

# Licensing Sub-Committee

## 10 September 2015

**Time** 10.00 am **Public Meeting?** YES **Type of meeting** Regulatory

**Venue** Committee Room 1 - Civic Centre, St Peter's Square, Wolverhampton WV1 1SH

### Membership

**Chair** Cllr Alan Bolshaw (Lab)

#### Labour

Cllr Ian Claymore  
Cllr Keith Inston

#### Conservative

Quorum for this meeting is two Councillors.

### Information for the Public

If you have any queries about this meeting, please contact the democratic support team:

**Contact** Linda Banbury, Democratic Support Officer  
**Tel/Email** Tel: 01902 555040 Email: [linda.banbury@wolverhampton.gov.uk](mailto:linda.banbury@wolverhampton.gov.uk)  
**Address** Democratic Support, Civic Centre, 2<sup>nd</sup> floor, St Peter's Square,  
Wolverhampton WV1 1RL

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**Tel** 01902 555043

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Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

# Agenda

- | <i>Item No.</i> | <i>Title</i>  |
|-----------------|---|
| 1               | <b>Apologies for absence</b>  |
| 2               | <b>Declarations of interest</b>   |
| 3               | <b>Licensing Act 2003 - Application for review of a premises licence in respect of International Mini Market, 373 Newhampton Road West</b><br>[To consider the application for review]  |
| 4               | <b>Exclusion of press and public</b><br>To pass the following resolution:<br>That in accordance with Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business as it involves the likely disclosure of exempt information falling within paragraph 3 of Schedule 12A to the act relating to the business affairs of particular persons. |
| 5               | <b>Deliberations and decision</b>   |
| 6               | <b>Re-admission of press and public</b>   |
| 7               | <b>Announcement of decision</b>   |
| 8               | <b>Licensing Act 2003 - Application for review of a premises licence in respect of Euroshop, 43 Newhampton Road West</b><br>[To consider the application for review]  |
| 9               | <b>Exclusion of press and public</b><br>To pass the following resolution:<br>That in accordance with section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business as it involves the likely disclosure of exempt information falling within paragraph 3 of Schedule 12A to the Act relating to the business affairs of particular persons. |
| 10              | <b>Deliberations and decision</b>   |
| 11              | <b>Announcement of decision</b>   |
| 12              | <b>Re-admission of press and public</b>   |



# Licensing Sub-Committee

10 September 2015

<b>Report Title</b>	<b>Licensing Act 2003 – Application for a Review of a Premises Licence in respect of International Mini Market, 373 Newhampton Road West, Wolverhampton WV6 0RX.</b>	
<b>Wards Affected</b>	St Peter's	
<b>Accountable Strategic Director</b>	Tim Johnson, Place	
<b>Originating service</b>	Licensing Services	
<b>Accountable officer(s)</b>	Rob Edge Tel Email	Section Leader (Licensing) 01902 55(0106 ) <a href="mailto:rob.edge@wolverhampton.gov.uk">rob.edge@wolverhampton.gov.uk</a>

**Recommendation for action or decision:**

The Licensing Sub-Committee is requested to consider this application for a review of a premises licence.

## 1.0 Purpose of Report

1.1 To submit for consideration by the Sub-Committee an application for a review of a premises licence.

## 2.0 Background

2.1 The current premises licence is attached at Appendix 1.

## 3.0 Review Application

3.1 An application was received from the Licensing Authority on 23 July 2015 for a review of the premises licence in respect of International Mini Market, 373 Newhampton Road West, Wolverhampton WV6 0RX. The premises are situated in St Peter's ward and a location plan is attached at Appendix 2.

3.2 A copy of the review application is attached at Appendix 3. The review has been brought in support of the prevention of crime and disorder licensing objective. Supporting evidence is detailed within the review application.

3.3 The notice of review has been properly served on all the Responsible Authorities. The Council has complied with the legislative process and displayed the appropriate notice at the premises and on its website as required, when the application for review was made.

3.4 Representations have been received from the following:

- Trading Standards
- West Midlands Police
- Public Health

These representations can be found at Appendices 4-6

3.5 A petition in support of the premises can be found at Appendix 7.

3.6 No relevant representations have been received from:

- West Midlands Fire Service
- Environmental Health
- Planning
- Social Services

3.7 The applicant for review, Trading Standards, West Midlands Police and Public Health, and the Premises Licence Holder have all been invited to attend the review hearing.



