



## MEMO: Trading Standards

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<b>To</b>	Richard Parkins	<b>Date</b>	22/10/2009		
<b>Copies</b>	Sally Slade				
<b>From</b>	Paul Gander	<b>Telephone</b>	020 7525 5742	<b>Fax</b>	020 7525 5705
<b>Email</b>	tradingstandards@southwark.gov.uk				

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**Subject** MR SIVARUBAN SIVAGURU – MSER 2005 Registration number 10273  
T/A WALWORTH CONVENIENCE STORE, 365 WALWORTH ROAD,  
SE17 2AL (Location La ref 1359)

I request you consider revoking the above registration under the provisions of Regulation 17(1)(b)(i) of the Manufacture and Storage of Explosives Regulations 2005.

In considering revocation I would report the following matters as discovered during a fireworks storage inspection on 21st October 2009 by Hedley Setahul and myself with the assistance of Police Officers. Mr SIVASKNTHAN SIVAGURU (SS), Manager and joint owner of the business, was present throughout the inspection. No one is listed by the MSER applicant as a person with Management responsibilities for the store. The inspection, although planned, was brought forward in response of reports alleging that underage persons were obtaining fireworks from the premises.

1. On commencement of the Inspection a small quantity of fireworks were observed to be correctly stored in secure display cabinets within the shop floor area. SS stated there were no other fireworks in the premises and they were waiting to get more stock in next week. In fact a further 49.5kg (gross) more fireworks were discovered behind the shop counter area and 25.35kg were found in the basement.
2. The fireworks stored behind the counter were not stored securely and were stored adjacent to other goods, electrical plugs and sockets as well as a working electric heater (selected photographs of the scene as found at the premises are attached to this memo)
3. The fireworks found in the basement were in their transport packaging but were being stored with all kinds of other shop stock including alcohol, cigarettes and food stuffs.
4. The incorrectly stored fireworks were removed from the premises and whilst they were being itemised numerous people who appeared to be under the age of 18 came into the shop and showed an interest in the fireworks on display. No suspect sales were seen but it appears that the goods were being stored

behind the counter to facilitate a quick transaction once the customer had chosen from the display cabinets rather than the staff having to go to the display cabinets to obtain stock.

5. The majority of stock taken away consisted of Roman Candles and Rockets i.e. those which are most associated with misuse anti-social behaviour and the biggest variety of these were 52 packs of five selling at 99p each

Although unrelated to the storage of explosives I would also point out that two people associated with the premises have been previously convicted with regard to underage sales namely;

