

[Insert details including name and address of licensing authority and application reference if any (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 Ray MOORE (On behalf of Trading Standards)

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Binder Off License 149 Peckham High Street Peckham	
Post town London	Post code (if known) SE15 5SL

Name of premises licence holder or club holding club premises certificate (if known) Parwinder KAUR Jagdish Singh BHINDER
--

Number of premises licence or club premises certificate (if known) 852118

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

Southwark Council – Trading Standards

Ray MOORE
Trading Standards Officer
Regulatory Services
3rd Floor Hub 1
PO Box 64529
London SE1P 5LX

Telephone number (if any)

0207 525 0816

E-mail address (optional)

Ray.moore@southwark.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 | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

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

Prevention of Crime and disorder –

- Contravention of Section 136 of the Licensing Act 2003 – Breaching a license condition, i.e. selling beers; lagers and ciders that were over 6.5% alcohol by volume when they did not have an exemption.

The facts of the matter are as follows:-

On Tuesday 12th March 2019 Ray MOORE from the Trading Standards Team and Charlie JERROM from the Licensing Team were out with Night Time Economy Police doing visits to licensed premises. This premise had previously been visited by Mr MOORE and colleagues and had been the subject of a review to the licensing sub committee owing to the presence of illegal alcohol. This had resulted in a suspension of the license and the imposition of conditions. See Item 1 for notice of decision. Mr MOORE was aware that amongst those conditions was condition 845 “That no beers, lagers or ciders in single cans, bottles or multi-packs with an ABV of more than 6.5% will be displayed, sold or offered for sale from the premises unless written authority is obtained from the Police Licensing Unit in advance. The written authority must be kept and made available for inspection immediately on request by any responsible authority.” Mr MOORE was surprised to see Oranjeboom 8.5% lager on sale. Mr Jagdish Singh BHINDER (joint premises license holder and DPS) was behind the counter. When Mr MOORE asked him about this he produced a list of exemptions from Southwark Licensing Police. Such exemptions are intended for specialist products – Oranjeboom 8.5% is not a specialist product but a straightforward super strength lager which is stronger than Carlsberg Special Brew. This list included an “Oranjeboom 7.5%” and a “Perla Black 7.5%”. Some years ago Oranjeboom reduced its strength by 1% in line with Carlsberg Special Brew; Skol and Tenants Super. There has never been a Perla 7.5% although, once again, this is not a specialist product. Mr MOORE seized the following items under the provisions of the Consumer Rights Act 2015 and the Consumer Protection from Unfair Trading Regulations 2008:-

214 x 500ml cans of Oranjeboom lager 8.5% alcohol

78 x 500ml cans of Perla Black lager 7.5% alcohol

Notice of items seized and exemptions e-mail from Licensing Officer, Graham WHITE – Item 2

Mr MOORE wrote to Mr BHINDER on that same day requesting invoices for products and inviting him to be PACE interviewed about the alleged offence on Tuesday 12th March 2019. Mr BHINDER did send in some invoices but did not attend an interview about the alleged offence.

However, on 20th March Mr MOORE received an e-mail with attached letter from Mr BHINDER’s solicitors which had the attached exemptions list. – Item 3. Mr MOORE

replied explaining that the items seized were not on the exemptions list.

On 10th April 2019 Mr MOORE received an e-mail and letter from Mr BHINDER's solicitors. (Item 4). Once again this gave no explanation as to why he had not attended for an interview. Instead they said that those products had been a mistake when the exemptions were drafted and offered not to sell them anymore – which they couldn't anyway. Mr MOORE replied with a letter asking that other items be removed from the exemptions in a letter dated 26th April 2019. To date there has been no response to this letter.

The issue of the sale of high strength beers and ciders continues to be a problem in the London Borough of Southwark and has a major impact on public health and the well being of the local population. The issue of illegal alcohol in general continues to be a major issue across the borough and is not compatible with the licensing objectives. It would appear that the client's solicitors have tried to get around the effect of the condition imposed by the previous licensing sub committee.

