

## **LICENSING ACT 2003 SUB-COMMITTEE**

TUESDAY, 10TH JULY 2018, 10.00 AM

COUNCIL CHAMBER, TOWN HALL, CHORLEY

I am now able to enclose, for consideration at the above meeting of the Licensing Act 2003 Sub-Committee, the following information that was unavailable when the agenda was published.

### **Agenda No    Item**

- |          |  |                 |
|----------|--|-----------------|
| <b>3</b> | <b>REVIEW OF PREMISES LICENCE UNDER THE LICENSING ACT 2003 IN RESPECT OF WELDBANK STORE AND OFF LICENCE, 46 WELDBANK LANE CHORLEY, PR7 3NQ</b> | (Pages 83 - 88) |
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Statement of Witness – Lancashire County Council Trading Standards Service interview with the Premises Licence Holder (enclosed).

GARY HALL  
CHIEF EXECUTIVE

Electronic agendas sent to Members of the Licensing Act 2003 Sub-Committee

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Lancashire County Council

**Statement of Witness**

(Criminal Procedure Rules, r27.1(1);  
Criminal Justice Act 1967, s9, Magistrates' Courts Act 1980, s5B)

STATEMENT OF: MICHAEL JOHN CRAIG

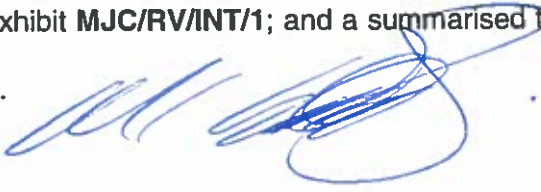
Age of witness: Over 18

Occupation of witness: SENIOR TRADING STANDARDS OFFICER

This statement (consisting of one page 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 6<sup>th</sup> day of July 2018 (Signed)  .....

I am employed by Lancashire County Council Trading Standards Service as a Senior Trading Standards Officer. Further to my earlier statement I can add that on 22 May 2018, accompanied by MARY HARWOOD, I interviewed RAMESH VARSANI at the Lancashire County Council offices on Marsh Lane, Preston. I produce a working copy of the interview tape, reference MJC/RV/INT, as exhibit **MJC/RV/INT/1**; and a summarised transcript of the interview as exhibit **MJC/RV/INT/2**.



(Signed) .....  
LP/QR/32/02

LANCASHIRE COUNTY COUNCIL  
TRADING STANDARDS SERVICE

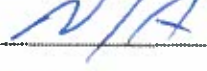
RECORD OF TAPE RECORDED INTERVIEW

<b>Person Interviewed:</b> Ramesh Varsani	<b>Defendant:</b>
<b>Place of Interview:</b> Council Offices, Marsh Lane, Preston, PR1 8RR	<b>Signed:</b> (Justice of the Peace)
<b>Date of Interview:</b> 22/05/2018	<b>Date:</b>
<b>Time Commenced:</b> 09.00 hours	<b>Time Concluded:</b> 09.15 hours
<b>Court:</b>	
<b>Tape Reference Number(s):</b> MJC/RV/INT	<b>EXH Ref.</b> MJC/RV/INT/2
<b>Interviewing Officer(s):</b> Michael Craig and Mary Harwood	<b>Other Person(s) Present:</b> None

**DECLARATION:** This record consisting of 4 pages is the exhibit referred to in the Statement made and signed by me.

Signature: 

Officer's Name: 

Signature of Officer preparing record:  
(If different to above) 

Officer's Name: 

Tape Times	Direct Speech Initials of the Investigating Officer and of Accused	Record
0.00		<i>Introductions made by Michael Craig (MC). Ramesh Varsani (RV) advised he is to be interviewed in connection with possible offences under the Tobacco and Related Products Regulations 2016 and the Trade Marks Act 1994, relating to his alleged possession and supply of tobacco products. He gives his home address as 13 Beaumont Chase, Bolton BL3 4XH; his phone number as 07816 178101; his DOB as 20/2/65; his place of birth as Uganda; his nationality as British Asian; his NIN as unknown; and his occupation as businessman. He clarifies that he is a director of BRNSN Ltd, registered office address 246 Moore Road, Chorley, and that he is authorised to speak on behalf of the company. He says he trades as Buntys. He is advised of his rights and</i>

