

CITY OF  
WOLVERHAMPTON  
COUNCIL

29 January 2019

Responsible Authorities Forum

Dear Sirs,

**Review Notice:**

**Licensing Act 2003:**

I am writing to you as a Responsible Authority to inform you that the Trading Standards Service is requesting the City of Wolverhampton Council to review the Premises Licence for Transilvania Shop also known as Romanian Shop, 67 Merridale Street West, Penn Fields; Wolverhampton. WV3 0RJ.

This follows the seizure on the 16 November 2018, of 20,540 illegal cigarette sticks (1027 packets of 20), discovered behind the counter and storeroom of the above named shop and vehicle registered to the Premises Licence Holder that was parked outside the shop. I have attached a copy of the Review Notice, seizure log and photographs. This notice outlines the reasons why this Service is asking for a review. The Review Notice will also be served on the Licensing Authority, as well as the other responsible authorities.

Yours faithfully

**Dianne Slack**

**District Officer – Trading Standards**

Public Protection

Direct: 01902 556063

Email: [Dianne.Slack@wolverhampton.gov.uk](mailto:Dianne.Slack@wolverhampton.gov.uk)

29 January 2019

[REDACTED]  
Transilvania Shop also known as Romanian Shop,  
67 Merridale Street West,  
Penn Fields,  
Wolverhampton.  
WV3 0RJ.

Dear Miss Epuran,

**Review Notice:**

**Licensing Act 2003:**

I am writing to you as a Responsible Authority to inform you that the Trading Standards Service is requesting the City of Wolverhampton Council to review the Premises Licence for Transilvania Shop also known as Romanian Shop, 67 Merridale Street West, Penn Fields; Wolverhampton. WV3 0RJ.

This follows:-

- The seizure on the 16 November 2018, of 20,540 illegal cigarettes sticks (1027 packets of 20), discovered behind the counter and storeroom of the above named shop and vehicle registered to you that was parked outside the shop.

I have attached a copy of the Review Notice, seizure log and photographs. This notice outlines the reasons why this Service is asking for a review. The Review Notice will also be served on the Licensing Authority, as well as the other responsible authorities.

The review of the Premises Licence will be referred to a hearing of the Licensing Sub-Committee for their consideration following a 28 day representation period. The purpose of the review is to ask the Sub-Committee to consider a suspension or revocation of the Premise Licence with the aim of preventing such activity in the future. You will be contacted in due course regarding the date and time of any such hearing and your attendance.

In the meantime should you require any further advice or information regarding the Review Notice Application please do not hesitate to contact me or Paul Dosanjh. Should you require any further information regarding the Licensing Sub-Committee hearing where the review of the Premises Licence will be determined please do not hesitate to contact the Licensing Section on 01902 550106.

Yours sincerely



**Dianne Slack**

**District Officer – Trading Standards**

Public Protection

Direct: 01902 556063

Email: [Dianne.Slack@wolverhampton.gov.uk](mailto:Dianne.Slack@wolverhampton.gov.uk)

**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 DIANNE SLACK

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> The Romanian Shop / Transilvania Shop 67 Merridale Street West Penn Fields	
<b>Post town</b> Wolverhampton	<b>Post code (if known)</b> WV3 0RJ

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Miss Mihaela Adrian EPURAN
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<b>Number of premises licence or club premises certificate (if known)</b> 16/01560/PREDPS
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**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 Dianne Slack District Officer Trading Standards Service City of Wolverhampton Council Civic Centre St Peters Square Wolverhampton WV1 1RP
Telephone number (if any) 01902 556063
E-mail address (optional) dianne.slack@wolverhampton.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)

The local weights and measures authority has "responsible authority" status under the Licensing Act 2003 by virtue of the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.

On the 30 August 2018 and 30 October 2018, City of Wolverhampton Council Trading Standards received information that illicit cigarettes and tobacco were being sold from The Romanian Shop, 67 Merridale Street West, Wolverhampton WV3 0RJ.

On the 16 November 2018, officers from Trading Standards visited 67 Merridale Street West with a Tobacco search dog. On this occasion 20,540 cigarette sticks, equivalent to 1027 packs were discovered behind the counter, in a store room and in a car belonging to the proprietor of the shop Mihaela Adriana EPURAN. The tobacco products were suspected of being counterfeit or non duty paid and were subsequently seized along with the vehicle, CCTV hard-drive, paperwork and a substantial amount of cash.