The sub-committee is invited to consider all options available but in particular to consider the issue of this condition and exemptions that may be made around it. My suggestion would be that the condition should specify any exemptions and that if a business wishes to add further exemptions it should do so by putting in a minor variation that all responsible authorities could consider. There are undoubtedly occasions where an exemption is appropriate. For instance where a micro brewery wishes to produce small bottles of a specialist beer that might retail at £5 a bottle. It should be noted that there were 50 cases of Guinness Extra 7.5% alcohol in this premises when we visited on 17th March 2019. 50 cases in an ordinary off license cannot be considered to be a "specialist" product by any stretch of the imagination.

Please tick yes

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

If yes please state the date of that application

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

Please tick yes

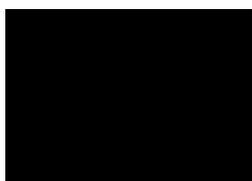
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, 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



Date 24th May 2019

Capacity Trading Standards Officer acting on behalf of Southwark Council

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.

NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 28 JUNE 2016

LICENSING ACT 2003: BHINDER OFF LICENCE, 149 PECKHAM HIGH STREET, LONDON SE15 5SL

1. Decision

That the council's licensing sub-committee, having had regard to the application made under Section 51 of the Licensing Act 2003 by the Southwark Council trading standards team for a review of the premises licence issued in respect of the premises known as Bhinder Off Licence, 149 Peckham High Street, London SE15 5SL and having had regard also to all other relevant representations has decided it necessary for the promotion of the licensing objectives to:

Suspend the licence for a period of two weeks

and

Modify the conditions of the licence as follows:

That the following additional conditions as agreed by the licensing sub-committee shall apply:

1. That the premises shall operate an agecheck 'Challenge 25' policy That a challenge 25 scheme shall be maintained at the premises requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card and any Proof of Age Standards Scheme (PASS) accredited card such as the Proof of Age London (PAL) card.
2. That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises. A record of such training shall be kept / be accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), and the signature of the trainee, the signature of the trainer, the date of training and a declaration that the training has been received.

3. That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.
4. That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. On a monthly basis, the Designated Premises Supervisor (DPS) shall check the register to ensure it is being properly completed. The DPS shall sign and date the register to that effect and where appropriate take corrective action in a timely manner if the register is not being completed correctly. The register shall be made immediately available for inspection at the premises to council or police officers on request.
5. That there shall be a personal licence holder on the premises at all times alcohol is available for supply for the purpose of supervising such sales
6. That no beers, lagers or ciders in single cans, bottles or multi-packs with an ABV of more than 6.5% will be displayed, sold or offered for sale from the premises unless written authority is obtained from the Police Licensing Unit in advance. The written authority must be kept and made available for inspection immediately on request by any responsible authority.
7. That an approved CCTV system shall be installed at the premises that records clear images of both the interior and exterior of the premises. The CCTV installed inside the premise shall be positioned to capture the sale of alcohol and tobacco products. The CCTV system shall have a minimum of 31 days recording facility and will be maintained in full working order at all times and be continually recording at all times the premise is in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premise. All CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to The police and/or authorised officers from Southwark Council
8. That all staff working at the premise shall be trained and be fully conversant in the correct operation of the CCTV and be able to demonstrate its operation on immediate request by police and/or authorised officers from Southwark Council.
9. That all off-sales of alcohol shall be supplied in closed containers.

2 **Reasons**

The reasons for this decision are as follows:

The licensing sub-committee heard from the trading standards officer, the applicant for the review who advised that the review application was made on behalf of Southwark Council's trading standards service. On 29 January 2016 trading standards and the police attended Bhinder Off Licence to check for compliance of the premises licence, trading standards legislation and other criminality. On display were bottles of alcohol that had been imported without payment of duty or which had otherwise been unlawfully imported. A refusals book had also not been maintained, in breach of condition 340. Officers also noticed that there was a huge amount of beers, ciders and lagers with an ABV of more than 6.5% being offered for sale. The designated premises supervisor (DPS) was subsequently interviewed under caution and admitted all offences and informed the trading standards officer that he had bought all the super strength beers, ciders and lagers from the owner/DPS of Bottles Off-Licence (whom he was related to), who were prohibited from selling such products under there licence. He was unable to provide invoices for the alcohol, stating that he had bought the alcohol for £400 from a man he had never met and had not seen since.

