

APPENDIX D.

Responsible Authority Representation Form

Thames Valley Police, Royal Berkshire Fire and Rescue Service, Health and Safety Executive, Area Child Protection Committee, Slough Borough Council [SBC] Commercial Services (Health and Safety and Trading Standards), Planning and Development Control Services [SBC], Public Health Services [SBC].

APPLICATION DETAILS

Name of Premises	METRO FOOD AND WINE SLOUGH LIMITED
Address of Premises & Tel: No.	193 Farnham Road, Slough, SL1 4XS
Applicant Details (Name, address, Tel: No.) if different from above	Mr Kulwant Singh Gaba 41 Milton Way, Hayes, Middlesex, UB4 0PD
Company Name (if different from Applicant)	As above
Application type (state fully)	Licence Review for Metro Food & Wine, following criminal offences committed.
Date Application received	Date of offence 8 th January 2014

REPRESENTATION SUBMISSION

Please tick

<p>There are no representations to the granting of this licence</p>	<p><input type="checkbox"/></p>
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<p>If you are making representations to the application identify which of the four licensing objectives your representation relates to:</p> <p>Please detail your representation and the reason together with your supporting evidence, as appropriate. <i>(If replying by hard copy, please attach separate sheet(s) if necessary).</i></p>		
<p>Prevention of Crime and Disorder</p>	<p>Please tick <input checked="" type="checkbox"/></p>	<p>On the 8th January 2014, Metro Food & Wine Limited were found to have in their possession for supply 150 x packs of cigarettes that bore no English health warnings and no statutory pictorial health warnings; in contravention of the Tobacco Products (Manufacture, Presentation and Sale) Regulations 2002 (as amended), by virtue of the Consumer Protection Act 1987.</p>
<p>Public Safety</p>	<p><input type="checkbox"/></p>	
<p>Prevention of Public Nuisance</p>	<p><input type="checkbox"/></p>	
<p>Protection of Children from Harm</p>	<p><input type="checkbox"/></p>	

Please provide advice to the Licensing Sub-Committee on how you believe they should consider the representation.

If appropriate, recommend conditions that could be added to the Licence to remedy your representation or other suggestions you would like the Licensing Sub-Committee to take into account.

If replying by hard copy, please attach separate sheet(s), if necessary.

Please refer to the Responsible Authority Guidance Note.

The previous owner of this business was prosecuted in May 2010 for the same offences for smuggled tobacco. Mr Kulwant Singh Gaba took over the licence at the time that this prosecution was taking place; so is clearly aware of the illegality of selling these products. He had apparently taken over ownership of the business a few weeks prior to this transfer of licence into his name.

Further to this, Mr Kulwant Singh Gaba himself was prosecuted by Trading Standards on the 10th June 2011, for offences of having in possession to supply counterfeit Bollinger champagne at Metro Food and Wine on the 29th April 2010 (shortly after his taking over the ownership of the business).

The tobacco products in this instance were hidden underneath shelving units on the shop floor and were not on display. This demonstrates that the licence holder was clearly aware that they were illegal products.

Metro Food and Wine over the last few years demonstrate a blatant disregard for the law, in favour of making further profit and obtaining an unfair market advantage over other competitors that are supplying legitimate products.

In the interests of creating a 'level playing field' for the traders of Slough, I would recommend a 'Red Card' and revocation of Mr Kulwant Singh Gaba's licence for 'Metro Food and Wine Slough Limited'.

Name of Officer completing Representation	Dean Cooke
Job Title	Senior Trading Standards Officer
Name of Responsible Authority	Slough Borough Council
E-mail address:	dean.cooke@slough.gov.uk
Tel: No.	01753 477911

N.B. If you do make a representation you will be expected to attend the Licensing Sub-Committee hearing and any subsequent appeal proceedings.

Signed: ...

Dated:03/07/14.....

Please return this form along with any additional sheets, if replying by hard copy to:

The Licensing Team
Public Protection Services
Landmark Place
High Street
Slough
SL1 1JL **Or** E-mail to Licensing@Slough.gov.uk