

LICENSING SUB-COMMITTEE

AGENDA



Wednesday 5th March 2025

at 10.00 am

**in Committee Room C,
Civic Centre, Hartlepool**

MEMBERS: LICENSING SUB-COMMITTEE:

Councillors Allen, Feeney and Little

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. MINUTES

3.1 To confirm the minutes of the meeting held on 21st January 2025

4. ITEMS FOR DECISION

4.1 Application for the review of a premises licence – Belle Vue Convenience Store, Unit 1-2 Belle Vue Way, Hartlepool - *Assistant Director (Regulatory Services)*

5. ANY OTHER ITEMS THE CHAIR CONSIDERS ARE URGENT

CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE

In the event of a fire alarm or a bomb alarm, please leave by the nearest emergency exit as directed by Council Officers. A Fire Alarm is a continuous ringing. A Bomb Alarm is a continuous tone. The Assembly Point for everyone is Victory Square by the Cenotaph. If the meeting has to be evacuated, please proceed to the Assembly Point so that you can be safely accounted for.

LICENSING SUB COMMITTEE

MINUTES AND DECISION RECORD

21st January 2025

The meeting commenced at 10.00am in the Civic Centre, Hartlepool.

Present:

Councillor: Martin Dunbar (In the Chair)

Councillors: Rob Darby and Michael Jorgeson

Officers: Rachael Readman, Trading Standards and Licensing Manager
Neil Wilson, Assistant Chief Solicitor
Gemma Redfern, Solicitor
Jo Stubbs, Democratic Services Officer

Also present PC Clare Lawton, Cleveland Police

26. Apologies for Absence

None

27. Declarations of interest by Members

None

28. To confirm the minutes of the meeting held on 27 September 2024

Minutes confirmed

29. To confirm the minutes of the meeting held on 8 October 2024

Minutes confirmed

30. Local Government (Access to Information) (Variation Order) 2006

Under Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following items of business

on the grounds that they involved the likely disclosure of exempt information as defined in the paragraphs referred to below of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

Minute 31 – Personal Licence application MS – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (paragraph 1 – information relating to any individual and paragraph 2 – information which is likely to reveal the identity of an individual).

- 31. Personal Licence application MS:** (This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (paragraph 1 – information relating to any individual and paragraph 2 – information which is likely to reveal the identity of an individual)

Members were asked to determine an application for a personal licence. Full details are in the closed minutes

Decision

Detailed in the closed minutes

The meeting concluded at 10:20am

CHAIR

LICENSING ACT 2003

Procedure for Review Hearings



Prior to the commencement of the meeting, a representative of the Democratic Services Section shall establish the identity of those present, who they represent and who intends, or wishes to speak.

1. The Chair's opening comments, including introduction of Members of sub-committee and officers present. Explanation of the decision to be considered.
2. The Assistant Director (Regulatory Services) outlines the application, any relevant representations and relevancy to Licensing Policy and statutory guidance.
3. Members ask any questions of the Assistant Director (Regulatory Services).
4. Applicant for Review presents their case (either personally or via legal representation) and introduces witnesses where appropriate.
5. Questions by Members to applicant and/or applicant's witnesses.
6. Representations by responsible bodies and/or interested parties and witnesses introduced where appropriate.
7. Questions by Members to responsible bodies/interested parties and/or their witnesses.
8. Licence/Club Certificate holder presents their case (either personally or via legal representation) and introduces witnesses where appropriate.
9. Parties may question and clarify issues raised with the consent of the Chair.
10. If required, applicant/responsible bodies/interested parties to be given opportunity to sum up.
11. If required, the Licence /Club Certificate holder to be given opportunity to sum up.
12. Members to have the opportunity to clarify any points raised. The Chair shall ask whether all parties are satisfied they have said all they wish to.
13. Members to go into closed session to deliberate.
14. Chair informs parties of their decision, with reasons.

LICENSING SUB-COMMITTEE

5th March 2025



Report of: Assistant Director, Regulatory Services

Subject: APPLICATION FOR THE REVIEW OF A PREMISES LICENCE – BELLE VUE CONVENIENCE STORE, UNIT 1-2, BELLE VUE WAY, HARTLEPOOL

1. COUNCIL PLAN PRIORITY

Hartlepool will be a place:

- where those who are vulnerable will be safe and protected from harm.

2 PURPOSE OF REPORT

2.1 To consider an application for the review of a premises licence in respect of Belle Vue Convenience Store, Unit 1-2, Belle Vue Way, Hartlepool, TS25 1QW. A Summary of the application is outlined below:

2.2 Party requesting review: Trading Standards

2.3 The current premises licence holder is: Amandip Singh Kapoor
1-2 Belle Vue Way
Hartlepool
TS25 1QW

2.4 A copy of the licence is attached as **Appendix 1**.

2.5 A copy of the review application is attached as **Appendix 2**.

2.6 Google streetview images of the property are attached as **Appendix 3**.

2.6 The application for review refers to the following licensing objective:

- Prevention of Crime & Disorder

3. BACKGROUND

- 3.1 Trading Standards have requested a review of the Premises Licence of Belle Vue Convenience Store, Hartlepool as they state the premises licence holder is supplying for sale counterfeit and dangerous 35cl bottles of vodka and illegal vapes.
- 3.2 The Belle Vue Convenience Store current premises licence authorises the off sale of alcohol between 08:00 - 2300 Monday to Saturdays, and 10:00 – 22:30 on Sundays.
- 3.3 The application for the review has been advertised in the prescribed manner.
- 3.4 On Thursday 5th September 2024, officers attended Belle Vue Convenience Store and found five bottles of counterfeit vodka on open sale. After discovering the vodka, officers carried out a broader search of the premises which resulted in 194 illegal vapes being found in various places behind the counter, on display and in a store room to the rear of the shop.
- 3.5 The vodka seized from the shop was later confirmed as counterfeit by the brand holder. A bottle was also sent to a Public Analyst for testing who reported that the alcohol did not meet its declared strength of 37.5%. The analyst also concluded that the sample contained isopropyl.
- 3.6 The Premises Licence Holder and Designated Premises Supervisor, Mr Amandip Singh Kapoor in interview stated that the vodka was purchased legitimately, something which Trading Standards dispute. Mr Kapoor stated that he purchased a proportion of the vapes a while ago from someone who attended his shop selling them on two separate occasions and some from a legitimate supplier and he was unaware that the vapes were illegal.
- 3.7 Trading Standards have provided written statements and evidence to support the review application, attached as **Appendix 4**.
- 3.8 Cleveland Police have provided a Statement supporting the review and this is attached as **Appendix 5**.
- 3.9 Hartlepool Borough Council Public Health Department have provided a representation and it is attached as **Appendix 6**.
- 3.10 Hartlepool Borough Council Environmental Health (Commercial Services) have provided a representation and it is attached as **Appendix 7**.

4. PROPOSALS

4.1 An application for the review of a licence is made under Section 51 of the Licensing Act 2003.

4.2 *The application* must relate to at least one of the Act's 'licensing objectives' which are: -

- i) The prevention of crime and disorder;
- ii) Public safety;
- iii) The prevention of public nuisance; and
- iv) The protection of children from harm

4.3 The application for review relates to allegations that the premises Licence holder is allowing the sale of counterfeit vodka and illegal vapes from the premises.

4.4 Statutory guidance that accompanies the Licensing Act 2003 states: -

Para 11.28 'Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.'

4.5 Having considered the evidence detailed in this report and any further information provided, or representations made, at the licensing hearing, the steps available to the Licensing Sub-committee are: -

- To take no action;
- To modify the conditions on the licence;
- To remove or amend licensable activities currently authorised by the licence and/or the times that they may take place;
- To suspend the licence for a period not exceeding three months;
- To revoke the licence.

5. OTHER CONSIDERATIONS/ IMPLICATIONS

Risk Implications	None
Financial Considerations	The applicant may appeal the decision resulting in financial implications to the Local Authority.
Legal Considerations	Appeal by the Licence holder
Equality and Diversity Considerations	None
Staff Considerations	None
Asset Management Considerations	None

Environmental, Sustainability and Climate Change Considerations	None
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6. RECOMMENDATIONS

- 6.1 That Members consider the representations made and determine what action, if any, should be taken.

7. REASONS FOR RECOMMENDATIONS

None

8. BACKGROUND PAPERS

- 8.1 Revised Guidance issued under Section 182 of the Licensing Act 2003
<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>
- 8.2 Hartlepool Borough Council Statement of Licensing Policy
https://www.hartlepool.gov.uk/info/20023/licences_and_permits/228/alcohol_entertainment_and_late_night_refreshment/2

9. CONTACT OFFICERS

Rachael Readman
 Trading Standards and Licensing Manager
Rachael.readman@hartlepool.gov.uk

Sylvia Pinkney
 Assistant Director (Regulatory Services)
Sylvia.pinkney@hartlepool.gov.uk

Premises licence number

Part 1 - Premises details

Postal address of premises or, if none, Ordnance Survey map reference, or description	
1a & 1b Belle Vue Way	
Post Town	Hartlepool
Post Code	TS25 1XJ
Telephone number	01429 271922

N/A

Supply of alcohol

Supply of alcohol Mondays – Saturday 0800 – 2300
Sundays - 1000 - 2230

Monday – Saturday 0700 – 2300
Sundays 0700 - 2230

Off sales only

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

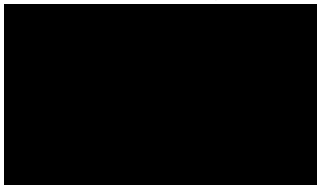
Amandip Singh Kapoor
1-2 Belle Vue Way
Hartlepool
TS25 1QW



Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorizes the supply of alcohol

Amandip Singh Kapoor



Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorizes for the supply of alcohol



Date licence granted: 19th April 2023

ANNEX 1 – Mandatory Conditions

1. No supply of alcohol may be made under the premises licence-
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

2.
 - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

ANNEX 2 – Conditions consistent with the Operating Schedule

1. A CCTV system of a type and specification approved by Cleveland Police shall be operational during all trading hours and, where more than one camera is in operation, at least one shall be permanently directed at the sales counter so as to record all sales taking place.

