

## APPENDIX Z.

Peter Adshead, Senior Trading Standards Officer of Slough Borough Council, St  
Martin's Place 51 Bath Road, Slough, SL1 3UF

### **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 Peter Adshead - Senior Trading Standards Officer

(Insert name of applicant)

apply for the review of a premises licence under section 51 (delete as  
applicable)

RECEIVED

16 SEP 2011

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

**Postal address of premises or, if none, ordnance survey map reference or  
description**

Harshini Food & Wine, Belgrave Parade, 9 Bradley Road,

**Post town** Slough

**Post code (if known)** SL1 3PR

**Name of premises licence holder or club holding club premises certificate (if  
known)**

Manickam Rajeetharan (this is the name on the licence, but his name is in fact  
Rajeetharan Sivarajah)

**Number of premises licence or club premises certificate (if known)**  
PL004620

#### **Part 2 - Applicant details**

I am

**Please tick yes**

1) an interested party (please complete (A) or (B) below)

a) a person living in the vicinity of the premises

☐

b) a body representing persons living in the vicinity of the premises

☐

c) a person involved in business in the vicinity of the premises

☐

d) a body representing persons involved in business in the vicinity of the  
premises

☐

- 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**

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 Peter Adshead, Senior Trading Standards Officer Slough Borough Council St Martin's Place, Bath Road Slough SL1 3UF
Telephone number (if any) 01753 875255
E-mail address (optional) peter.adshead@slough.gov.uk

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

Please tick one or more boxes

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

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>

**Please state the ground(s) for review** (please read guidance note 1)

25 bottles of counterfeit Jacob's Creek wine found in possession for sale on the premises on the 27<sup>th</sup> April 2011. Bottles seized and detained and examined by the Trade Mark owner. In addition, the contents of the bottles are not as stated on the label, but are a cheap Italian wine. No duty will have been paid on these bottles.

There is always the possibility of public harm if the contents are not as described. This can vary from fiscal detriment to health issues.

In addition, there are revenue issues to be considered as there will be no excise duty, tax or VAT paid on this kind of product.

The Trade Marks Act 1994 offence is subject to a criminal prosecution against Mr Rajeetharan.

In addition, there are offences under the Food Safety Act 1990 and the Consumer Protection from Unfair Trading Regulations 2008.

**Please provide as much information as possible to support the application**  
(please read guidance note 2)

This premises has been the subject of a previous review for selling alcohol to under age persons.

On 19<sup>th</sup> October 2010 Slough Borough Council Trading Standards Officers carried out an underage test purchase operation at Harshini Food and Wine. The Premises Licence holder at that time was Mr Manickam Rajeetharan, whose real name as previously stated is Rajeetharan Sivarajah. During that operation a bottle of WKD Vodka was sold to a 16 year old boy.

Thames Valley Police subsequently submitted an application for the Review of the Premises Licence which detailed statements and evidence from the Trading Standards Officers.

The Review application was heard by the Licensing Sub Committee in January 2011 and full details of the determination will be detailed by the Licensing Team.

In light of the the previous Review application, the seizure of the counterfeit alcohol on 27<sup>th</sup> April 2011 and of the impending prosecution the Trading Standards officers are of the opinion that the Premises Licence should be revoked on the grounds of the Prevention of Crime and Disorder, Public Safety and the protection of Children from Harm

**Please tick yes**

Have you made an application for review relating to this 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 this premises please state what they were and when you made them**

Thames Valley Police previously made an application for the Review of the Premises Licence with supporting evidence supplied by Slough Borough Council Trading Standards Officers

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, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 3)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature PETER ADSHEAD

Date 16th SEPTEMBER 2011

Capacity SENIOR TRADING STANDARDS OFFICER.

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 5)

**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. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.