A traders notice was left with Miss EPURAN, who was present during the inspection. She was advised during the inspection that it was a criminal offence to possess, supply or sell counterfeit products or illicit tobacco products where those goods are marked as duty free or where UK duty has not been paid on those goods.

The seized goods included a number of cigarettes known as 'foreign cheap whites', e.g. Marvel, and NZ which are foreign brands brought into the UK illegally specifically to be sold on the black market. English branded tobacco products such as KENT; DUNHILL; WINSTON and ROTHMANS that bore foreign warnings and labelling were

also seized because they breached UK regulations on packaging and labelling and were non UK DUTY paid. They were manufactured for other domestic markets. Investigations are ongoing as to whether some of the tobacco products are counterfeit too. It was subsequently discovered that Miss EPURAN had been previously warned about such conduct in writing in November 2016 by another Trading Standards Officer.

To knowingly keep or allow to be kept on relevant premises, goods such as cigarettes, which have been imported without payment of duty or which had otherwise been unlawfully imported is a criminal offence as per section 144 (1) and (3) of the Licensing Act 2003.

Trading Standards has "responsible authority" status under the Licensing Act 2003. The Romanian Shop which is also known as Transylvania Shop on its premises licence, Wolverhampton has engaged in activities which have breached a licensing objective namely the prevention of crime and disorder. The Home Office publishes guidance under section 182 of the 2003 Act and at 11.27 that guidance advises that the sale of contraband or counterfeit tobacco is activity that should be considered "particularly seriously." The guidance goes on to state that:

"Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that suspension or revocation of the licence – even in the first instance should be seriously considered."

Additionally the sale of illicit tobacco:

- contributes to the shadow economy
- undermines the City's public health activity which aims to deter residents from smoking especially young people
- drives down the cost of tobacco thereby counteracting Central Government's attempts to use price as a disincentive.

**Please provide as much information as possible to support the application**  
(please read guidance note 2)

N/A



**Please tick yes**

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

If yes please state the date of that application

Day Month Year

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

N/A

**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 29 January 2019

Capacity District Officer: Trading Standards

**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.

**WOLVERHAMPTON TRADING STANDARDS - EVIDENCE STORAGE RECORD SHEET**

<b>Defendant:</b> Romanian Shop 67 Merridale Street West	<b>Officer in Charge of Case:</b> Dianne Slack	<b>Type of Evidence:</b> Cigarettes, paper work, cctv hard drive car and car key Re-counted and resealed 23/11/18
<b>Date Seized:</b> 16 November 2018	<b>Date into Storage:</b> 16 November 2018	
<b>Case Reference:</b> RS/18/47 OPICARUS	<b>Number of Bags/Boxes:</b> 7	