Images recorded by the system shall be retained for a minimum of 28 days and shall be made immediately available to police officers or other authorised officers on request.

2. There shall be in place a written policy to prevent the sale or supply of alcohol to persons under 18 years of age. That policy shall require any person who appears to be under the age of 21 to produce a recognised proof of age card accredited under the Proof of Age Standards Scheme (PASS), a photo driving licence, a passport or official HM Forces or EU ID card bearing photo and date of birth.

3. At least one notice shall be displayed at the entrance to the premises where it can be clearly seen and read and shall indicate that it is unlawful for persons under 18 years of age to purchase alcohol or for any person to purchase alcohol on behalf of a person under 18 years of age

4. A written record shall be maintained detailing the training provided to each member of staff authorised to sell or supply alcohol. Such a record shall be signed by the member of staff to confirm the date that such training took place.

5. Tills shall be installed with a scanning system which alerts staff to the age restrictions of products and such products shall not be sold unless suitable ID is produced.

6. Staff shall be given suitable training every six months in relation to alcohol sales and hazardous substances.

ANNEX 3 – Conditions attached after a hearing by the Licensing Authority

NONE

ANNEX 4 - Plans

YOU ARE REMINDED THAT IT IS YOUR LEGAL OBLIGATION TO ATTACH THE CURRENT 'PLAN' TO THIS PREMISES LICENCE AND KEEP THIS LICENCE (OR A CERTIFIED COPY) IN A SECURE PLACE AT THE LICENSED PREMISES.

IT IS AN OFFENCE NOT TO PRODUCE YOUR PREMISES LICENCE (INCLUDING THE PLAN) UPON REQUEST BY A POLICE OFFICER, LOCAL AUTHORITY OFFICER OR AUTHORISED PERSON.



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 Josh Maitland on behalf of Hartlepool Trading Standards

(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

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

Belle Vue Convenience Store
1a & 1b Belle Vue Way

Post town Hartlepool

Post code (if known) TS25 1JX

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

Amandip Singh Kapoor

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

HART/PS/366

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

Mr Josh Maitland
Senior Trading Standards Officer
Public Protection
Civic Centre
Hartlepool
TS24 8AY

Telephone number (if any)



E-mail address (optional)



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)

I am requesting this review on behalf of Hartlepool Borough Council's Trading Standards department, a Responsible Authority under the Licensing Act 2003. I believe the current trading practices at *Belle Vue Convenience Store* are contradicting the 'Prevention of Crime and Disorder' Licensing Objective.

During September 2024 Hartlepool Borough Council's Public Protection department received an alert from the Food Standards Agency regarding counterfeit and dangerous 35cl bottles of Glens vodka which had been found available for sale on the market. The vodka was dangerous as it contained the industrial solvent isopropyl alcohol which is not fit for human consumption. Consumption of isopropyl can quickly lead to alcohol poisoning and in severe cases death.

In response to the alert, Trading Standards and Environmental Health Officers visited Hartlepool traders to help ensure that the offending product was not available. As part of these visits, on Thursday 5th September 2024, officers attended Belle Vue Convenience Store and found five bottles of the potentially lethal vodka on open sale.

After discovering the vodka, officers carried out a broader search of the premises which resulted in 194 illegal vapes being found in various places behind the counter, on display and in a store room to the rear of the shop.

The vodka seized from the shop was later confirmed as counterfeit by the brand holder. A bottle was also sent to a Public Analyst for testing who reported that the alcohol did not meet its declared strength of 37.5%. The analyst also concluded that the sample contained isopropyl.

The Premises Licence Holder and Designated Premises Supervisor, Mr Amandip Singh Kapoor in interview stated that the vodka was purchased legitimately and provided invoices for cash and carry's in the region. However, as there is no traceability information present on the counterfeit vodka its history cannot be determined or traced back to a specific invoice or supplier. Officers from Gateshead Council's and Stockton-On-Tees Borough Council's Food Teams have visited the cash and carry's where Mr Kapoor said the vodka may have come from but they found no evidence of counterfeit vodka on sale. I am not convinced that the vodka was indeed purchased from a legitimate supplier.

With regard to the illegal vapes, Mr Kapoor stated that he was unaware that the items were illegal. He stated that he purchased a proportion of them approximately 18 months ago from someone who attended his shop selling them. He stated that he had obtained a number of them from a man who attended his shop two months prior. He stated that the man was selling them out the back of a Mercedes van but hadn't paid for them yet. He stated he would pay for them once they were sold and replaced. The fact that Mr Kapoor was willing to purchase stock in this way gives me greater concerns that the unsafe vodka was also purchased from a non-reputable supplier.

Mr Kapoor also stated that he purchased a proportion of the vapes from a legitimate supplier. He presented officers with an electronic invoice for a brand which constituted 21 of 194 devices seized. The authority is ready to accept the submission that he believed these 21 devices were legal. This acceptance is based on the devices being relatively new to market and the fact they breach the legislation for a written statement on their packaging rather than their construction/capacity.

It is Trading Standards contention that the possession for sale of counterfeit vodka and illegal vapes brings into doubt Mr Kapoor's suitability to be licensed to sell alcohol as by committing suspected criminal offences he is failing to prevent crime and disorder at the premises.

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

To support my application supporting evidence will be provided by myself and Lesley Smith, Senior Environmental Health Officer.

1

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

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



Date **14/01/2025**

Capacity **Senior Trading Standards Officer**

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

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)