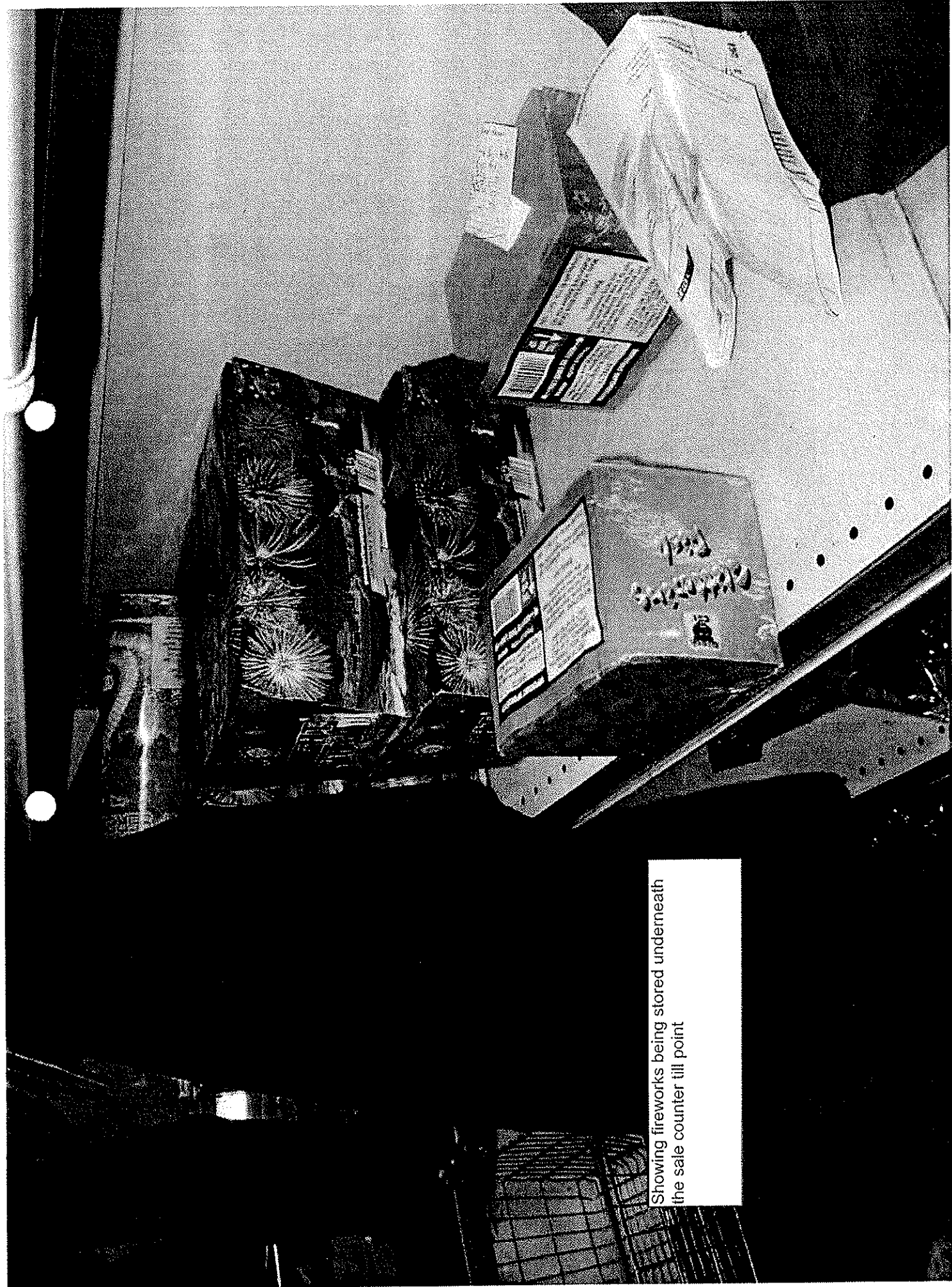
Mr Sivaneswaren Sivaguru, - underage sale of fireworks on 26/10/2006 (convicted 4/7/07)

Mr Kumar Parathan (believed to be an alias of SIVASKNTHAN SIVAGURU) – underage sale of alcohol 9/8/05 (convicted 25/7/06)