The trading standards officer called a local ward councillor as a witness who supported the review application and gave evidence of anti-social behaviour fuelled by alcohol. He also witnessed a high level of street drinkers in the local area. Whilst the ward councillor was unable to say that alcohol was purchased from the premises, he felt curbing the sales of the high strength beers, cider and lagers from licensed premises would alleviate such issues in the vicinity.

The licensing sub-committee heard from the Metropolitan Police Service representative, who supported the review and stressed their concerns that Bhinder Off-Licence had clear links with Bottles Off Licence who had just had their premises licence revoked.

The licensing sub-committee then heard from the licensing officer representing the council as a responsible authority, supporting the review and stated that the current premises licence had few conditions within the operating schedule for the control of the sale of alcohol to children, intoxicated persons and street drinkers.

The licensing sub-committee heard from the legal representative for the premises who advised that the licence holders ran were husband and wife and the premises was run as a family business. The business was the only source of income for the family, which was reasonably successful. Mr Bhinder accepted that the alcohol subject seized by trading standards on 29 January 2016 was purchased for £400 and in good faith, that he requested an invoice from the person who sold the goods, but one was never provided. They also agreed all of the conditions proposed by the responsible authorities, with the exception of the condition concerning super strength beers, ciders and lagers, which the legal representative said was disproportionate.

The licensing sub-committee considered all the written and oral representations before it and deemed that these were serious breaches.

The premises licence held is a very generous 24-hour licence that is located within the Peckham cumulative impact area with that, comes additional responsibilities. The Peckham cumulative impact policy was renewed in November 2015 as there is a high level of crime and disorder and nuisance occurring in the area that pose a threat to public safety. Furthermore, paragraph 204 of Southwark's statement of licensing policy 2015-2020 specifies that a measure in support of the public safety licensing objective is to restrict the sale of beer or cider over a specified ABV. Coupled with the evidence of the local ward councillor, this licensing sub-committee are satisfied that it would be proportionate

The licensing sub-committee accepts that the breaches are not related to the hours of operation and as such, have agreed not to reduce the premises hours of operation.

The sale of alcohol that has been imported without payment of duty (or which had otherwise been unlawfully imported) is serious. In selling such non-duty paid alcohol not only seeks to avoid taxes and gets an unfair commercial advantage of neighbouring premises, it is also irresponsible, with the potential health consequences. The licensing sub-committee are concerned with the premises connection with the Bottles Off-Licence and the purchase of their super strength beers, ciders and lagers from the owner/DPS of Bottles Off-Licence knowing they were prohibited from selling such products under there licence. For this reason, this sub-committee imposes a two week suspension of the premises licence.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives and considered that this decision was appropriate and proportionate.

3 **Appeal rights**

This decision is open to appeal by either:

- a) The applicant for the review
- b) The premises licence holder
- c) Any other person who made relevant representations in relation to the application

Such appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the magistrates' court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision.

This decision does not have effect until either:

- a) The end of the period for appealing against this decision
- b) In the event of any notice of appeal being given, until the appeal is disposed of.