## 4.0 Legal Implications

4.1 Section 51 of the Licensing Act 2003, as amended states that a responsible authority or any other person may apply to the relevant Licensing Authority for a review of a licence.

4.2 The Licensing Sub-Committee when determining an application for review, pursuant to Section 52 of the Licensing Act 2003 has power to take any of the following steps (if any) as it considers necessary for the promotion of the “licensing objectives” which are listed at 4.3.

- (a) Modify the conditions of the licence;
- (b) Exclude a licensable activity from the scope of the licence;
- (c) Remove the designated premises supervisor;
- (d) Suspend the licence for a period not exceeding 3 months;
- (e) Revoke the licence.

4.3 The four licensing objectives are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm.

4.4 In addition, regard shall be had to guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003 and Wolverhampton City Council’s Licensing Policy Statement. [ JB/25082015/Q ]

## 5.0 Human Rights and Equalities Implications

5.1 This report has human rights implications for both the premises licence holder and the residents from the local neighbourhood. Any of the steps outlined in Section 4 of this report may have financial implications for a licensee’s business and livelihood and/or may have impact upon the day to day lives of residents living in close proximity to the premises.

5.2 Article 8(i) of the European Convention of Human Rights provides that everyone has the right to respect for his/her private and family life and his/her home (which includes business premises). This right may be interfered with by the Council on a number of grounds including the protection of rights and freedoms of others. The First Protocol – Article 1 – also provides that every person is entitled to the peaceful enjoyment of his possessions and shall not be deprived of his possessions except in the public interest and conditions provided for by law. Members must accordingly make a decision which is proportionate to the hearing and endeavour to find a balance between the rights of the applicant, residents and the community as a whole.

**6.0 Financial Implications**

6.1 The Licensing Committee agreed fees and charges for this function on 21 January 2015. The fees are based on a cost recovery basis. There is no fee for the application of a Review, and there are no financial implications arising from this report [TK/09012015/H]

**7.0 Environmental Implications**

7.1 This report has environmental implications in that there is a potential for disturbance caused by patrons using the premises and nuisance caused by litter and waste originating from the premises

# Premises Licence

Issued in accordance with The Licensing Act 2003

**Name of Premises:** International Mini Market

**Address of Premises:** 373 Newhampton Road West  
Whitmore Reans  
Wolverhampton  
WV6 0RX

**Premises Licence Number:** WN/14/01909/PRE – Vary DPS

**Date Licence Granted:** 03/07/2014

## 1. Opening hours of the premises

**Normal Hours:** Monday to Sunday 08.00 to 23.00 hours  
**Seasonal Variations:** None  
**Non Standard Hours:** None

## 2. Licensable activities authorised by the licence and the times the licence authorises the carrying out of these activities

**Activity:** Sale/Supply of alcohol off the premises  
**Normal Hours:** Monday to Sunday 08.00 to 23.00 hours  
**Seasonal Variations:** None  
**Non Standard Hours:** None

## 3. Name of the designated premises supervisor if the sale of alcohol is involved

Zemnako Azad Salih  
Personal licence number: PER2644  
Issued by Wolverhampton City Council

## 4. Is access to the premises by children restricted or prohibited

Provision only as prohibited or restricted under the Licensing Act 2003.

## 5. Name, (registered) address of the holder of the premises licence

Zemnako Azad Salih  
14 Parkhall Gardens  
Rosemary Avenue  
Blakenhall  
Wolverhampton  
WV4 5BN



**N.P. Edwards**

**Assistant Director - Prosperity  
On behalf of Wolverhampton City Council**

# Mandatory Conditions

## Mandatory conditions where licence authorises supply of alcohol

- (1) Where a premises licence authorises the supply of alcohol, the licence must include the following conditions:
  - (2) The first condition is that no supply of alcohol may be made under the premises licence:-
    - (a) At a time when there is no designated premises supervisor in respect of the premises licence, or
    - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
  - (3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 4.— (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

## Mandatory Licensing Condition banning the sale of alcohol below the cost of VAT and duty: 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
  - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6);
  - (b) “permitted price” is the price found by applying the formula  $P = D + (D \times V)$where—
  - (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
  - (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iv) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(7).
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## Conditions consistent with the Operating Schedule

## **General**

Nothing beyond existing health & safety/ fire safety etc. requirements.