Columns to be completed when items logged into storage and initially examined

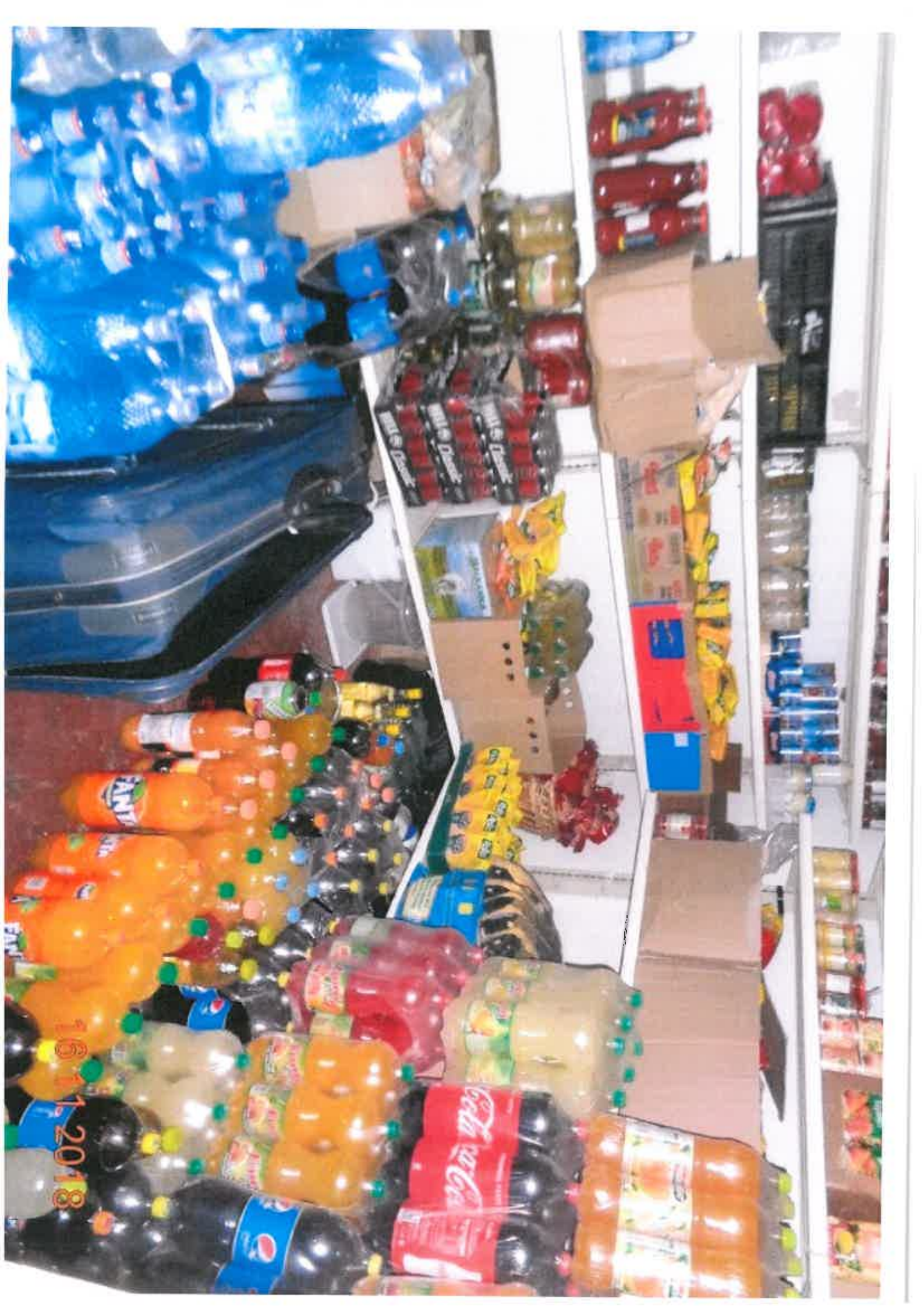
Original Seal	Bag Ref	Item/Description	Location Found	Quantity	Duty not paid	Markings	New Seal	New Seal	Date Out	Destination	Date In	New Seal	Other
0523011	DS/RS/1	Kent Core NZ Gold Marvel demi Dunhill Swiss Blend Rothmans Demi Winston Blue Marlboro Gold	Suitcase in back room	600 400 2000 400 880 60 80		Foreign Foreign English made in Switzerland Foreign Foreign Foreign Foreign	0523049						
0523013	DS/RS/2	Kent Dunhill Black Dunhill Blue		20 2000 2000 4020		Foreign Foreign Foreign	0523042						
0523012	DS/RS/3	2 pieces of paper.  7 Other cups containing money which was seized by the police	Found under the counter in a plastic cup marked PALINCOX Near till			a) Total 2257.68 Achital (paid in Romanian) - £1000. b) total 2668.57 Removed and resealed	0523043						
		Winston Glamour Green Glamour Azure NZ Gold Marlboro Gold Kent Switch Kent Core Compliment Blue Dunhill Blue Dunhill Black Marvel & Blue		80 60 40 160 80 80 140 80 680 260 180		Foreign Foreign Foreign Foreign Foreign Foreign Foreign Foreign Foreign Foreign English							
						Duty free							
						Duty free							