Issued by the Constitutional Team on behalf of the Director of Law and Democracy

Date: 28 June 2016

Notice

Bhinder Food + Wine Ltd

To Mr J Bhinder LA ref

Address 149 Peckham Hill St, London, SE15

Date 12/3/19 Time 10:45 Officer Ray Moore

Person seen J. Bhinder Position* Director

* If you are an employee you should pass this notice to the business owner(s) or the relevant manager or company director etc.



ray.moore@southwark.gov.uk

Trading Standards Call centre - 020 7525 2000 0816 Facsimile - 020 7525 5735

Notice no. N 0641

Reason for notice [x] Items seized [x] Receipt for items [] Voluntary surrender / sample [] Other []

Legislation: Consumer Rights Act 2015

Comments / action you need to take now / items received / seized or detained etc;

Licensing Act 2003

Consumer Protection for Higher Trading Scales 2008

I have seized the following items as they do not comply with the 6.5% license condition under 845

In the store room:-
71 64 per 6 x 24 x 500ml Orange 8.5% alc super strength liquor
31 x 500ml Orange 8.5% alc per 7.6% K539451
20 x 500ml " " " " " " K539452
19 x 500ml " " " " " " K539453

In the store room:-
1 x orange 8.5% alc 20 x 500ml Petal 7.6% alc -
29 x 500ml x Petal 7.6% alc K539454
25 x 500ml x " " " " K539455

Please also provide Traceable inputs for the above products
i.e 9 x 24 x 500ml Orange 8.5% alc
4 x 24 x 500ml Petal 7.6% alc

Signature / declaration [x] as appropriate

- I acknowledge receipt of this notice
I am the legal owner of the items listed above and voluntarily surrender them to Southwark Council, relinquishing all ownership
I confirm return of the items listed above

Recipient's signature [Redacted]

Inspections, officer powers and your rights

Southwark Council endeavours to adopt a positive and proactive approach towards ensuring compliance. We have regard to the Regulators' Code, Code of Practice on Powers of Entry and relevant codes issued under PACE (Police and Criminal Evidence Act). We believe that close partnership between local business and the Council means:

- better consumer and business protection
- fair and consistent regulation
- clarity about what is required and by when
- action required is proportionate to the risks identified

Officers are always pleased to help if you need advice on any of the areas we regulate including; fair trading, price marking, product safety, tobacco control, weights and measures and age verification. Business advice on these subjects and more can be found via the Council's website along with our enforcement policy and service standards. To access the codes mentioned visit the GOV.UK website.

Officer powers

Authorised officers have a legal right to enter and inspect business premises when they are open for business or at any reasonable time. They may give notice of a visit, or make an appointment if appropriate, but often will not, as to do so may defeat the purpose of the inspection or not be practicable. You should ask to see an officer's official credentials or identification before allowing them to proceed. It is good practice to do so as criminals do sometimes pose as bogus officials.

Powers do vary depending on the legislation but in most cases officers will have powers to;

- enter and inspect all parts of the premises
- observe the operation of the business
- interview staff during the inspection
- seize and retain any food, goods, computers or documents that may be required as evidence
- break open containers or vending machines
- enter by using reasonable force with a warrant
- make test purchases, take samples and photographs
- inspect and test any goods, equipment or installations
- seize items that are liable to forfeiture
- access electronic devices to obtain or access information
- require the production and take copies of recordings (including computer records), documents and video recordings associated with the business

It may be an offence to obstruct, fail to comply with a requirement imposed, or fail to give any assistance or information reasonably required by the officer, or to give false or misleading information (this includes providing access to locked or secure areas). On conviction the offence is punishable by fine and/or imprisonment.

Your rights

- When you are required or advised to do something you have the right on request to a written explanation of what you need to do, by when and why, and whether it is a legal requirement or a recommendation of good practice
- When immediate enforcement action is taken you have the right to a written explanation as to why this action was necessary
- When other enforcement action is taken or proposed you have the right to have your point of view heard and for any alternative action (which must be equally effective) to be discussed
- When enforcement action is taken, you have the right to be told of any appeals mechanisms

Follow up inspections are likely if non-compliances have been identified. If you are concerned about the possible implications for your business ask the inspecting officer what happens next.