### ***The prevention of crime and disorder***

The premises will have correct specification, internal and external CCTV, recordings of which will be retained for thirty one days.

There is existing external frontage roller shutters and also a security metal gate at the rear of the premises, which will be fully alarmed. including a panic alarm button facility.

The personal licence holder shall ensure that any staff involved in the sale of alcohol are fully trained on their responsibilities under the Licensing Act 2003 including any changes of legislation and all staff will be trained in the usage and chronicled storage of CCTV.

All written training records will be available on site for inspection at any time.

### ***Public safety***

Also internal and external CCTV etc.

Premises will have fully maintained fire fighting equipment on site with a maintenance contract along with emergency lighting and smoke detectors.

### ***The prevention of public nuisance***

Internal and particularly any external CCTV, is a proven deterrent in terms of any anti-social activities in respect of the outlet's frontage and the immediate vicinity of the premises.

The applicant and his staff will at all times be vigilant in relation to any litter issues.

### ***The protection of children from harm***

Also internal and external CCTV etc.

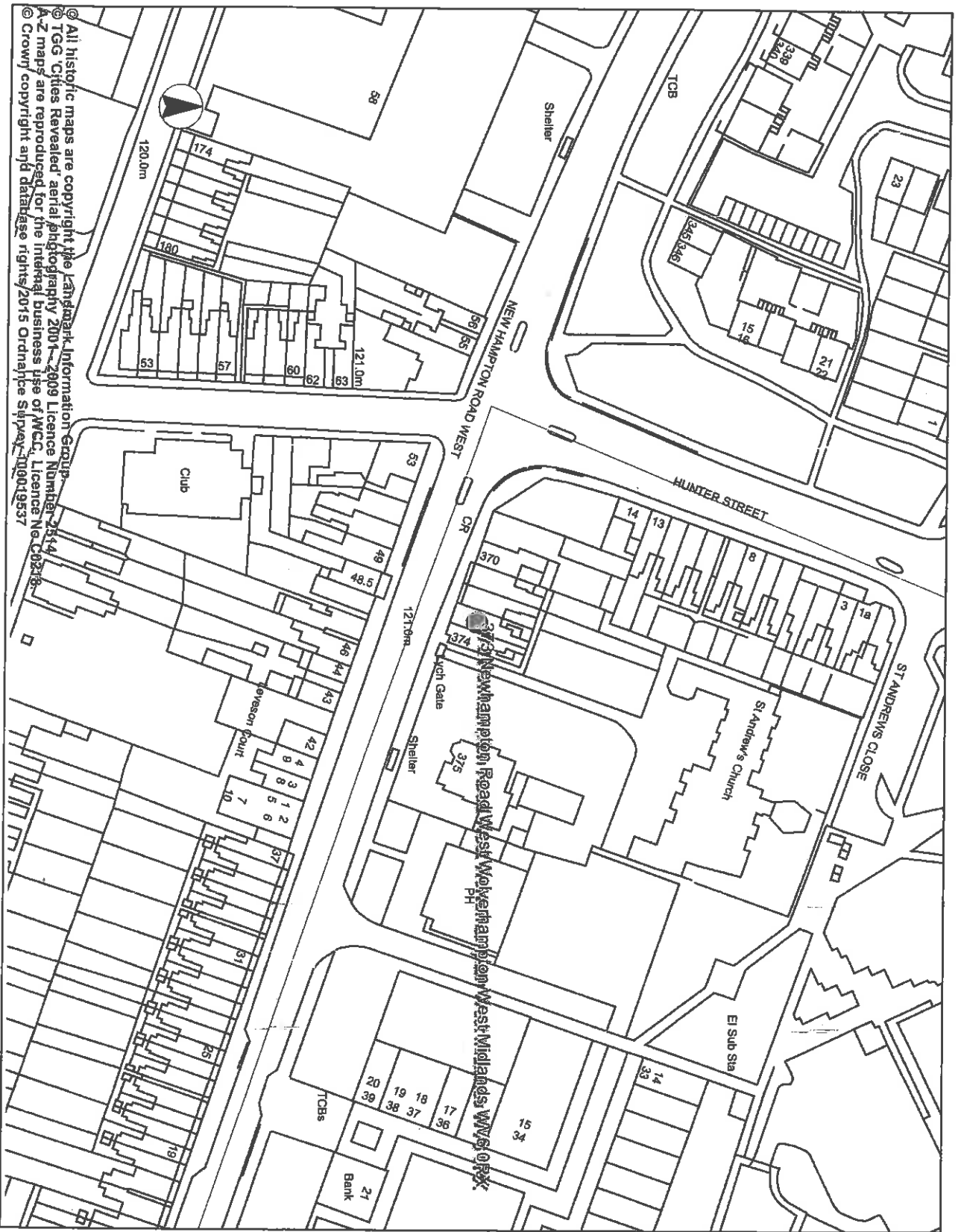
Layout of shop gives consideration to the prevention of children's access to alcohol and any alcohol displayed will not be obstructed from the view of the sales assistants. Also premises will operate a proof of age scheme via acceptable forms of identification and incorporating 'the challenge 21' system.

