

NORTHAMPTONSHIRE COUNTY COUNCIL
Trading Standards

STATEMENT OF WITNESS

(Criminal Procedure Rules, r27.1(1); Criminal Justice Act 1967, s.9, Magistrates' Court Act 1980, s.5B)

Statement of Catherine Rachel Bennett **Age of Witness:** Over 18

Occupation of Witness: Senior Authorised Officer

This statement (consisting of 2 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 20th day of December 2018 (Signed):



I am employed by Northamptonshire County Council as a Senior Authorised Officer based at Wootton Hall Park, Northampton. I am the Lead Officer for under age sales and illegal tobacco for the Service. The information that I will provide in this statement has been obtained from the business records of this Service.

To provide some background, there are various types of illegal tobacco. The two main types that I will refer to in this statement are as follows:

Counterfeit – cigarettes which are illegally manufactured without the permission of the trade mark owner contrary to the Trade Marks Act 1994.

Smuggled – 'genuine' cigarettes made for (mainly) European markets that are smuggled into the UK and no duty is paid. The health warnings will be in the language of the country where they were intended for sale (foreign labelled) contrary to the Tobacco and Related Products Regulations 2016 [previously the Tobacco Products (Manufacture, Presentation and Sale)(Safety) Regulations 2002].

Illegal tobacco is sold at a price significantly lower than that of legal tobacco and deprives the UK of vital revenue which could be used to fund essential public services. The illegal tobacco trade damages legitimate businesses, undermines public health and facilitates the supply of tobacco to young people.

According to the Guidance issued under section 182 of the Licensing Act 2003, certain criminal activity that may arise in connection with licensed premises should be treated particularly seriously. This includes the use of the licensed premises for the sale and storage of smuggled tobacco.

On the 30th April 2018 this Service received a complaint regarding counterfeit cigarettes being sold from the premises UK Monopol, 15 St Leonards Road, Northampton NN4

Continuation Statement of: Catherine Rachel Bennett

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On the 22nd May 2018 a complaint was received alleging the sale of illicit cigarettes.

On the 4th September 2018 a complaint was received alleging the underage sales of cigarettes as well as illicit cigarettes being sold. On the 7th September I wrote to the premises regarding the underage sale allegation and I produce a copy of my letter as exhibit CRB/1.

On the 4th October 2018 an inspection was carried out at the premises by myself along with my colleague Jennifer Mason an Authosired Officer with this Service. We were also accompanied by Sgt Martin O'Connell, PC Dave Bryan and PC Chris Stevens. There was only a female worker present in the store at the time of our visit. During the inspection a quantity of illicit cigarettes and tobacco was found in a car parked at the back of the premises. I produce a schedule of the items seized as exhibit CRB/2. I wrote a notice regarding the seizure to the owner of the premises, Mr Kalend, and I produce a copy of the notice as exhibit CRB/3.

A further inspection of the premises was made on 18th December 2018 by myself, Jennifer Mason and PC Chris Stevens. The owner, Mr Kalend, was the only person present at the time of our visit. During the inspection a quantity of illicit cigarettes and tobacco was found behind the front counter and in the back store room. I produce a schedule of the items seized as exhibit CRB/4. I wrote a notice regarding the seizure which I gave to Mr Kalend. I produce a copy of the notice as exhibit CRB/5.

The records to which I have made reference were created or received by a person in the course of a trade or business and the person who supplied the information contained in the records had or may reasonably be supposed to have had personal knowledge of the matters dealt with, and each person through whom the information was supplied

received the information in the course of a trade or business. 