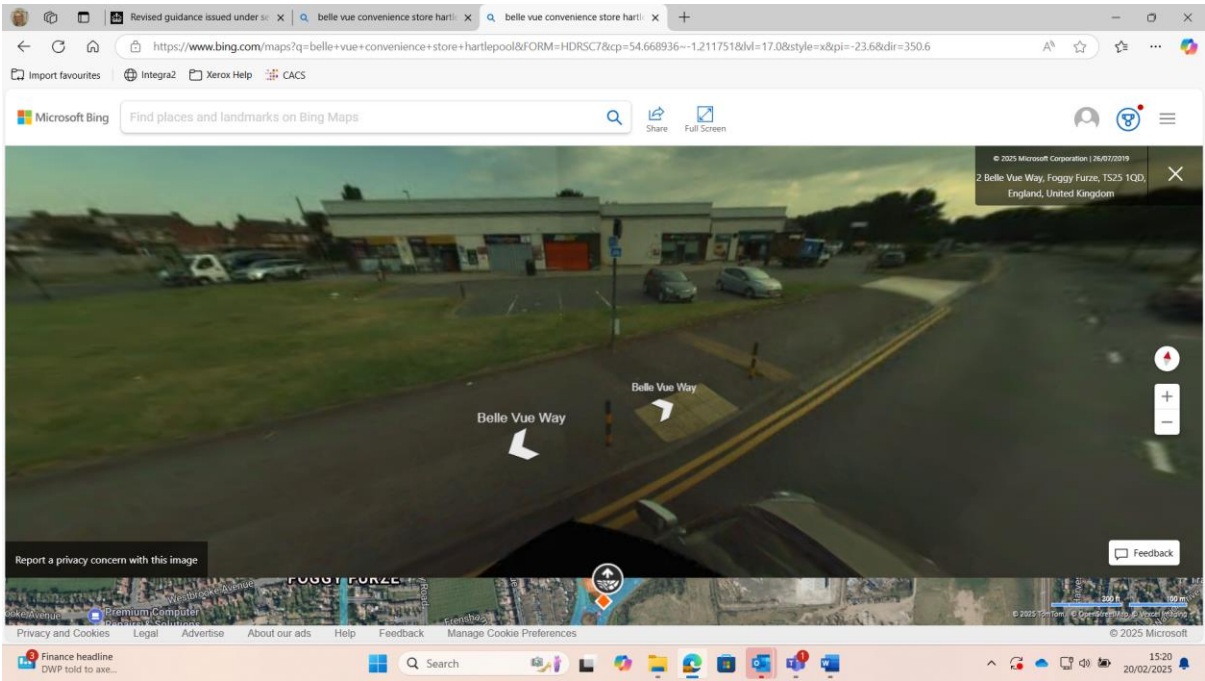
Notes for Guidance

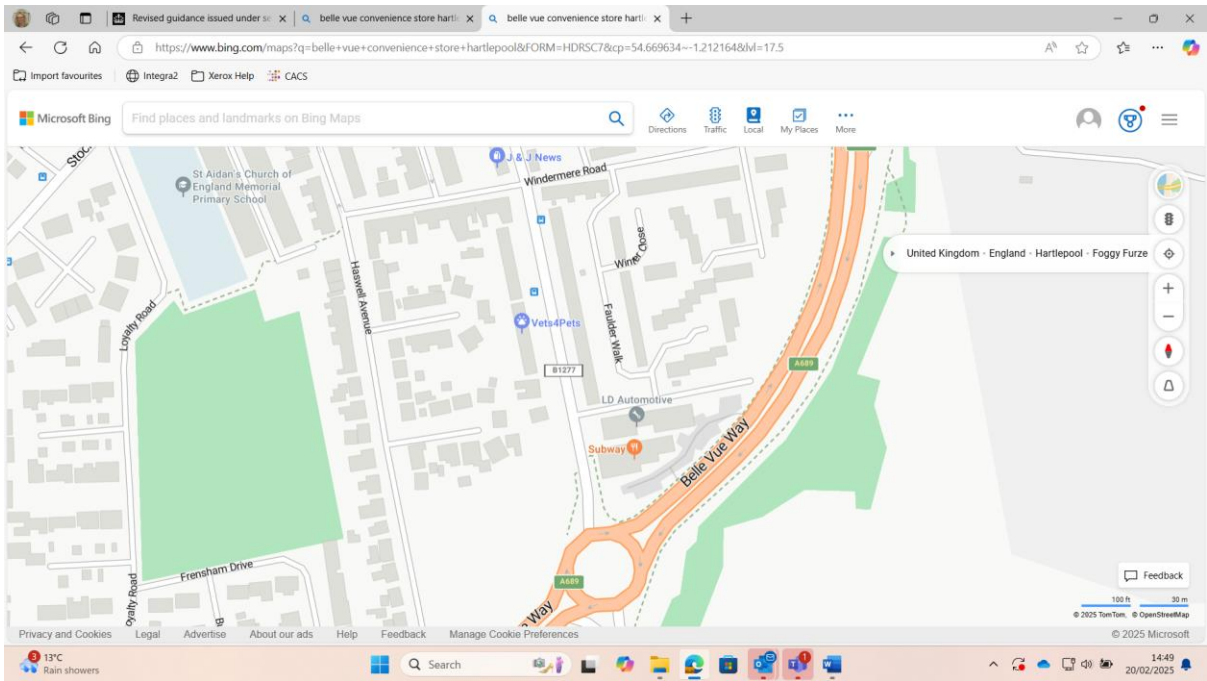
1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example 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.

**The Licensing Team
Hartlepool Borough Council
Civic Centre**

REV01

Hartlepool
TS24 8AY





STATEMENT OF WITNESS

*(Criminal Procedure Rules, r. 16.2;
Criminal Justice Act 1967, s. 9)*

Statement of **Josh Maitland**
(Full name)

Age of witness (if over 18 enter "over 18") **Over 18**

Occupation of witness **Senior Trading Standards Officer**

This statement (consisting of 5 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 in it anything which I know to be false or do not believe to be true.

Dated the 19th day of February 2025

.....
(Signed)

I am the above named person and I am currently employed as a Senior Trading Standards Officer for Hartlepool Borough Council's Public Protection Department located at the Civic Centre, Victoria Road, Hartlepool TS24 8AY. I have been employed in this team since March 2015 and part of it requires me to enforce the provisions of the Trade Marks Act 1994 in relation to counterfeit goods.

During the week commencing the 2nd September 2024, the department received an alert from the Food Standards Agency (FSA) that there was counterfeit and dangerous 35cl bottles of Glens Vodka on the market. The alert stated that the vodka contained Isopropyl which is an industrial solvent and when ingested can quickly lead to alcohol poisoning and in severe cases death. I now produce a copy of this alert as evidence as exhibit JM/Alert/01

Due to the serious nature of the alert it was decided that officers would visit Hartlepool premises to check that there was none of the dangerous vodka on sale.

At 11:06 on the 5th September 2024, I attended Belle Vue Convenience Store with Lesley SMITH, Senior Environmental Health Officer. Upon entering the premises

Signed

and approaching the counter I witnessed bottles of Glens Vodka on sale on a shelf behind the service counter. Mrs SMITH asked the female serving, who later identified herself as Malgorata KOMAJDA, for a look at the Vodka. Upon visually examining the bottle we suspected that the bottle may not be genuine. This suspicion was based on the FSA alert which advised how to identify genuine bottles of the product. I informed Miss KOMAJDA we would be seizing the stock based on our suspicions that it was counterfeit. There were five bottles presented for sale in total.

I then proceeded to look behind the counter for further bottles of the vodka. In doing so I immediately identified disposable vapes which I suspected breached the Tobacco and Related Products Regulations 2016. After looking behind the counter, I then proceeded to look around the remainder of the premises for further illicit items. I located a cardboard box in a storeroom at the rear of the premises which contained more suspected illegal vapes. I removed the box from the storeroom and took it to near the service counter where Miss KOMAJDA was present.

I then started to seize the suspected illicit items that I had located during the visit. I placed the five bottles of vodka into an evidence bag and sealed them with tag number 1165744. I now produce these bottles as evidence as Exhibit JM1.

I then sealed the cardboard box which was found in the storeroom with evidence tag number 1165697. I now produce the box as evidence as Exhibit JM2.

I then removed 54 suspected non-compliant electronic cigarettes from a storage compartment underneath where the vodka was on display and placed them in an

Signed

A black rectangular box redacting the signature of the witness.

evidence bag. I secured this evidence bag with tag number 1165709. I now produce this bag as evidence as Exhibit JM3.

I then removed suspected non-compliant vapes from display and placed them in an evidence bag. I then sealed the bag with evidence tag number 1165696. I now produce this bag as evidence as Exhibit JM4.

I then removed suspected non-complaint vapes from under the service counter and placed them in an evidence bag. I then sealed the evidence bag with tag number 1165583. I now produce this as evidence as exhibit JM/5

I then removed suspected non-compliant vapes from a cupboard under the tobacco and stand and placed them in an evidence bag. I then sealed the bag with tag number 1165736. I now produce this as evidence as JM/6.

We then concluded the visit and departed the premises at 12:22.

On the 16th October 2024, Daniel BRIGGS, Senior Trading Standards Officer, counted the illegal vapes which I had seized the on 5th September 2024. I have accessed the Council's records and retrieved a copy of the document Mr BRIGGS made whilst counting the devices. I now produce a copy of this document as evidence as Exhibit JM/7. There were 194 in total.

On the 20th September 2024 I sent images via email of a bottle of the vodka I had seized to 'Loch Lomond Group' who are the brand holder for legitimate Glens Vodka. In reply, I received a confirmation email from Euan Birrell who is Head of Governance for the group stating that the vodka was counterfeit. He stated he

Signed

A black rectangular box redacting the signature of the witness.

could tell it was counterfeit as the bottle was shaped differently to the genuine Glens Vodka bottle and had been supplied by a different bottle supplier.

On 11th October 2024 I broke open the seal on Exhibit JM/1 and removed one bottle of vodka from the bag. I then resealed the exhibit. I then gave the bottle to Senior Environmental Health Officer Alison Hardy so that a sample could be sent to a Public Analyst.

On 7th November 2024 the Authority received a report from the Public Analyst who had examined the vodka. I now produce this report as evidence as Exhibit JM/8. The Analyst confirmed the present of iso-Propanol in the sample and that the vodka was falsely described.

On 11th November 2024 I interviewed Mr Amandip Singh KAPOOR under the provisions of the Police and Criminal Evidence Act 1984 in relation to suspected offences under the Trade Marks Act 1994, Food Safety Act 1990 and Tobacco and Related Products Regulations 2016. During the interview Mr KAPOOR stated that he buys his vodka from legitimate sources. He provided invoices for 'Booker', 'United Wholesale Grocers' and 'Bestway Wholesale' which showed he had purchased 25cl bottles of Glens Vodka on various days. The invoices for 'Booker' and 'United Wholesale Grocers' were dated 06/07/2024 and 20/08/2024 which was before our visit but the time of the 'Bestway' invoice was after meaning it was not relevant for the origin of the counterfeit vodka.

Regarding the non-compliant vapes, Mr Kapoor stated that he was unaware that the items were illegal. He stated that he purchased a proportion of them approximately 18 months ago from someone who attended his shop selling them.

Signed



He stated that he had obtained a number of them from a man who attended his shop two months prior. He stated that the man was selling them out the back of a Mercedes van but hadn't paid for them yet. He stated he would pay for them once they were sold and replaced. Mr Kapoor also stated that he purchased a proportion of the vapes from a legitimate supplier.

With regard to the 'United Wholesale Grocers' I contacted Miss Ashleigh JOBES who is an Environmental Health Officer for Gateshead where the cash and carry is based. Miss JOBES was the lead officer for an investigation into counterfeit bottles which were found in their area. Miss JOBES advised that 'United Wholesale Grocers' was visited on 19th August 2024 by Gateshead officers and there was no evidence of counterfeit vodka present. Miss JOBES advised that their checks had found 'United Wholesale Grocers' buy all their Glens Vodka direct from Loch Lomond Group.