A sales refusal book will be fully maintained and available for inspection at any time.

## **Plans**

As submitted with application dated 26/09/2011 and retained by Wolverhampton City Council





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**Wolverhampton**  
 City Council  
 International Mini  
 Market  
 373 Newhampton Road  
 West

Wolverhampton City Council  
 Asset Management  
 Civic Centre  
 St Peters Square  
 Wolverhampton  
 WV1 1RL  
 Plan Produced  
 31.7.2015  
 Scale 1:1,250

MAAPM - Provided by

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[Insert name and address of relevant licensing authority and its reference number (optional)]

**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 *Elaine Moreton* on behalf of the Licensing Authority apply for the review of a  
 (Insert name of applicant)  
**premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below**

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

Postal address of premises or club premises, or if none, ordnance survey map reference or description
International Mini Market known as Sam Euro Style, 373 Newhampton Road West, Whitmore Reans

Post town Wolverhampton

Post code (if known) WV6 0RX

Name of premises licence holder Zemnako Azad Salih
Number of premises licence or club premises certificate (if known) WN/14/01909/PRE

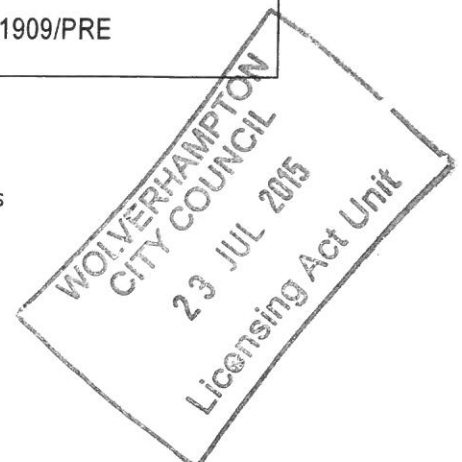
**Part 2 - Applicant details**

I am

Please tick <sup>b</sup>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





**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address: <b>Elaine Moreton, Licensing Services (Licensing Act 2003 – Responsible Authority), Reception 14.</b>
Telephone number (if any) <b>01902 555033</b>
E-mail (optional) <b>Elaine.moreton@wolverhampton.gov.uk</b>

**This application to review relates to the following licensing objective(s)**

Please tick one or more boxes

1) the prevention of crime and disorder

X

**Please state the ground(s) for review (please read guidance note1)**

On 17<sup>th</sup> July 2015 the Licensing Authority became aware of several potential offences committed by Mr Zemnako Azad Salih under section 8 (h) of the Tobacco Products Duties Act 1979.

These potential offences were identified by officers from the Licensing Authority, Trading Standards and the Police following Operation Riposte on 17 July 2015.

In accordance with sections 51 and 52 of the Licensing Act 2003 and the Secretary of States Guidance issued under Section 182 of the Licensing Act 2003, Sections 11.27 and 11.28, the Licensing Authority (as a Responsible Authority under the Licensing Act 2003) is making an application for a review of the premises licence for International Mini-Market known as Sam Euro Style, 373 Newhampton Road West, Whitmore Reans, Wolverhampton, WV6 0RX.

This review is brought on the grounds of the prevention of crime and disorder licensing objective.

Licence records indicate that Mr Zemnako Azad Salih has held the Premises Licence and is the Designated Premises Supervisor under the Licensing Act 2003 from 03 July 2014 for International Mini-Market known as Sam Euro Style.

On 29 August 2014 and after receiving complaints Trading Standards visited the International Mini-Market known as Sam Euro Style, 373 Newhampton Road West, Wolverhampton. 11540 cigarettes and 0.850 kg of illicit hand rolling tobacco were found in a concealed compartment under the counter and in a box behind the counter. The products were a mixture of foreign, non-duty paid tobacco products and counterfeit tobacco products.