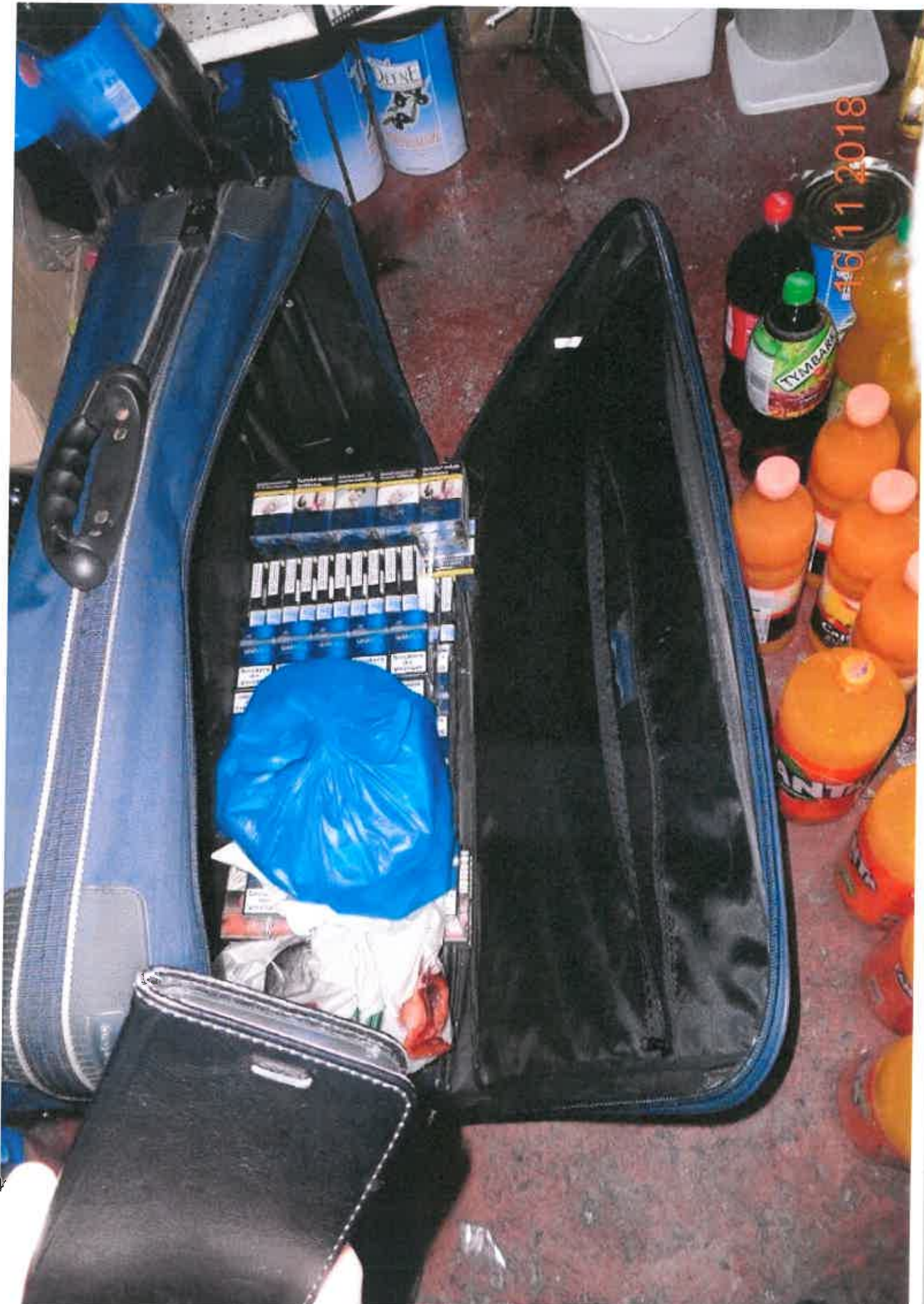
WOLVERHAMPTON TRADING STANDARDS - EVIDENCE STORAGE RECORD SHEET

Original Seal	Bag Ref	Item/Description	Location Found	Quantity	Duty not paid	Markings	New Seal	New Seal	Date Out	Destination	Date In	New Seal	Other
		Rothmans Demi		300		foreign							
0523014	DS/RS/4	Kent Core	BAT Cardboard box in car	2140 8380		Foreign BAT (Romania) Investment SRL. Article no. 10041330. Kent Blue TPD2 Serial no. 271426500356 Product 26/8/18 Sell after 27/8/2018 Destination RO.	0523046						
0523044	DS/RS/5	Pail Mail Kent Switch	Car	400 1180 1580									
0523020		Mercedes A180 reg YK13 UCG	Outside shop on double yellow lines. Containing cigarettes in the boot, on the back seat and sat nav could not be removed.										
0523020		CCTV hard drive Misc. paperwork	Behind counter in shop. Till area										
P00906303/ P00906302		Cash amount unknown seized by the police											