Seizure of property

- Where property is seized officers should have regard to PACE Code B
- Before items are seized from occupied premises the officer must show the occupier their credentials if reasonably practicable
- The officer will also take reasonable steps to inform the person from whom items have been seized about the seizure and provide a written record of what has been seized
- Items seized will not be retained for longer than three months, unless the goods are reasonably required to be detained for a longer period for a purpose for which they were seized, in which case they will not be detained for longer than required for that purpose. This does not apply to goods seized for testing, that are liable to forfeiture or that are required as evidence
- Appeal rights may exist under the legislation concerned. These generally involve taking action in the Magistrates Court. You should seek independent legal advice if you wish to appeal against any seizure
- Compensation for loss or damage resulting from a seizure of goods may be payable where there has been no infringement or breach of legislation. In the event of dispute such compensation, or right to it, shall be determined by arbitration

Access to seized property

- The occupier or representative can be allowed supervised access to items seized to examine or photograph them, or should be provided with a photograph or copy where possible, in either case within a reasonable time following any request and at their own expense
- Such requests may not be granted if there are reasonable grounds for believing this would prejudice the investigation of any offence or criminal proceedings; lead to the commission of an offence by providing access to unlawful material; or compromise the personal safety of security staff and/or the security of storage facilities

Further information & complaints

Please contact us for further advice and guidance or e-copies of codes mentioned – contact details are shown overleaf.

If you are unhappy with the notice then you can complain using the Council's complaints procedure by writing to the Environmental Health & Trading Standards Manager at the address overleaf or use our corporates complaints and feedback facility at www.southwark.gov.uk/complaints

Our Ref ASG/SH/B00603-0002/Bhinder

Your Ref:

Date: 09 August 2016

Mr J S Bhinder

Dear Mr Bhinder

Re: Licensing - Bhinder Off Licence 149 Peckham High Street London SE15 5SL

I enclose herewith the email received from PC Graham White today setting out the list of beers and lagers which you are allowed to serve with an ABV of more than 6.5%.

Please can you keep the list in a safe place as you may be required by the authorities to produce the same.

You informed me that you are quite happy with the list and you no longer wish to proceed with an appeal against the decision of the Southwark Licensing Authority.

Please note that my fees for dealing with this matter are £650.00 plus VAT of (£130.00). Please can you therefore let me have a cheque for £780.00. As soon as I receive the cheque from you, I will forward to you a receipted account.

Yours sincerely

This firm is regulated by the Solicitors Regulation Authority Ref No [REDACTED]

We are not prepared to accept formal service of documents by electronic mail

Contracted with the Legal Aid Agency

Conveyancing
Quality

resolution
first for family law

resolution
specialist

[REDACTED]

From: Graham.S.White@met.pnn.police.uk
Sent: 08 August 2016 11:34
To: [REDACTED]
Subject: BHINDER OFF LICENCE 149 PECKAM HIGH STREET

Thank you for your email,

Please take this as confirmation that the following may be sold at Bhinder Off licence, 149 Peckham High Street. Please keep this email as confirmation with the Licence at the premises and be made available for inspection on request by officers of the council and police.

1. Nigerian Guinness - 7.5% - 330ml & 600ml bottles
2. Dragon Stout – 7.5% - 284ml Bottle
3. Irish Guinness – 7.5% - 330ml bottle
4. Ocovin – 7.5% - 500ml can
5. Oranjeboom Black – 7.5% - 500ml Can
6. Perla Black – 7.5% - 500ml can
7. Barley wine Gold label – 8% - 330ml can
8. Debo – 7% - 500ml Can

We reserve the right to withdraw permission to sell any of the above if the premises is found not to be a responsible operator. This includes the sale to minors and intoxicated customers.

This email will be kept on our files for our records and a copy sent to Southwark council Licensing.

Regards

PC Graham White 288MD
Southwark Police Licensing Unit
323 Borough High Street
London
SE1 1JL
Tel: 0207 232 6756 (726756)
SouthwarkLicensing@met.police.uk
graham.white4@met.police.uk

Our Ref ASG/SH/A00093-
0020/Miscellaneous

Your Ref:

Date: 20 March 2019

Ray Moore
Trading Standards Enforcement Officer
CS&E,
3rd Floor Hub 2
PO Box 64529
London
SE1P 5LX

By email also: ray.moore@southwark.gov.uk

Dear Sir

Re: Licensing Act 2003

**Section 136, ale of beers and ciders over 6.5% - Invitation to interview
Food Safety and Hygiene (England) Regulations 2013 – production of
traceable invoices for a food product**

**Consumer Protection from Unfair Trading Regulations 2008 – Regulation
12 engaging in a commercial practice creating the impression that a product
can legally be sold when it cannot.**

We act for Mr Jagdish Singh Bhinder. He has forwarded to us your letter to him of 12th March 2019.