On 28 November 2014 during a routine inspection, International Mini-market known as Sam Euro Style was visited as part of a multi-agency exercise. Mr Salih eventually turned up but was unable to produce his underage refusals log despite it being a condition of his premises licence. He was given a new refusals book with a 'NO ID NO SALE' pack to help him comply with his licence. Mr Salih was advised about his legal responsibilities for preventing the sale of age restricted products. A small amount of foreign tobacco called Wolverine was discovered for sale and evidence of splitting up multipacks of cigarettes was also seen.

On 11 February 2015, Mr Salih attended a PACE interview in connection with offences under the Trade Marks Act 1994 and Consumer Protection Act 1987. Investigations are continuing into these matters.

On 23 April 2015 as part of a joint Council and Police enforcement exercise 21176 illicit cigarettes were discovered in addition to 700 grams of hand rolling tobacco hidden within a purpose built new counter and display wall.

11 bottles of Glen's vodka were seized on suspicion of being counterfeit. 5000 cigarettes were seized from the gantry because they were on display contrary to the Health Act 2009.

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

The total quantities of non-compliant goods seized in the course of the inspections 29 August 2014 until 23 April 2015 are as follows:

- 32,176 cigarettes.
- 1.550 kilograms of hand rolling tobacco.
- 11 bottles of non-duty paid vodka.

The packaging of these products was clearly non-compliant and as such the possession and supply of these products are not mistakes but a deliberate and conscious act to gain financial advantage by breaking the law.

On 17 July 2015 as part of a joint Council and Police Enforcement exercise (Operation Riposte) a Trading Standards Officer entered International Mini-Market known as Sam Euro Style at approximately 0625 hours. The officer witnessed two Asian males being served two cans of beer before the undercover officer purchased two cans of Perla (lager).

This is a breach of the Premises Licence conditions and an offence under Section 136 of the Licensing Act 2003 as the trading hours for the sale and supply of alcohol off the premises are Monday to Sunday 0800 to 2300 hours.

On the same day at approximately 1000 hours as part of the same operation a District Officer, Trading Standards seized a large amount of non-duty and counterfeit tobacco from the premises. The exact quantity unknown as not yet calculated. However, the estimated value is to be at least £100,000. Also, 18 bottles of non-duty paid flavored Vodka was seized.

A copy of the relevant sections from the Licensing Act 2003 amended 182 guidance and witness statements from Stefan Polatajko, Trading Standards Officer and Dianne Slack, District Officer, Trading Standards, are attached at Appendices A, B and C to this application.

As part of Operation Riposte on 17 July 2015, a Wolverhampton City Council Compliance Officer completed a Licensing Inspection of International Mini-Market known as Sam Euro Style. Several non-compliant issues were apparent, contrary to Premises Licence conditions. A copy of Lucy Kendall's' witness statement is attached as Appendix D to this application.

The premises licence holder has shown a disregard to the law and has continually failed to adhere to his licence conditions.

The Licensing Authority is requesting the Licensing Sub-Committee give serious consideration to the revocation of the Premises Licence for International Mini-Market known as Sam Euro Style, 373 Newhampton Road West, Whitmore Reans, Wolverhampton WV6 0RX.



Please tick <sup>b</sup> 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** (please read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature

Date.....**23/07/2015**.....

Capacity **Section Leader (Licensing Services)**

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 5)	
Licensing Services Reception 14 First Floor Civic Centre	
<b>Post town</b> Wolverhampton	<b>Post code</b> WV1 1DA
<b>Telephone number (if any)</b> 01902 555033	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	

**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.

Please tick <sup>b</sup> 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

--	--	--	--	--	--	--	--

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



**LICENSING ACT 2003****AMENDED GUIDANCE ISSUED UNDER SECTION 182****MARCH 2015**

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- For the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
- For the sale and distribution of illegal firearms;
- For the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- For prostitution or the sale of unlawful pornography;
- By organised groups of paedophiles to groom children;
- As the base for the organisation of criminal activity, particularly by gangs;
- For the organisation or racist activity or the promotion of racist attacks;
- For knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter;
- For unlawful gambling; and
- For the sale or storage of smuggled tobacco and alcohol.

