheap tobacco. A price of £6.50 was agreed per packet of cigarettes and an agreement was made for the purchase of 6 packets of 20 cigarettes. The test purchaser paid the shop occupier and was then told to stand outside the front of the shop by the bus stop. The shop occupier went outside the premises to a van parked outside the front of the shop to obtain the tobacco products. The van storing the illegal tobacco products was registered to Mr Surjan Singh Sethi.

Following on from this test purchase, Buckinghamshire & Surrey Trading Standards visited the premises in December 2019 and seized a quantity of illegal tobacco products.. A total of 188 packets of 20 cigarettes and 76 pouches of hand rolling tobacco (3,800 grams) were found in the same van parked outside the front of the shop. Mr Surjan Singh Sethi was the only person in the premises when this visit was carried out and initially denied that the van outside the premises was his and refused to provide the keys to Trading Standards Officers.

All of the tobacco products from the test purchase and the Trading Standards visit were found to be non-compliant with the Tobacco and Related Products Regulations 2016 and the Standardised Packaging of Tobacco Regulations 2015. This was due to them not containing the correct English written health warnings. The packets also did not contain the correct pictorial health warnings and were not in the correct packaging colour, which is required for tobacco products to be sold in the UK. One of the brands of tobacco seized was confirmed as being counterfeit and found to be in breach of the Trade Marks Act 1994.

In a written PACE interview, Mr Surjan Singh Sethi denied it was him that sold the tobacco products to the test purchaser in December 2019. He could not provide details of who sold the tobacco products. However, all of the tobacco products obtained from the test purchase and the visit were found in the van registered to Mr Surjan Singh Sethi. He said that it is only him and his brother Jaswin Singh Sethi that work in the shop and that they are both partners of the shop.

At High Wycombe Magistrates Court on the 17<sup>th</sup> February 2021, Mr Surjan Singh Sethi pleaded guilty to 8 offences under The Tobacco and Related Products Regulations 2016, The Standardised Packaging of Tobacco Products Regulations 2015 and the Trade Marks Act 1994. He received a £230 for each of the 8 offences.

We do not have any evidence that Jaswin Singh Sethi was involved in the supply of these illegal tobacco products. This licence review application is being made as a result of illegal tobacco being sold from the premises, which he is the alcohol licence holder for.

**Please tick ✓ yes**

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

If yes please state the date of that application

Day    Month    Year

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

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

**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 *LE Widge*  
.....

Date 10/03/2021  
.....

Capacity Supervisor – Investigations Team, Buckinghamshire & Surrey Trading Standards  
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<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 6)	
<b>Post town</b>	<b>Post Code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	

**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.