With regard to the 'Booker' invoice, I have liaised with Paul CHILVER of Stockton Trading Standards, who are the authority for where 'Booker' are based. I provided him with images of the counterfeit vodka. Mr CHILVER advised that he visited the premises on 26th October 2024 and found no evidence of counterfeit vodka on sale. He stated that all the Glens Vodka on sale was price marked on the label meaning it was different. He advised that one of their managers scanned the photo of barcode on the counterfeit bottle and it did not register meaning it has never been added to their system so could not have been sold there.



Signed



Item referred to in my
statement as exhibit
" JM/Alert 101 "

Signed: [REDACTED]



FOOD ALERT FOR ACTION
**TO BE PASSED WITHOUT DELAY TO THE LEAD OFFICER FOR FOOD
SAFETY AND DIRECTORS OF TRADING STANDARDS**

Ref: FSA-FAFA-03-2024

Date: 04 September 2024

**To: Heads of Environmental Health Services via Lead Officer for Food Safety and
Directors of Trading Standards**

Please copy to all Local Authority Officers with a possible interest

Production and distribution of counterfeit vodka labelled as Glen's Vodka

Heads of Environmental Health Services and Trading Standards will wish to be aware of the production and distribution of counterfeit vodka labelled as Glen's Vodka. The counterfeit vodka may have a strange smell and taste differently to genuine vodka.

Products sampled in Scotland were found to contain isopropyl alcohol. Isopropyl alcohol is an industrial solvent and is not intended for human consumption. Consumption of isopropyl alcohol can quickly lead to alcohol poisoning and in severe cases death. This makes the product unsafe, as it is injurious to health and unfit for human consumption in accordance with Article 14 of Assimilated Regulation (EC) 178/2002.

To date, the counterfeit vodka has only been confirmed in 35cl bottles on sale in Scotland and investigations are ongoing to confirm if similar product identified in Northeast England is counterfeit and unsafe. Additionally, there have been reports of issues with different bottle sizes from other local authority areas but these have not yet been confirmed as counterfeit. The FAFA will be updated if further information is confirmed.

The producer/distributor of the counterfeit Glen's Vodka is unknown at this time, and as a result, full distribution information is not available. Local authorities (LAs) have typically found products on sale in small, independent retailers and off-licences. If further information on distribution becomes available, LAs will be advised accordingly.

Identification of the illicit product:

See Annex 2 for information to identify counterfeit product. This Annex should not be circulated outside the Local Authority.

Actions to be taken by enforcement authorities:

The product detailed above does not comply with sections 7 and 8 of the Food Safety Act 1990, in that it is injurious to health and fails to comply with food safety requirements. The presence of Isopropyl alcohol which is not intended for human consumption and renders the product unsafe under Article 14 of Assimilated Regulation (EC) 178/2002.

LAs are requested to:

- Work with their colleagues from Licensing and Trading Standards to identify establishments where intelligence indicates that this counterfeit product could be stocked;
- Visit the relevant establishments identified to check for counterfeit product and make Food Business Operators aware of this issue;
- Be vigilant to potential counterfeit products during interventions at other establishments.

If counterfeit product is found during the course of LA visits, enforcement officers should take possession of it to ensure that it is removed from the market, if necessary using powers available to them under the Food Safety Act 1990. LAs may wish to also consider the enforcement powers available to Trading Standards colleagues to deal with counterfeit products.

As this relates to an ongoing investigation, LAs are requested to consider the information in Annex 1 to preserve evidence and to assist with any future investigations.

LAs should report any findings of counterfeit Glen's Vodka to FSA food incidents, using the incident notification form, clearly indicating the incident reference number in the notification (I-008-121). For out of hours then please call FSA out of hours on 020727686448.

LA's may wish to consider using local publicity to inform business/consumers of this issue, where appropriate. It is important that information in annex 1 and 2 is not shared with the wider public. This has been produced to assist LAs only.

**ENQUIRIES ABOUT THE CONTENT OF THIS PRODUCT RECALL INFORMATION NOTICE
SHOULD BE ADDRESSED TO:**

In England: FSA, 1-2 Peasholme Green, York, YO1 7PR Tel:020 7276 8448 Fax: 020 7276 8788	In Wales: FSA, 4th Floor, Welsh Government Buildings, Cathays Park, Cardiff, CF10 3NQ Tel: 029 2067 8961 Fax: 029 2067 8918	In Northern Ireland: FSA, 10a-c Clarendon Road, Belfast, BT1 3BG Tel: 028 9041 7700 Fax:028 9041 7728
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Exhibit Handling Record

Item referred to in my statement as exhibit " JM/7

Page 1 of 4

Referred to in my statement as exhibit: DB/ML/Cataloguing

Signed: [Redacted]

Item	Original Tag Number & date opened	Description	Bulk reseal tag number & date resealed	Sample reseal tag number	Name and whom sample sent	ig No when Back	TM Holder exhibit references
1	1165583 16/9/24	<ul style="list-style-type: none"> 19x Dr Gorilla King 3500 puff disposable e-cigarettes 0% Nicotine on box, 2% on device. 2 raspberry watermelon (1 open & leaking) 2 raspberry mentho 2 vimtonic 2 raspberry mango bubblegum 2 tropical rainbow 3 mango cola 6 kiwi passion fruit guava 	1165949 16/9/24				
2	1165696 16/9/24	<ul style="list-style-type: none"> 21x ENE Legend 3500 puff 2-HR! (Harm Reduction Innovation) e-cigarettes 1 gummy bear 2 strawberry watermelon bubblegum 3 watermelon ice 3 skittles 	1165641 16/9/24				

Exhibit Handling Record

Page 2 of 4

Item	Original Tag Number & date opened	Description	Bulk reseal tag number & date resealed	Sample reseal tag number	Name and address to whom sample sent	Date Sent	Date Back	Tag No when Back	TMI Holder exhibit references
2	1165696 16/9/24 Cont	<ul style="list-style-type: none"> 4 blueberry raspberry 4 Mr Blue 4 blueberry sour raspberry 	1165641 16/9/24 Cont						
3	1165736 16/9/24	<ul style="list-style-type: none"> 9x ENE Legend 3500 puff e-cigarettes 5 strawberry kiwi 4 pineapple ice 38x Lost Mary 5 blueberry cranberry cherry 3 blue sour raspberry 2 strawberry raspberry cherry 5 blueberry ice 4 blue razz ice 4 kiwi passion fruit guava 5 green apple 5 cherry peach lemonade 5 triple berry ice 	1165946 16/9/24						
4	1165744 Not opened	5x 35cl bottles of suspected counterfeit Glen's Vodka							
Item	Original Tag	Description	Bulk reseal tag	Sample reseal	Name and address to	Date Sent	Date Back	Tag No when Back	TMI Holder

Exhibit Handling Record

Page 3 of 4

	Number & date opened		number & date resealed	tag number	whom sample sent			exhibit references
5	1165709 16/9/24	<ul style="list-style-type: none"> • 9x Crystal Pro Max 4000 puff e-cigarettes • 3 juicy peach • 6 gummy bear • 45x Crystal Prime 7000 puff e-cigarettes • 5 cherry ice • 5 triple mango • 5 berry blaze • 5 fizzy cherry • 5 summer dream • 5 watermelon ice • 5 raspberry mint • 5 red apple ice • 5 strawberry kiwi 	1165873 16/9/24					
6	1165697 16/9/24	<ul style="list-style-type: none"> • 39x Crystal Prime 7000 puff e-cigarettes • 13 summer dream • 9 red apple ice • 5 berry blaze • 2 raspberry mint • 7 watermelon ice • 12 fizzy cherry • 3 cherry ice • 5x Lost Mary 3500 puff e-cigarettes • 1 blueberry ice 	1165942 16/9/24					

Item	Original Tag	Description	Bulk reseat tag	Sample reseat	Name and address to	Date Sent	Date Back	Tag No. when Back	TM Holder
------	--------------	-------------	-----------------	---------------	---------------------	-----------	-----------	-------------------	-----------

Certificate of Analysis or Examination

carried out under the Food Safety (Sampling and Qualifications) (England) Regulations 2013

To: Lesley Smith
Hartlepool Borough Council
Civic Centre
Victoria Road
Hartlepool
TS24 8AY

Report No : AR-24-WP-006555-01
Sample No : 405-2024-00006955
Page : 1 of 2
Status :

Item referred to in my
statement as exhibit

" JM/8 "

I, the undersigned Public Analyst for Hartlepool Borough Council

certify that at on the 15 October 2024

the sample marked:

Signed:

Date sample Taken

Reference Number, Description, etc

Weight or Measure

HP16FS24
Glen's Vodka
Belle Vue Convenience Store (Meeta Local)
Seal No: T365571
Informal

was received by me from you

I certify that the sample was analysed by me or under my direction and the results are as follows:

Alcohol content	34.0	% vol
Total Solids	0.01	g/100 g
iso-Propanol	2637	mg/100 ml
1-Propanol	<4	mg/100 ml alcohol
Acetaldehyde	<4	mg/100 ml alcohol
Ethyl acetate	<4	mg/100 ml alcohol
iso-Butanol	<4	mg/100 ml alcohol
iso-Pentanol	<2	mg/100 ml alcohol
Methanol	<4	mg/100 ml alcohol
n-Butanol	<2	mg/100 ml alcohol
t-Butanol	<4	mg/100 ml

My opinion and observations are:

Article 28 and Annex XII of Regulation (EU) 1169/2011 enabled by the Food Information for Consumers Regulations 2014 establishes positive and negative tolerances permitted in the indication of the alcoholic strength by volume of alcoholic drinks other than Community controlled wine, the tolerances shall apply without prejudice to the tolerances deriving from the method of analysis used for determining the alcoholic strength.