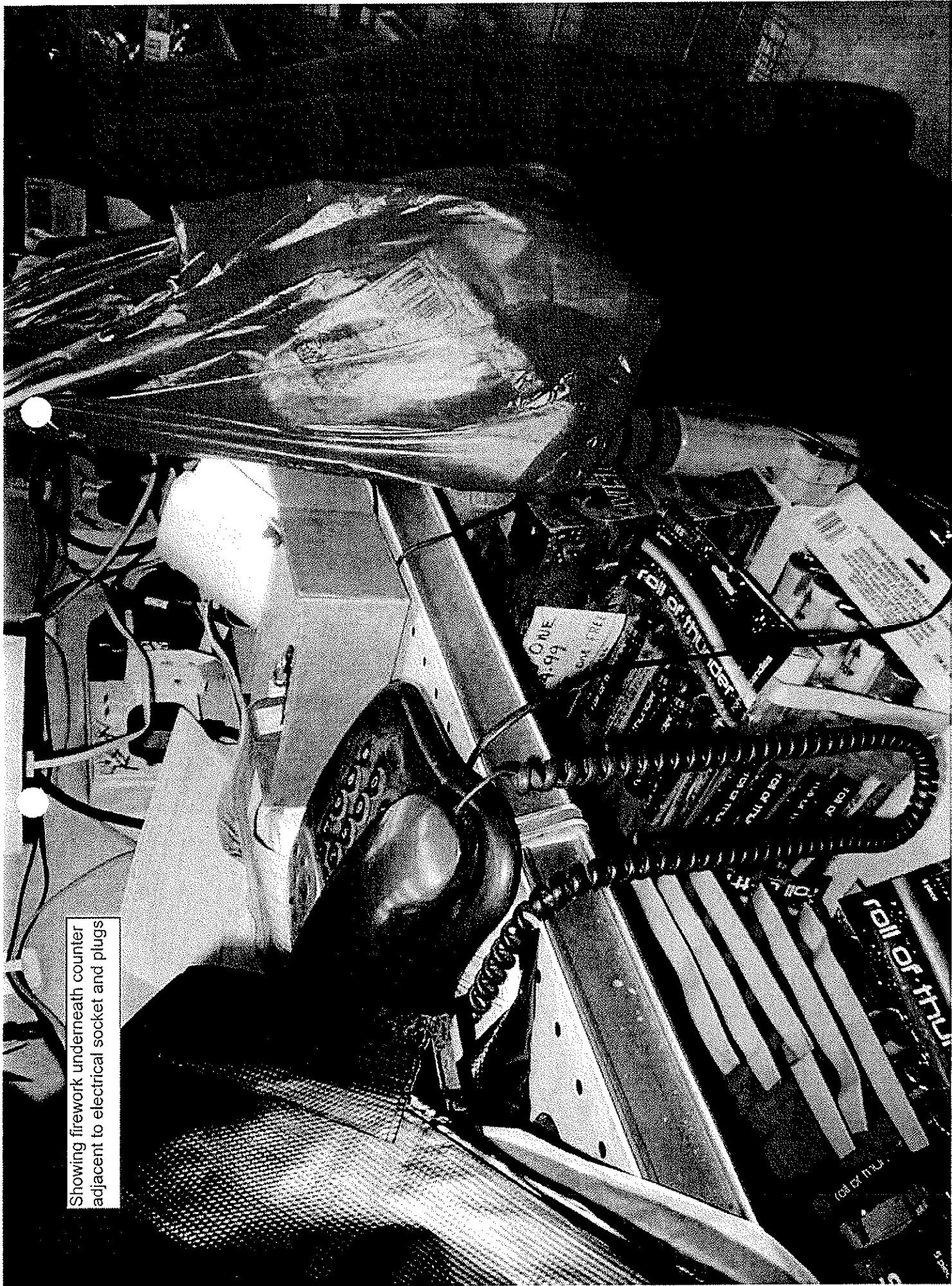
I believe the above facts indicate breaches of Regulation 4(1)(b) of the Manufacture and Storage of Explosives Regulations 2005 and Section 33 (1)(c) of the Health & Safety at Work Act 1974. For this purpose paragraphs 260-262, 267-268, 275, 293,307 of the MSER Approved Code of Practice are relevant.

Furthermore I submit that these breaches were not just a result of incompetence but show a deliberate disregard of the law and advice given regarding safe storage. There is therefore doubt that persons associated with this business can be relied upon to store explosives without risk to public safety.

We intend to conduct a PACE interview with regard to these facts and I will inform you of any further relevant information when it comes to hand, In the meantime if you require any further information or photographs please contact me.