11.28 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. 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 revocation of the licence – even in the first instance – should be seriously considered.



**STATEMENT OF WITNESS**

(Criminal Procedure Rules, r 27.2;  
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

Statement of (Full Name) Stefan Polatajko

Age of witness (If over 18 enter over 18) **Over 18**

Occupation of witness Senior Officer

This statement, (consisting of 2 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 the 22<sup>nd</sup> July 2015

.....  
Signed

I am employed as a Senior Officer in Regulatory Services at Wolverhampton City Council. As such I am an authorised officer for a number of pieces of legislation including the Trade Marks Act 1994, the Consumer Protection from Unfair Trading Regulations 2008, the Fraud Act 2006 and the Licensing Act 2003. At approximately 6.25 a.m. on the morning of 17<sup>th</sup> July 2015, as part of Operation Riposte, I entered Sam's Euro Style shop at 373 Newhampton Road West in an attempt to test purchase alcohol outside of the shop's licensing hours. I am aware that Sam Euro Style is the trading name of International Mini Market. I took a swiss roll from the back of the shop and then 2 cans of Perla beer from the fridge which is located near the front of the shop and waited to be served. Whilst waiting in the queue I saw 2 asian men in front of me buying 2 cans of beer. A blonde lady aged about 30 was serving. I was next to be served, tendered £3 for the swiss roll and 2 cans of beer and was given 23

.....  
Signed

NOTE : If statements are typed double spacing should be used.  
One side only of the paper should be used.



**STATEMENT OF WITNESS**

(Criminal Procedure Rules, r 27.2;  
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

Continuation Sheet No. 1

pence in change. The lady said thank you and put the items that I bought into a black carrier bag. I left the shop.

.....  
Signed

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NOTE : If statements are typed double spacing should be used.  
One side only of the paper should be used.



STATEMENT OF WITNESS

(Criminal Procedure Rules, r 27.2;  
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

Statement of (Full Name) Dianne SLACK  
Age of witness (If over 18 enter over 18) Over 18  
Occupation of witness District Officer – Trading Standards

This statement, (consisting of 2 page(s) 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 22nd day of July, 2015.

.....  
Signed

I am employed as a District Officer for the City of Wolverhampton Council's Regulatory Services (Trading Standards). I am a Chartered Trading Standards Practitioner. On the 17 July 2015, as part of 'Operation Riposte', (a multi-agency operation involving West Midlands Police, Licensing Authority and Trading Standards); I executed an entry warrant to allow a full inspection of the entire premises at 373 Newhampton Road West, Whitmore Reans, Wolverhampton, WV6 0RX. The City of Wolverhampton Council had received intelligence that illicit tobacco was stored on both floors of the building. Accompanied by colleagues from Regulatory Services and police officers, we discovered a large amount of illicit cigarettes and hand rolling tobacco hidden within several areas of the licensed retail section of the building, International Mini Market, known as Sam Euro Style. On the first floor of 373 Newhampton

.....  
Signed

NOTE : If statements are typed double spacing should be used.  
One side only of the paper should be used.





**STATEMENT OF WITNESS**

(Criminal Procedure Rules, r 27.2;  
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

Continuation Sheet No. 1

*JS*

Road West, I found a locked room. We broke through the reinforced door and discovered a store room containing several boxes and bags of illicit cigarettes and hand rolling tobacco. Sleeves of cigarettes were piled up against the walls. I seized in total 49 bags and boxes of all the illicit cigarettes and tobacco discovered on the premises. I also seized 18 bottles of vodka that were on display in the retail area of Sam Euro Style, because they were not bearing UK duty stamps.

Signed

.....

NOTE : If statements are typed double spacing should be used.  
One side only of the paper should be used.



**STATEMENT OF WITNESS**

(Criminal Procedure Rules, r 27.2;  
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

Statement of.....**Lucy Kendall**.....  
(Full Name)

Age of witness.....**Over 18**.....  
(If over 18 enter over 18)

Occupation of witness.....**Compliance Officer**.....

This statement, (consisting of 03 page(s) 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 **23<sup>rd</sup>** day of **July 2015**

.....  
Signed

I am the above named person and I am currently employed by City of Wolverhampton Council as a Compliance Officer and I am based in Environmental Health (Commercial), Civic Centre, St Peters Square, Wolverhampton and I am responsible for investigating various environmental crimes, licensing issues, Private Hire and Hackney Carriage enforcement.