The declared alcoholic strength was 37.5%vol.

The tolerance for a drink of this type is 0.3%vol. Allowing for an analytical tolerance of 0.2%vol, the sample was therefore deficient in alcohol by not less than 3.0 %vol.

The presence of iso-Propanol is consistent with the alcohol being of industrial rather than agricultural origin. The sample was therefore not vodka as defined by the Spirit Drinks Regulations 2008 and Regulation 110/2008.

I am of the opinion the sample was not genuine Glens Vodka and was therefore falsely described, contrary to the requirements of Section 15 of the Food Safety Act 1990.

I further certify that the sample had undergone no change which would affect my results, opinion or observations.

Certificate of Analysis or Examination

carried out under the Food Safety (Sampling and Qualifications) (England) Regulations 2013

To: Lesley Smith
Hartlepool Borough Council
Civic Centre
Victoria Road
Hartlepool
TS24 8AY

Report No : AR-24-WP-006555-01
Sample No : 405-2024-00006955
Page : 2 of 2
Status :

Certified by me this 7th day of November 2024 at Wolverhampton

Signature



Status Public Analyst

Name in BLOCK LETTERS NIGEL PAYNE

Email



Unless requested otherwise, satisfactory and irregular samples are discarded 1 month after the report date, and unsatisfactory and failed samples are discarded 6 months after the report date.

Official address Public Analyst Scientific Services Ltd

i54 Business Park
Valiant Way
Wolverhampton, WV9 5GB



STATEMENT OF WITNESS

*(Criminal Procedure Rules, r. 16.2;
Criminal Justice Act 1967, s. 9)*

STATEMENT OF: LESLEY SMITH

Age of Witness: (if over (18) enter "over (18)": over 18

Occupation of witness: SENIOR ENVIRONMENTAL HEALTH OFFICER

This statement (consisting of 3 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 in it anything which I know to be false or do not believe to be true.

Dated the 28th November 2024

Signed

My name is Lesley Smith and I am employed by Hartlepool Borough Council as a Senior Environmental Health Officer.

On the 4th September 2024 the Food Standards Agency issued a 'Food Alert for Action' in relation to counterfeit bottles of Glen's Vodka which had been produced and distributed for sale to the public. A 'Food Alert for Action' provides local authorities with details of specific action to be taken on behalf of consumers.

The counterfeit vodka had been found to contain isopropyl alcohol, an industrial solvent not intended for human consumption which, if consumed, can lead to alcohol poisoning and in severe cases death. The product was therefore unsafe. The alert related to 35cl bottles of Glen's Vodka only and the information provided by the Food Standards Agency provided authorised food officers with information on how to identify the counterfeit bottles of vodka. The Food Standards Agency Consumer Alert is presented as evidence (LH01).

Following this alert from the Food Standards Agency, Hartlepool Borough Council Environmental Health and Trading Standards Officers made visits to retail premises in Hartlepool to check for counterfeit stock.

On the 5th September 2024 myself and my colleague Josh Maitland, Graduate Trading Standards Officer carried out a visit to Belle Vue Convenience Store (Meeta Local) at Units 1 – 2 Belle View Way, Hartlepool, TS25 1QW. Prior to visiting the premises I checked the Food Business Registration form to confirm who the registered food business operator was. The information on file was that the business had been registered on the 7th February 2023 under the name of Meeta Local Store Limited. The registration form had been signed by Mr Amandip KAPOOR. We entered the premises at 11.06am.

Signed

Date 28th November 2024

I approached the counter and noted several 35cl bottles of Glen's vodka on display behind the serving counter (LH02 and LH03). I introduced myself and Mr Maitland to the shop assistant, who I now know to be Miss KOMAJDA. I advised that I was an Environmental Health Officer for Hartlepool Borough Council and produced my ID. I asked Miss KOMAJDA if I could look at one of the bottles of Glen's Vodka as myself and my colleague were checking licensed retail premises in Hartlepool for counterfeit bottles of vodka. The shop assistant passed me a bottle from the display. I compared the bottle with the information provided by the Food Standards Agency in the Food Alert and noted that the laser markings which should be present on a genuine bottle of Glen's Vodka were missing. I then checked the bottom of the bottle and noted that the markings on the bottom of the bottle did not correspond to the markings that should be available on a genuine 35cl bottle of Glen's Vodka as detailed in the information provided by the Food Standards Agency (LH04, LH05 and LH06).

I asked Miss KOMAJDA if she was able to let me have a look at the other 35cl bottles of Glen's Vodka on display. There were five bottles in total and all markings on the bottles indicated that the vodka was counterfeit when compared to the information provided by the Food Standards Agency Food Alert.

I advised Miss KOMAJDA that I believed that the vodka was counterfeit and should be removed from sale. I confirmed with the shop assistant that this was the only stock of 35cl bottles Glen's Vodka at the premises. I checked the stock rooms at the premises and could not find any further bottles of Glen's Vodka in this size.

I asked Miss KOMAJDA if she was aware of where the vodka had been purchased or if there were any receipts available at the premises. She advised that the owner Mr Amandip Singh KAPOOR purchased all stock for the premises and would have any documentation. Miss KOMAJDA telephoned Mr KAPOOR so that I could speak to him about this matter.

Mr KAPOOR advised me by telephone that he had purchased the vodka from either Bookers or Unite Cash and Carry in either Gateshead or Stockton. He confirmed that he would be able to provide receipts for the products, but that these were not available at the premises. Mr KAPOOR told me that he was not in Hartlepool and was currently in London. I advised that he would be required to provide receipts and that an officer would contact him at a later date in relation to this matter. I advised Mr KAPOOR that I believed the Glen's Vodka was counterfeit and must be removed from sale. I advised that the counterfeit vodka would be seized under the Trade Marks Act 1994 and removed from the premises.

I confirmed with Mr KAPOOR that he had purchased a pack of 6 bottles of the 35cl bottles of Glen's Vodka. He was aware that one bottle had been sold to Miss KOMAJDA. I spoke to Miss KOMAJDA who confirmed that she had purchased the vodka for a friend, and they had consumed it. I advised Miss KOMAJDA of the Food Standards Agency Product Recall.

Whilst I was speaking to Mr KAPOOR on the telephone, my colleague, Josh Maitland proceeded to look behind the counter for further stock. He identified various disposable vapes which he suspected breached the Tobacco and Related Products Regulations 2016.

Signed 

Date 28th November 2024

Mr Maitland made further checks at the premises to check for further illicit items whilst I remained in the front shop area. Mr Maitland brought a cardboard box to the main shop from the rear storeroom and placed it near the counter. The box contained a number of boxes of vapes.

Mr Maitland proceeded to seize the suspected illicit items including the five 35cl bottles of Glen's Vodka. I acted as Evidence Officer and produce the document detailing the evidence seized (LH07).

We then concluded the visit and departed the premises at 12:22.

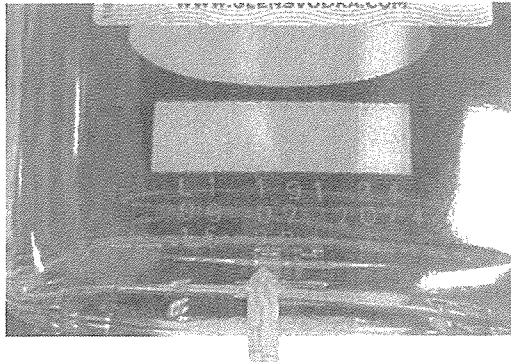
A black rectangular box redacting the signature of Lesley Smith.

Signed

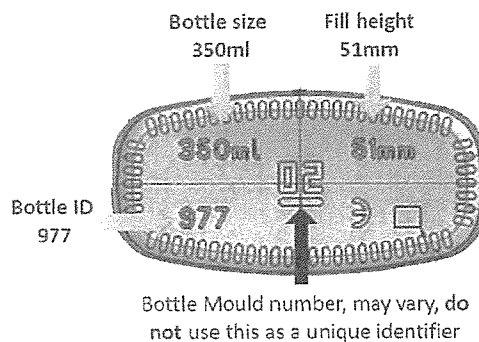
Date 28th November 2024

Guide to help distinguish between genuine and counterfeit products

Every genuine bottle of Glen's vodka has a laser etched lotcode applied to the bottle between the rear label and the base of the bottle.



They will also have the following markings on the base of the bottle - the highlighted three identifiers will not vary (position or detail):



Item referred to in my
statement as exhibit
" L H01 "

Signed:

Item referred to in my
statement as exhibit

" LH02 "

Signed:

[REDACTED]



Item referred to in my
statement as exhibit

" LH03 "

Signed: [REDACTED]



Item referred to in my
statement as exhibit

" L404 "

Signed



Item referred to in my
statement as exhibit
“ LH05 ”

Signed: [REDACTED]



Item referred to in my
statement as exhibit
“ L406 ”

Signed: [REDACTED] ...