We wish to discuss the contents of your letter. We are not sure whether you are aware of the contents of the email of PC Graham White dated 8th August 2016 sent to our firm with regard to the Off Licence at 149 Peckham High Street. A copy of the email is enclosed.

Our Mr [REDACTED] will telephone you this afternoon to discuss matters.

Yours faithfully

[REDACTED]

This firm is regulated by the Solicitors Regulation Authority Ref No [REDACTED]

We are not prepared to accept formal service of documents by electronic mail

Contracted with the Legal Aid Agency

Advancing
ability

resolution
first for family law

resolution
specialist

[REDACTED]

From: Graham.S.White@met.pnn.police.uk
Sent: 08 August 2016 11:34
To: [REDACTED]
Subject: BHINDER OFF LICENCE 149 PECKAM HIGH STREET

Thank you for your email,

Please take this as confirmation that the following may be sold at Bhinder Off licence, 149 Peckham High Street. Please keep this email as confirmation with the Licence at the premises and be made available for inspection on request by officers of the council and police.

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6. Perla Black – 7.5% - 500ml can
7. Barley wine Gold label – 8% - 330ml can
8. Debo – 7% - 500ml Can

We reserve the right to withdraw permission to sell any of the above if the premises is found not to be a responsible operator. This includes the sale to minors and intoxicated customers.

This email will be kept on our files for our records and a copy sent to Southwark council Licensing.

Regards

PC Graham White 288MD
Southwark Police Licensing Unit
323 Borough High Street
London
SE1 1JL
Tel: 0207 232 6756 (726756)
SouthwarkLicensing@met.police.uk
graham.white4@met.police.uk

From: [REDACTED]
Sent: 05 August 2016 12:17
To: White Graham S - MD <Graham.S.White@met.pnn.police.uk>
Cc: MD Mailbox - Southwark Licensing <SouthwarkLicensing@met.pnn.police.uk>
Subject: BHINDER OFF LICENCE 149 PECKAM HIGH STREET

Dear Sir

Please see letter attached.

Our Ref ASG/PB/B00603-0002

Your Ref:

Date: 10th April 2019

Mr Ray Moore
Principal Trading Standards Enforcement Officer
Southwark Council
Environment & Leisure Regulatory Services
3rd Floor Hub 2
PO Box 64529
London SE1P 5LX

By email also: ray.moore@southwark.gov.uk

Dear Mr Moore

Re: Licensing Act 2003

**Section 136, ale of beers and ciders over 6.5% - Invitation to interview
Food Safety and Hygiene (England) Regulations 2013 – production of
traceable invoices for a food product**

**Consumer Protection from Unfair Trading Regulations 2008 – Regulation
12 engaging in a commercial practice creating the impression that a product
can legally be sold when it cannot**

Thank you for your e-mail dated 20th March 2019.

I note what you say in your e-mail. The items listed in Mr Graham White's email of 8th August 2016 were agreed by our client. However, the 7.5% relating to Oranjeboom Black appears to be an error as Oranjeboom Black was never 7.5% but 8.5%. Further in PC Graham White's email Perla Black is referred to as 7.5% when in fact Perla Black has always been 7.6%.

The e-mail from PC Graham should be rectified.

Having mentioned the above, our client wishes to resolve this matter and has agreed not to sell Oranjeboom Black and Perla Black with percentages over 7.5%.

Our client wishes to resolve the matter and perhaps you would kindly contact us to confirm whether you still wish to discuss matters with our client and if so, whether a meeting can be arranged.

I look forward to hearing from you.

Yours sincerely