TOTAL SEIZURES

Foreign, Counterfeit, non duty cigarettes = 20,540 sticks







Safety Warning:  
To Avoid Suffocation

Copiii fumătorilor  
sunt mai predispuși  
să înceapă să fumeze

DUNHILL

Smoking  
kills

Smoking  
kills

Smoking  
kills

Куріння  
вбиває

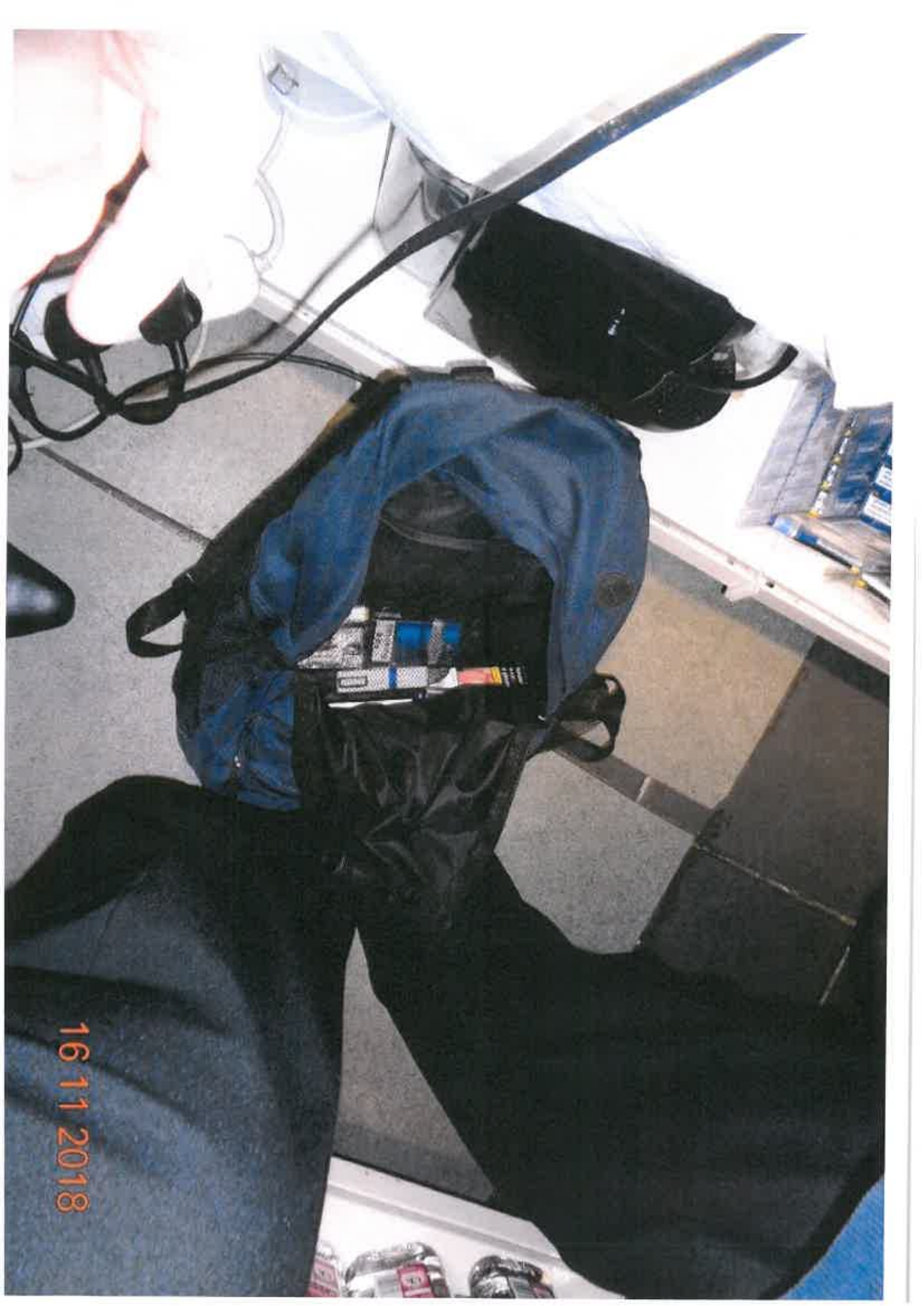
Куріння  
вбиває

16 11 2018

16 11 2018







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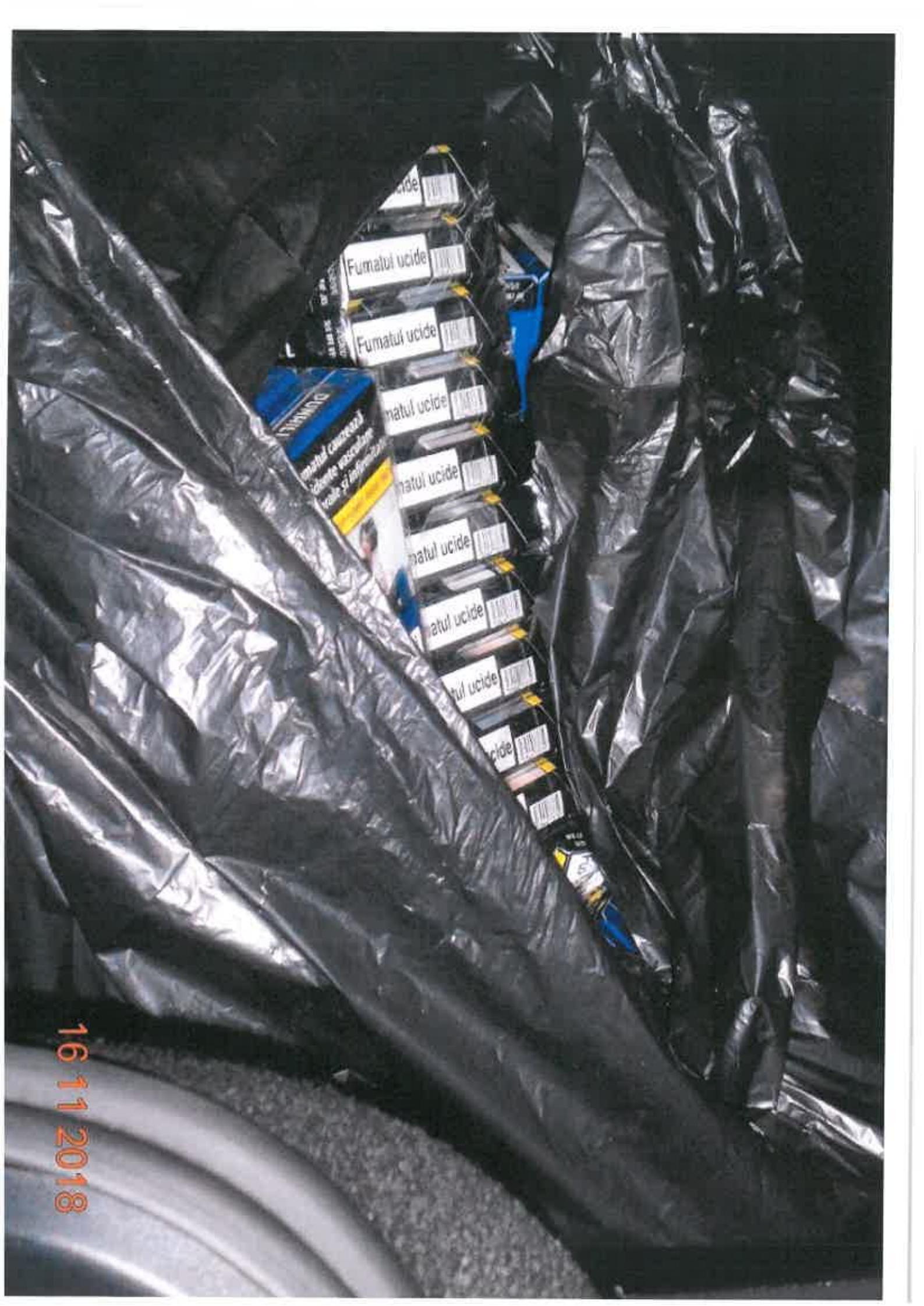


Pharmaceutical advertisements on the bottom panel:

- UNDER 25?** (Orange background, white text)
- nice** (Green background, white text)
- nice** (Green background, white text)
- nice** (Green background, white text)
- 15** (White background, blue text)

THE ROMANIAN  
MAGAZINE FOR BUSINESS

16 11 2018



16 11 2018

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YK13 UCG

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