STATEMENT OF WITNESS

*(Criminal Procedure Rules, r. 16.2;
Criminal Justice Act 1967, s. 9)*

STATEMENT OF: Alison Janine Hardy

Age of Witness: (if over (18) enter "over (18)": over 18

Occupation of witness: Senior Environmental Health Officer

This statement (consisting of 1 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 in it anything which I know to be false or do not believe to be true.

Dated the 12th February 2025

Signed:



Date: 12th February 2025

I Alison Janine Hardy am employed as a Senior Environmental Health Officer by Hartlepool Borough Council.

On the 11th October 2024, my trading standards colleague, Josh Maitland, asked if I could arrange for a bottle of Glen's Vodka, that he had seized, to be sent to the public analyst for testing. Josh requested the vodka be tested for Isopropyl Alcohol.

Josh gave me the bottle of vodka, I labelled the bottle with sample number HP16FS24 and placed the bottle in a bag, securing the bag with tag number T365571. I then placed the bottle in the locked storage cupboard adjacent to my desk.

I contacted our appointed public analyst, Public Analyst Scientific Services Ltd, Wolverhampton and arranged for the vodka to be collected on 14th October 2024.

On the morning of 14th October 2024, I received a call from the courier for the public analyst. He informed me that he was at the back doors of the Civic Centre. I took the bottle of vodka out of the locked cupboard and handed it to the courier.

Signed



Date: 12th February 2025

Statement of Paul CHILVER

This Statement consisting of 2 Pages is true and 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 in it anything which I know to be false, or do not believe to be true.

1. I am a Trading Standards Officer employed by Stockton-on-Tees Borough Council. My duties include advice on, and enforcement of the Trade Marks Act 1994, and the Food Safety Act 1990.
2. On the 19th November 2024 Stockton Trading Standards received an email from Jane Kett, who is an Environmental Health Manager from Hartlepool Borough Council. It related to an investigation that Hartlepool Trading Standards had into the supply of counterfeit Glens Vodka. She provided an invoice that was given by their trader for the purchase of Glens Vodka from Bookers Cash and Carry, Pennine Avenue, Stockton-on-Tees TS18 2RJ asking if our department could look into who supplied the Glens Vodka to Bookers, and to contact Josh Maitland at Hartlepool Trading Standards for further details.
3. I contacted Josh Maitland on the 21st November 2024 and he emailed me a picture of a Glens Vodka bottle that was seized from a trader in Hartlepool.
4. On the 26th November 2024 I visited Bookers Cash and Carry and spoke to the area manager Adam Cunningham. I provided him with the invoice and pictures of the Glens Vodka. One of the pictures showed the bar code of the product and he scanned it on their computer system and showed me on the computer screen that the bar code was not recognised.

5. He also pointed out to me that all the Glens Vodka Bookers sell have the price as part of the label, and the label on the one in the picture did not have.
6. I went onto the shop floor and examined a large quantity of Glens Vodka bottles on display, all had the price as part of the label.
7. The Lock Lomond Group had provided food enforcement agencies with advice on how to spot genuine and counterfeit Glens Vodka in March 2024 following a Food Standards Agency alert. I examined a large number of bottles at Bookers using this advice and all appeared genuine.
8. I left the invoice with Mr Cunningham who said he will ask head office to look into the traceability of the Glens Vodka shown on it.
9. I exhibit a copy of the invoice provided provided by Jane Kett as PC1 and pictures provided by Josh Maitland as PC2.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signature:



Date: 31/01/2025

BOOKER

Booker is a registered trademark of Booker plc.
 Registered under the Trade Marks Act 1994 and the Trade Marks Regulations 2001.
 Copyright © 2001 Booker plc. All rights reserved.
 All other rights reserved. Registration No. 1749000100000

BLANCK 274

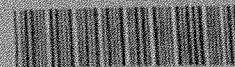
STATION
 FARMING A/STRA
 MAR 1990 100-001
 STATION ON THE
 CLEVELAND
 11A 22

CUSTOMER 740272772 HBS A SAUN HBSI
 MORTAL STOKS LTD UNIT 1 2 AMBLE INN CENTRE
 10115 710 WAY
 HARTLEY
 10115 710 WAY

INVOICE NUMBER 2100143 PAGE 01
 CUSTOMER PO NUMBER 2100143-41
 DATE 26/07/21 TIME 12:00
 BILL TO OPERATOR 117

CODE	DESCRIPTION	PACK SIZE	QTY	PRICE	VALUE	VAT	NET	GST
280014	Nescafe Original (ini) PM113	12 8x14g	1	9.00	9.00	A	1.10 24.39	
280014	BN Choco Chip Cookies PM100	11 150g	1	7.25	7.25	A	1.00 24.39	
280014	Monster Assault Soda PM125	12 500ml	1	5.75 P	5.75	B	1.00 24.39	
280014	Sub Saw BN Kby/Elbey PM100	12 500ml	1	5.40 P	5.40	B	1.00 24.39	
280014	Lipton Ice Tea Lemon PM110	12 1000ml	1	5.40 P	5.40	B	1.00 24.39	
280014	Coca Cola Cherry PM125	6 1.75lt	1	4.15	4.15	B	1.00 24.39	
280014	Bart Raspberryade PM113	6 2lt	1	4.15	4.15	B	1.00 24.39	
280014	Space Raiders Beef PM40	36 25g	1	8.65	8.65	B	1.00 24.39	
280014	Space Raiders Bkld On PM40	36 25g	1	8.65	8.65	B	1.00 24.39	
280014	Space Raiders Ezy BBQ PM40	36 25g	1	8.65	8.65	B	1.00 24.39	
280014	Pringles BBQ PM125	12 70g	1	9.50	9.50	B	1.00 24.39	
280014	Pringles Ready Salted PM125	12 70g	1	10.75 50	10.75	B	1.00 24.39	
280014	Chewers Cheese PM125	12 54g	1	14.50	14.50	B	1.00 24.39	
280014	Bakers Adult CknVeg PM175	5 120g	1	5.25 P	5.25	B	1.00 24.39	
280014	Bakers Adult BeefVeg PM175	5 120g	1	5.25 P	5.25	B	1.00 24.39	
280014	Welch Chub Assorted	5 720g	1	9.00	9.00	B	1.00 24.39	
ESTAIL GROCERY SUB-TOTAL		ITEMS	16	GOODS	115.65	EXC VAT		
*127573	Novis Soft White Medium loaf	1 800g	5	1.10 51	5.50	A	1.00 35.08	
CHILLED SUB-TOTAL		ITEMS	5	GOODS	5.50	EXC VAT		
280002	Choc Nibbles Toffee Crumble	12 150g	1	6.99	6.99	B	1.00 30.17	
280015	Haribo Supermix PM125	12 140g	1	6.99	6.99	B	1.00 27.14	
CONFECTIONERY SUB-TOTAL		ITEMS	2	GOODS	13.98	EXC VAT		
148006	Yellow Tail Merlot	6 75cl	1	31.45 P	31.45	B	6.99 10.03	
290063	Smirnoff Red PM1049	6 35cl	1	35.99 P	35.99	B	10.49 31.43	
291424	Glens Vodka PM127	6 35cl	1	17.15	17.15	B	9.29 20.01	
291444	Glens Vodka PM127	6 20cl	1	21.99 P	21.99	B	9.29 21.01	
192510	The Famous Grouse	12 5cl	1	18.49	18.49	B	7.65 10.24	
280016	Guinness Draught PM689	6 4x140ml	1	25.95	25.95	B	6.69 22.74	
292112	Prosecco Jacks Cider PM599	4 2.5lt	1	13.79 P	13.79	B	5.09 10.44	
WINE SPIRITS BEERS SUB-TOTAL		ITEMS	7	GOODS	184.85	EXC VAT		
TOTAL ITEMS: 30								
RATE	GOODS	MULT	NETT	VAT	TOTALS: GOODS			
A: 0.00	21.84	0.00	21.84	0.00	64.05			
B: 20.00	320.24	0.00	320.24	64.05				
INVOICE TOTAL					406.13			

ORDER PRODUCTS NOT STOCKED IN BRANCH
 WWW.BOOKER.CO.UK - ONLINE EXCLUSIVE







GLEN'S
VODKA

EXTRA SMOOTH • TRIPLE DISTILLED



11.1 UK
25ml = 0.9 = 212KJ
59KCAL



100ml = 852KJ / 204Kcal
The UK Chief Medical Officers
recommend adults do not regularly
drink more than 14 units per week.
For further health information visit
drinkaware.co.uk



www.responsible drinking.eu




5 316840 001119

WWW.GLENSVODKA.COM

100% LONDON GROUP
100% GRAPE IRELAND
COT. 4116



RESTRICTED (when complete)			
WITNESS STATEMENT			
Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B			
URN			
Statement of: Glyn Eric bavin			
Age if under 18: O-18 (if over 18 insert "over 18") Occupation: Police service			
This statement (consisting of 4 page(s) 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 in it anything which I know to be false or do not believe to be true.			
Signature 	:Glyn bavin		Date: 11.02.2024
Tick if witness evidence is visually recorded <input type="checkbox"/> (supply witness details on rear)			

I am a serving police officer with Cleveland Police. I am currently stationed with the Licensing Support Unit at Middlesbrough Police HQ, a role which I have carried out for the past five years.

