

M3S/26



Witness Statement

(C.J.Act 1967 - S.9, M.C. Act 1980 – ss5A(3)(a) and 5B, M.C. Rules 1981 r.70)

Statement of: Paul Lee
Age if under 18: Over 18
Occupation: Senior Enforcement Officer

This statement (consisting of 3 pages 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 10th February 2017

Signature

..........

I am employed by the London Boroughs of Brent and Harrow Trading Standards Service as a Senior Enforcement Officer.

5 On Monday 12th December 2016, at the request of P.C. Michael Sullivan, from Brent Police Licensing Team I undertook a visit to Who's Next, located at 6 Library Parade, Craven Park Road, Harlesden, London, NW10 8SG. P.C. Sullivan informed me that during a recent licensing related visit to the premise he had discovered a quantity of cigarettes that he believed not to be 'legal' for sale in the U.K.

10

I arrived at the shop at 12.05 hrs. and introduced myself to a gentleman who gave his name as Mr Inderpal Singh Arora. Mr Arora informed me that at the request of P.C. Sullivan the business had removed a quantity of cigarettes from sale that had been behind the counter at the time of his visit and secured them in the storeroom. Mr Singh informed me that he ran

15 the business with his father and that his father was the Premises Licence Holder and Designated Premise Supervisor for the business.

Signature



E31 Sept 2003

Continuation of witness statement of: Paul Lee

Mr Arora went to the rear of the shop and came back with a cardboard box which he handed to me. I issued Mr Arora with the relevant paperwork that explained the purpose of my visit and powers of search. The items contained within the box consisted of 51 packets of cigarettes in packs of 20. It was immediately clear that none of tobacco products had been intended to be sold directly in the U.K. The majority of the products failed to display the required health warnings in English, some had no health warnings or were marked with 'FOR DUTY FREE SALE ONLY'. The packets with health warnings, not in English carried Romanian duty/export stamps.

Some of the cigarette packets were open and from my experience this is usually associated with selling single cigarettes to members of the public from 'under the counter'. Cigarettes must be sold prescribed pack quantities and must have the correct health warnings applied to them in English. These requirements are set out in The Tobacco and Related Products Regulations 2016. Any person who contravenes these regulations may commit criminal offences that carry a penalty upon summary conviction to a term of imprisonment not exceeding 3 months, or a fine or both, or on conviction on indictment to imprisonment to a term not exceeding 2 years, or a fine, or both.

Mr Arora informed me during my visit that sales at the shop were down and that in desperation the business had purchased a small quantity of what he described as 'foreign cigarettes' from a street seller who had recently come to the shop to sell the products. The cigarettes purchased by the business had then been sold to certain customers at a reduced price compared to that of U.K. legal and Duty Paid tobacco products.

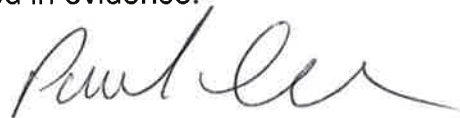
Signature 

E31 Sept 2003

Continuation of witness statement of: Paul Lee

I took a number of digital photographs of a sample of the cigarette packets which I now produce in evidence as exhibits PDL/WN/1, PDL/WN/2, PDL/WN/3, PDL/WN/4, PDL/WN/5 and PDL/WN/6. As the total quantity of cigarettes was relatively low Mr Arora agreed to sign
45 the tobacco products over to me for destruction. I placed the 51 packets in an evidence bag which I sealed with seal number E01339. I issued Mr Arora with a receipt for the products and then left the shop. I produce a copy of this receipt in evidence as exhibit PDL/WN/7.

The products were booked into our secure evidence store and are currently in this location
50 in the event that they need to be viewed or are required in evidence.



Signature

E31 Sept 2003

Planee POL/WO/1 10/2/17

EXTRA CUT



SINCE 1899

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PALLMALL

PREMIUM BLEND

Directiva Consiliului CE 2001/37/CEE

**Fumatul
poate
să ucidă**

CORE

KENT

Directiva Consiliului CE 2001/37/CEE

**Fumatul
dăunează grav
sănătății tale și
a celor din jur**

putlee w/2/17 p7L / w.w/3



B&H
BENSON & HEDGES *Special Filter*

20

Hand-lee 10/2/17 by WS/4

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EXTRA TOBACCO
EXTRA TASTE.

BAAA396455392



B&W Trading



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PALL MALL



SINCE 1899

Directiva Consiliului CE 2001/37/CEE



**Oprirea fumatului
scade riscul de
îmbolnăviri cardiace
sau pulmonare fatale.**

Paul Lee POL/WN/S 10/2/17

FOR
DUTY FREE SALE
ONLY

L&M

20 CLASS A
CIGARETTES



**Tar 10 mg
Nicotine
0,8 mg
Carbon
monoxide
10 mg**

Ant-ee POL 1WV16 10/2/17





Brent

**LONDON BOROUGHS
OF BRENT AND HARROW**



Regulatory Services
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ
Tel: 020 8937 5555 (Option 2)
Fax: 020 8937 5544

Ref No. POL / 0371

Date 13/12/16

Email: trading_standards@brent.gov.uk

TRADING STANDARDS RECEIPT

To: NAME MR INDUSTRIAL ABOVE

ADDRESS 6 Librany Parade, Crown Park Road
Harrowden (Who's next Food & Wine Ltd)

LEGISLATION: The Consumer Protection Act 1987

THE FOLLOWING ITEMS/HAVE BEEN RECEIVED/RETURNED
(delete as appropriate)

51 Packs of unopened health warning
cigarettes.
Sambal bag
601339

**LB OF BRENT AND HARROW
TRADING STANDARDS SERVICE**

I, the undersigned, hereby assign the
infringing property listed above to the
Trading Standards Service for disposal
and disclaim all rights to it.

Signed: [Signature]

[Signature]
Received by (signature)

[Signature]
BLOCK CAPITALS

[Signature]
(signed) AUTHORISED OFFICER

[Signature]
BLOCK CAPITALS

If you have any queries concerning this document please contact the above officer
on 020 8937 55...2