CONTINUATION OF RECORD OF TAPE RECORDED INTERVIEW

Person Interviewed Ramesh Varsani	 Signature of Officer Preparing Record	Page 2 of 4
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Tape Times	Direct Speech Initials of the Investigating Officer and of Accused	Record
		<p><i>cautioned. Under questioning, he says he has another shop which trades as Buntys Food and Wine from 246 Moore Road. He then says he sold that shop around three weeks ago. He says he has not yet got round to formally amending his registered office address. He confirms that he currently owns one shop, Buntys at 46 Weldbank Lane. He says his staff member is called Karen Costa. He says he occasionally works at the shop, and that he recently had two staff, but one of them has now finished. He says the shop is mainly staffed by Karen Costa. He says he is at the shop two or three hours per week.</i></p>
	MC	<p>On 8 May 2018 around 78 packs of illicit and/or counterfeit tobacco products were found in your stock room at Bunty's. These tobacco products are not labelled in accordance with the Tobacco and Related Products Regulations 2016, and as such, your possession and sale of these items possibly amounts to an offence. We refer to tobacco products such as these, as 'illicit tobacco'. Some packs are also suspecting of being counterfeit, and as such offences under the Trade Marks Act 1994 are suspected. You also had some expired food on display in your shop fridges, which may amount to a further offence under the Food Safety Act 1990. So regarding the tobacco, who owns those packs?</p>
6.04	RV	<p>Er, it's the... it's supposed to be for the staff; it's... they're... they are smoking. But, er, when you came that day, and I found that they were giving, like, their friends and families smoking, you know, those away.</p>
	MC	<p>So my question was, who owns them?</p>
	RV	<p>The staff use it all.</p>
	MC	<p>The staff own them? Not you?</p>
	RV	<p>Not me.</p>
	MC	<p>Are you sure?</p>
	RV	<p>Yes.</p>
	MC	<p>The staff own them?</p>
	RV	<p>Yeah.</p>
	MC	<p>So who bought them?</p>
	RV	<p>I just will get, like, somebody gives me as a... when they go for a holiday; I used to give for staff to smoke.</p>
	MC	<p>Right. So, my question was who bought them?</p>
	RV	<p>I bought them.</p>
		<p><i>RV says he brought the tobacco products into the shop, but that they were not for sale. He says he gives these packs to his staff to smoke.</i></p>

CONTINUATION OF RECORD OF TAPE RECORDED INTERVIEW

Person Interviewed Ramesh Varsani	 Signature of Officer Preparing Record	Page 3 of 4
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Tape Times	Direct Speech Initials of the Investigating Officer and of Accused	Record
		<i>He says he gets the packs from different people who have travelled overseas to places such as Dubai, India and Europe. He reiterates they are not for sale.</i>
	MC	Along with the packs of tobacco there were two small stashes of money. They were in a bin bag in the stock room. Why was there money in with the packs of tobacco?
	RV	They will sometimes will give me money back once they... they got the money whichever... whatever they smoke, or whatever they use.
	MC	The staff give you money? So you weren't giving them to your staff; you were selling them to your staff?
	RV	No. I'll give them for smoking. But they were selling; that's what I know now, because I was not working that shop.
	MC	So your staff were selling the cigarettes?
	RV	Selling.
	MC	To customers?
	RV	To customers.
		<i>RV clarifies that by his staff, he means Karen Costa and his previous employee who he identifies as Mandie. He says he does not know either of their addresses. He then says Mandie worked for him two or three years ago. He repeats that Mandie and Karen had been selling the seized packs to customers. He mentions that they are sisters in law.</i>
	MC	There were also two small handwritten notes. These are exhibits MJC/BUN/79 and 80. I'll show you these. That's your writing on there, isn't it? Can you explain those?
9.08	RV	Yes, because, er, I give them money and some tobacco on the shelf, which is [inaudible]. I used to, you know, to keep the money separate. To buy tobacco, because that's why the... the stock of tobacco used to count it. So, we used to take the money back...
	MC	Okay. But you've not explained what these pieces of paper are?
		<i>RV says the pieces of paper are stock lists. He says exhibit 79 is Karen's writing, and exhibit 80 is his writing. He confirms that the lists are of tobacco products. He says the cash amounts, £2,595 and £2,675, refer to the sale of legitimate tobacco products. He could not explain why stock lists of legitimate tobacco products were kept with his illegal packs. He says he used to smoke but stopped three or four years ago. He says he does not know what counterfeit goods are. MC gives a brief explanation. He says he has never been given permission to sell counterfeit tobacco products. He says he understands the tobacco labelling requirements. He says there was out of date food in the shop because the staff did not check properly. He says he did not tell his staff to check dates because he is only at the shop for a few hours. He says the staff run the shop. He repeats that it is Karen Costa's job to check</i>

CONTINUATION OF RECORD OF TAPE RECORDED INTERVIEW

Person Interviewed Ramesh Varsani	 Signature of Officer Preparing Record	Page 4 of 4
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Tape Times	Direct Speech Initials of the Investigating Officer and of Accused	Record
		<p><i>dates and that he has told her to do this every day. He says she has had training on this subject. RV confirms that he tipped off Karen Costa that officers might be heading to her. He told her to hide the tobacco. He says he did not give specific instructions on where to move the cigarettes to. He says he told her to take them home. He says he knew officers were coming because they had been to his other shop first. He says he was outside the other Buntys as officers left. He is advised of possible outcomes and issued with a tapes notice. Interview ends 09.15</i></p>

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