My role within the Licensing Support Unit is that of Licensing Supervisor. I supervise the Police Alcohol Licensing Officers for the four districts of the Force. The Licensing Support Unit aims to work in partnership with licensing authorities, other responsible authorities and stakeholders to ensure the proactive promotion of the licensing objectives within the Force's area.

This statement is in relation to a review brought by Hartlepool borough council (trading standards) against Belle Vue Convenience Store 1a & 1b Belle Vue Way Hartlepool TS25 1JX, the premise is a convenience store which sells food and beverages.

The premise licence states that the store is for supply of alcohol for consumption off the premise, between the hours of 08:00 hours to 23:00 hours. Name and registered address of premise licence holder is Mr Amandip Singh Kapoor Bel Vue Convenience store 1-2

Continuation statement of:

Belle Vue Way Hartlepool TS25 1QW.

Any premises with a licence has certain obligations with regards to both the four licensing objectives and the conditions laid down in their premise licence. This includes abiding by the allocated hours it is allowed to carry out licensable activity and following the conditions, both the mandatory one and those put forward by themselves or agreed with responsible authorities which are set out in annex 2 of the licence. Both sets of conditions are legally binding and should be adhered to.

The owners and management of the premise should also be aware of what is happening in their premise and should do everything in their power to assure that illegal activity is not happening from their premise and uphold the licensing objectives.

Guidance from the Home Office under Section 182 of The Licensing Act 2003 paragraph 11.27states:

“There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously”.

One of those activities identified is using the premises for the sale or storage of smuggled tobacco and alcohol.

The trade in illicit tobacco and alcohol is linked to international organised crime groups who have the ability to manufacture both the product and packaging. The Police view the supply of illicit tobacco and alcohol is so serious that anyone who engages in this sort of criminal activity cannot be viewed as sufficiently responsible to uphold the 4 Licensing Objectives. It is for this reason that the Police believe that the crime and disorder objective is being undermined.

Continuation statement of:

Information that illegal vodka which may contain harmful products was at premises within the Hartlepool area, as a result of this trading standards visited Bel Vue Convenience store 1-2 Belle Vue Way Hartlepool TS25 1QW on Thursday 5th September 2024 Hartlepool trading standards and environmental health officers have visited the licensed premise, whereby they have found five bottles of counterfeit and dangerous 35cl bottles of Glen's Vodka available for purchase.

The police's first priority is to save life and protect the public from harm, this is done by ensuring preventative measures are put in place. This is done by working with licensee's and the premise license holder identifies the risks and his primary responsibility when, supplying alcohol to the public is to ensure the public are safe. This is within the spirit of the licensing act to uphold the licensing objectives mainly crime and disorder.

If a person had fallen ill or unfortunately died as a result of drinking this illegal substance then it would have been up to the authorities to investigate this incident, which could be prevented if the license holder had done is due diligence and was a responsible license trader.

The authorities have a responsibility to keep the public safe and the license holder has demonstrated that he is clearly putting the public at risk and not a responsible person to hold a premise license.

Cleveland Police cannot condone illegal activity being allowed to take place from a licensed premises and cannot condone irresponsible licensee's working outside the remit

Continuation statement of:

of their premises licence and not abiding by the conditions of that licence when other premises are working hard to do just that.

Public Health
 On behalf of
 Craig Blundred (Director of Public Health)
 Civic Centre,
 Victoria Road
 Hartlepool
 TS24 8AY



PREMISES OR CLUB PREMISES DETAILS

Belle Vue Convenience
Belle Vue Way
Hartlepool
TS25 1JX

This representation relates to the following licensing objective(s)

- | | | |
|----|--------------------------------------|---|
| 1. | The prevention of crime and disorder | x |
| 2. | Public safety | x |
| 3. | The protection of children from harm | x |

GROUNDINGS FOR REPRESENTATIONS

Public Health have received an application made under the Licensing Act 2003 for licenses to be reviewed at Belle Vue Convenience, Hartlepool. The requests to review have come from Trading Standards due to the sale of selling illegal vapes and counterfeit 35cl bottles of Glens vodka.

The Director of Public Health, Hartlepool Borough Council supports the licencing review recommended by Trading Standards Dept, Hartlepool Borough Council due to the suggested contradiction of licensing objectives, namely prevention of crime and disorder by selling illegal vapes and counterfeit alcohol. Additionally, the emergence of non-compliant disposable electronic cigarettes on the market and their popularity amongst children is a legitimate concern.

Smoking is the leading cause of death and illness in the UK and a key contributor to avoidable health inequalities in Hartlepool. In 2019, the government published its green paper on preventative health; Advancing our health: prevention in the 2020s. Here, it announced an ambition for England to become 'smokefree' by 2030 – achieved when adult smoking prevalence falls to 5% or less. There are still over 6 million adult smokers in England and every year around 74,000 people die in England from smoking, with many more living with

debilitating smoking- related illnesses. Smoking increases your risk of developing more than 50 serious health conditions.

Hartlepool's prevalence of smoking for those aged 18 and above continues to fall, however Hartlepool has remained much worse at 13.5% than the England average of 11.6%. In 2020/21 Hartlepool had the 8th highest smoking rate for those aged 15 and above in England, and the highest in the North East.

A critical recommendation to the government from Dr Javed Khan OBE's independent review on making smoking obsolete is to promote vaping as an effective tool to help people to quit smoking tobacco, outlining the role that vaping can play in an effective tobacco control strategy. The evidence is clear that, for smokers, vaping is a far less risky option and, in the short and medium term, vaping poses a small fraction of the risks of smoking. It is recognised that vaping is not risk-free and therefore vaping must be presented as an alternative to or replacement for smoking, not an activity which is appealing to the wider non-smoking population.

However, vaping is not for children and whilst it can help people quit smoking, those who don't smoke should not vape. It is recognised that there is a need to reduce the number of young people accessing vape products and the amount of non-compliant products available for sale, and we continue to work closely with our Trading Standards colleagues to support compliance with regulations and to take enforcement action when necessary.

Our Tobacco Control strategy sets out our collective approach to reduce the prevalence of smoking and its effects on our communities in Hartlepool. The vision and priorities were developed with partners and informed by a needs assessment and include

- Supporting smokers to stop and stay stopped and to reduce harm – which recognises vapes can support smokers to stop and vaping is less harmful than smoking but not risk free.
- Reduce access to illicit tobacco / vapes and work with Licensing /Trading Standards to ensure ongoing compliance monitoring around all tobacco regulations as well as age of sale, proxy purchasing and point of sale displays.

It is important to note vaping devices and e-liquids are highly regulated to ensure public safety by controlling the amount of nicotine present and must be approved by the Medicines and Healthcare Regulatory Agency (MHRA). The requirements from the MHRA

- restrict e-cigarette tanks to a capacity of no more than 2ml
- restrict the maximum volume of nicotine-containing e-liquid for sale in one refill container to 10ml
- restrict e-liquids to a nicotine strength of no more than 20mg/ml

Recent reports also show that illicit vapes can contain dangerous chemicals like lead, tin and nickel or contain harmful cannabis THC chemicals. High levels of inhaled lead damage central nervous system and brain development, especially if inhaled by a child or a young person. It is expected that all retailers to ensure that all disposable e-cigarettes, e-liquids and vaping devices they sell meet UK legal requirements. Additionally, anyone selling vapes to someone under 18 is also committing an offence.

In addition, we know that smoking attributable hospital admission rates for Hartlepool, are higher than that of England and the North East and we are therefore working to reduce this figure (See figure 1).

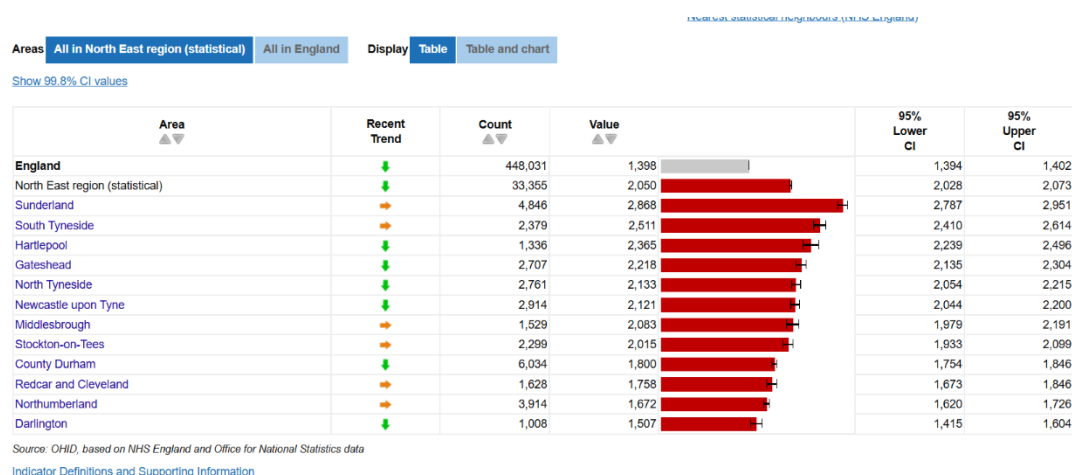


Figure 1: Smoking attributable hospital admission rate 2019/20

Taking the above into consideration, we support the application by trading standards for the review of the licence due to the Public Health Concerns around the availability of illegal vapes and the potential risk to young people.