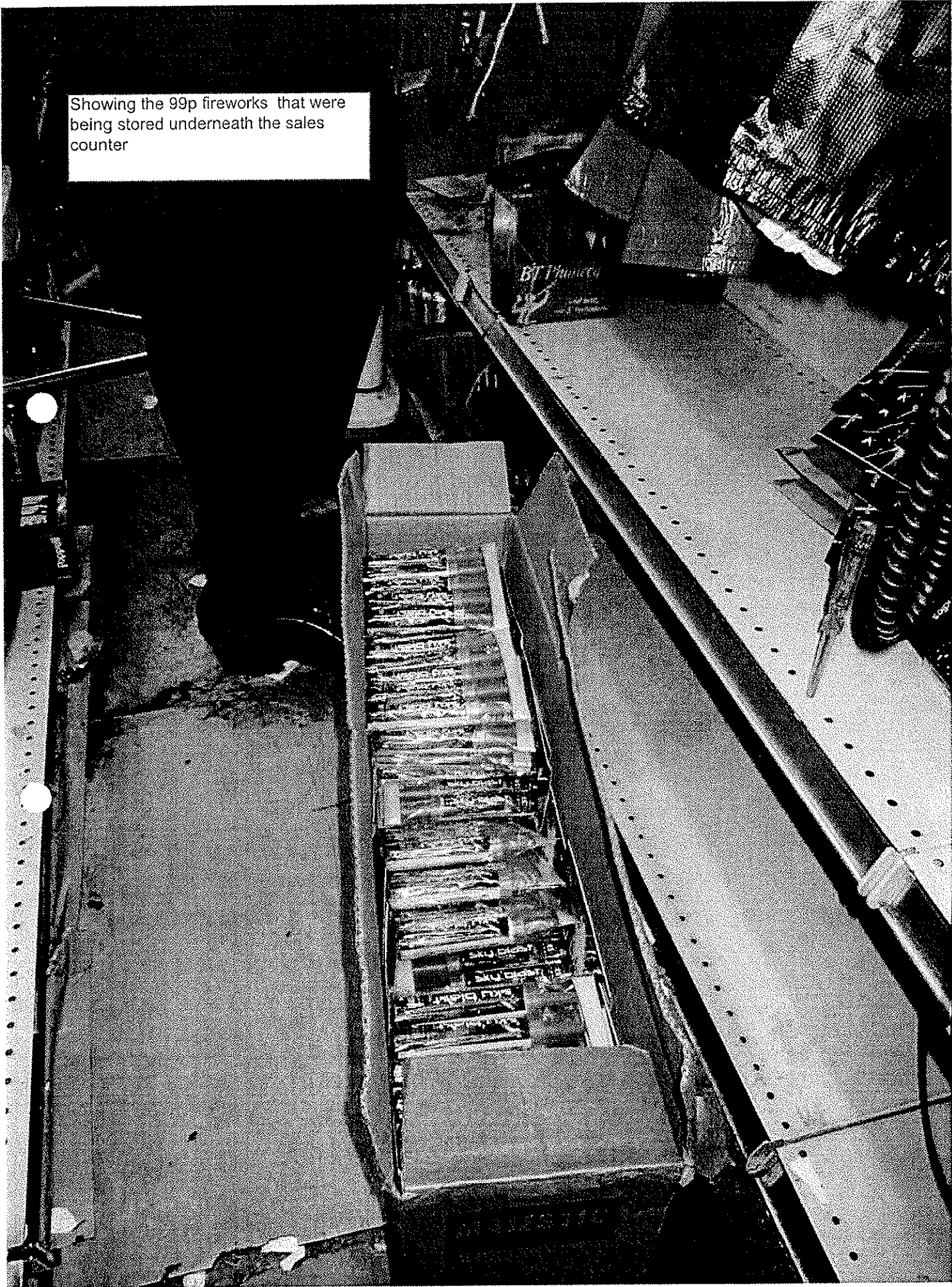


Showing fireworks being stored underneath the sale counter till point



Showing firework underneath counter adjacent to electrical socket and plugs

Showing the 99p fireworks that were being stored underneath the sales counter



Showing the electric heater in operation as found adjacent to the loose rockets and other fireworks on the shelves



Showing basement below shop where rockets and other fireworks were found being stored amongst other goods