Alcohol use is a national concern for public health as it can lead to several physical and psychological conditions, such as liver disease, high blood pressure, depression and anxiety. It is estimated 358,000 hospital admissions were attributed to alcohol use, 6% higher than the previous year. Estimates show that social and economic alcohol related harms amount to around £21.5 billion a year. Higher levels of alcohol use are often associated with higher levels of deprivation. More than half of Hartlepool, 52%, is within the most deprived quintile in England. Several of these areas of highest deprivation are areas where a significant proportion of the substance misuse caseload are located.

The Licensing Act 2003 (The Act) was implemented on the 24th of November 2005 across England and Wales. The Act allowed more flexible and longer opening hours for licensed premises. Within the UK, extensions of the hours of alcohol sales have been associated with increased per capita consumption of beer, increases in the number of alcohol-related diagnoses in hospitals, and increases in violent crime. Research has shown increases in alcohol-related overnight attendances to accident and emergency departments and alcohol-related admission rates were associated with the 2005 implementation of the 2003 Act

(Durnford, Perkins & Perry, 2008). This was supported by Newton et al (2007) who reported that overnight alcohol related emergency attendances increased significantly (as a consequence of injury and assault) after the introduction of new alcohol licensing legislation. If reproduced over longer time periods and across the UK, the additional burden on emergency care could be substantial.

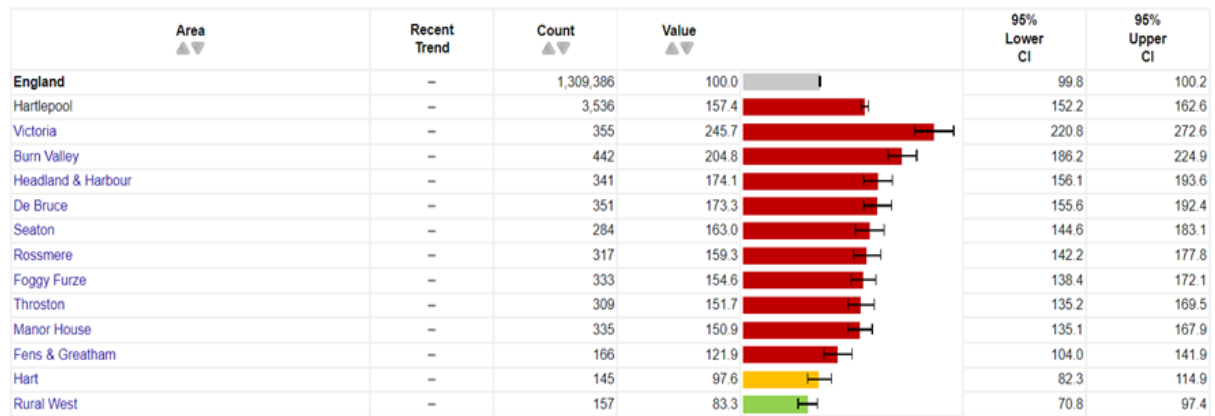
Excessive alcohol consumption has a substantial impact on public health services. A key element determining alcohol availability is alcohol outlet density. A national small-area level ecological study (Maheswaran et al; 2018) investigated the relationship between on-trade and off-trade outlets and hospital admission rates. This found that higher densities of on-trade outlets (pubs, bars and nightclubs; restaurants licensed to sell alcohol; other on-trade outlets) and convenience stores were associated with higher admission rate ratios for acute and chronic wholly attributable conditions.

Regarding counterfeit alcohol sales, the World Health Organisation (WHO), estimate that at least 25% of all spirits are illicit. There are profound health problems from counterfeit and illicit spirits toxic components and adulterants. There are many instances of widespread individual and mass poisoning from illicit spirit, including brain damage and blindness. The consumption of illicit alcohol is also associated with hazardous drinking patterns, alcohol use disorders and social marginalization.

Hartlepool has the 18th highest alcohol related liver disease mortality rate in England and has been consistently worse than the England average for the last 6 years. This is also reflected in Hartlepool's alcohol related mortality rate which has fallen from a peak of 23.8 per 100,000 population in 2014-16 but is still statistically significantly worse than the England average. Hartlepool is also in the top 10 in the country for alcohol-specific hospital admissions with 1,171 per 100,000 of the population (2019/20), which is significantly (statistically) higher than the England average.

Alcohol is the second most popular problem substance for individuals accessing our alcohol treatment service within Hartlepool, for both adults and children/young people (around 40% in 2021/22). The level of unmet need for alcohol use is around 75%, meaning three out of four problematic alcohol users are not currently seeking support or treatment.

More specifically regarding the location of the applicant's premises, we can see that Foggy Furze hospital admission rates for alcohol attributable conditions are significantly higher than the England average (See figure 2).



Source: OHID, based on NHS England and Office for National Statistics data

Figure 2: Hospital admissions for alcohol attributable conditions 2016/17-21

Because of the challenges outlined in this paper and the potential for alcohol related harm and harm caused to adults and children with regard to illegal vapes, public health are in support of the application to review the license of this premise.

Craig Blundred Director of Public Health
Hartlepool Borough Council

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27 January 2025

I Jane Kett, on behalf of

Commercial Services
PUBLIC PROTECTION
Civic Centre,
Victoria Road
Hartlepool
TS24 8AY



A responsible authority wish to make representation about the application for a review of the premises licence or club premises certificate under the Licensing Act 2003

PREMISES DETAILS

Belle Vue Convenience Store,
1a & 1b Belle Vue Way
HARTLEPOOL
TS25 1JX

This representation relates to the following licensing objective(s)

- | | | |
|----|--------------------------------------|---|
| 1. | The prevention of crime and disorder | x |
| 2. | Public safety | x |
| 3. | The prevention of public nuisance | |
| 4. | The protection of children from harm | |

GROUND FOR REPRESENTATIONS

The Commercial Services team in its capacity as a responsible authority under the Licensing Act 2003 have received an application made by Josh Maitland on behalf of Hartlepool Trading Standards, also a responsible authority, for a review of the premises licence or club premises certificate under the Licensing Act 2003.

Commercial Services support the review and wish to submit representations to this application for the following reason:

On 4th September 2024 the Food Standards Agency issued a Food Alert for Action FSA-FAF-03-2004 regarding counterfeit and dangerous 35cl bottles of Glens vodka which had been found available for sale on the market.

Products sampled in Scotland were found to contain isopropyl alcohol. Isopropyl alcohol is an industrial solvent and is not intended for human consumption. Consumption of isopropyl alcohol can quickly lead to alcohol poisoning and in severe cases death. This makes the product unsafe, as it is injurious to health and unfit for human consumption in accordance with Article 14 of Assimilated Regulation (EC) 178/2002.

At the time of issue, the counterfeit vodka had only been confirmed in 35cl bottles on sale in Scotland and investigations were ongoing to confirm if similar product identified in Northeast England was counterfeit and unsafe. The FSA provided information to assist enforcement officers to identify counterfeit products and asked that enforcement officers work together to visit retail premises and remove counterfeit products from sale.

In response to the above alert, Trading Standards and Environmental Health Officers visited Hartlepool traders to help ensure that the offending product was not available. As part of these visits, on Thursday 5th September 2024, officers attended Belle Vue Convenience Store and found five bottles of the potentially counterfeit and unsafe vodka on open sale.

One of the bottles was submitted to a Public Analyst. Following its analysis the Public Analyst stated that:

“The declared alcohol strength was 37.5% vol. The sample was deficient in alcohol by not less than 3.0% vol.

The presence of iso-propanol is consistent with the alcohol being of industrial rather than agricultural origin. The sample was therefore not vodka as defined by the Spirits Drinks Regulations 2008 and Regulations 110/2008.”

“I am of the opinion that the sample was not genuine Glen’s Vodka and was therefore falsely described. Contrary to the requirements of Section 15 of the Food Safety Act 1990”.

The Commercial Services team understand that the brand holder also confirmed that the product was counterfeit. This was consistent with information provided by the Food Standards Agency regarding the identity of genuine Glen’s Vodka.

When asked about the traceability of the product the Premises Licence Holder and Designated Premises Supervisor, Mr Amandip Singh Kapoor in interview stated that the alcohol was purchased legitimately and provided invoices for Cash and Carry wholesale supermarkets in the region. However, as there is no traceability information present on the counterfeit alcohol its history cannot be determined or traced back to a specific invoice or supplier. Officers from Gateshead Council and Stockton-On-Tees Borough Council’s Food Teams have visited the premises where Mr Kapoor said the alcohol may have been purchased from, however they found no evidence of counterfeit Glen’s Vodka on sale. This would suggest that the alcohol was not purchased from a legitimate supplier. The Commercial Services team does not accept the traceability information provided for the counterfeit vodka and is of the

opinion that the vodka was not genuine Glen's Vodka and was falsely described. The presence of iso-propanol was consistent with the alcohol being of industrial rather than agricultural origin and this made the vodka unsafe for human consumption.

Illegal vapes were also obtained from the premises on 5th September.

It is Commercial Services opinion that the possession for sale of counterfeit vodka and illegal vapes brings into doubt Mr Kapoor's suitability to be licensed to sell alcohol as by offering for sale potentially unsafe product he is failing to uphold the Public Safety Licensing Objective and by committing suspected criminal offences he is also failing to prevent crime and disorder at the premises.

Jane Kett
Environmental Health Manager (Commercial Services)