On the morning of 17th July 2015 as part of 'Operation Riposte' (a multi-agency operation involving West Midlands Police, Licensing Services and Trading Standards); I inspected Sam Euro Style, 373 Newhampton Road West, Wolverhampton, WV6 0RX to check the licensing conditions were adhered to.

At 11.13 I spoke with the only member of staff present in the premises Julija Martianova of 34 Fairview Crescent, Wolverhampton, WV11 1BU date of birth 20.08.1993. I completed the 'Responsible Authorities Forum Premises Licence Questionnaire' by asking Ms Martianova the questions on the questionnaire. I

.....  
Signed

NOTE: If statements are typed double spacing should be used.  
One side only of the paper should be used.



STATEMENT OF WITNESS

(Criminal Procedure Rules, r 27.1(2);  
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

Continuation Sheet No. 1

produce the completed questionnaire as exhibit LK/1. I asked Ms Martianova if the Designated Premises Supervisor, Zemanko Azad Salih, was present Ms Martianova said he wasn't and she didn't know when he would be at the premises. I asked Ms Martianova if she had been authorised by Mr Salih to sell alcohol in his absence. She said she wasn't sure. I asked if she had something in writing from Mr Salih to say she could sell alcohol, she said she hadn't. I asked if she had had any training regarding selling alcohol and the legal age to purchase alcohol. She said when she started she was told customers you have to be 18 to buy alcohol and to ask if she thinks they look young. I asked if there were any documents or records of this training. She said there was nothing written down. I asked if the premises have a Challenge 21 or Challenge 25 policy. She didn't know what these policies were and when I explained she said they don't have anything like that. I asked if she refuses to sell alcohol to a customer does she write it down. She said no, she doesn't record it anywhere. I asked Ms Martianova if there was a book under the counter to record refusals in. She couldn't see one and didn't know if there was one. She didn't know she had to record refusals. The premises had CCTV, there was a screen showing images of both the internal and external of the premises which were visible to staff standing behind the counter. I asked Ms Martianova to show me footage from 30 or 31 days ago. Ms Martianova said she couldn't work the CCTV so couldn't show me anything other than what was currently being shown on the

.....  
Signec

NOTE: If statements are typed double spacing should be used.  
One side only of the paper should be used.



STATEMENT OF WITNESS

(Criminal Procedure Rules, r 27.1(2);  
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

Continuation Sheet No. 2

screen. I explained to Ms Martianova that a condition of the Premises Licence was that CCTV footage should be kept for 31 days. I asked Ms Martianova if she could transfer any footage to a CD or USB if requested. Ms Martianova said that she couldn't work the CCTV at all and she didn't know who could. I asked Ms Martianova if there was any fire fighting equipment on the premises. She picked up a fire extinguisher from behind the counter to show me but wasn't sure if there were any others on the premises. I asked if there was a record of the maintenance. Ms Martianova didn't know about any records.

.....  
Signed

NOTE: If statements are typed double spacing should be used.  
One side only of the paper should be used.





**RESPONSIBLE AUTHORITIES FORUM**  
**Premises Licence Questionnaire**

Premises Name/Address: Sams 373 Newhampton Road West  
Officer Name: Lucy Kendall  
Date of Visit: 17.7.15 Time: 11.3

**NOTE:** Survey the premises prior to speaking to any members of staff. Are there signs notifying customers that underage sales are illegal? (Particularly are there such signs at the entrances, where alcohol is sold and at the tills?)

Comments: Sign about tobacco/cigarettes but not one for alcohol.

Approach the till operator and identify yourself.

**1. Is the Designated Premises Supervisor at the premises?**

YES/NO  NO

If YES ensure all further questions are asked to the DPS

If NO, who is the responsible person at the premises? - only member of staff

Name: Julija Martianova  
Date of Birth: 20.8.1993  
Address: 34 Fairview Crescent  
WV11 1BU

Does the responsible person and/or the till operator have permission to sell alcohol from the DPS?

YES/NO - not sure she doesn't remember if she was told this by mr Salih.

Is this in writing (if so inspect if available)

YES/NO  NO

**2. Can I see your Premises Licence Summary? (This should be on display at the premises)**

Comments: The premises licence summary wasn't displayed but a copy of the original premises licence was displayed on the side of a shelving unit by the counter/bill.

**3. Do you have a proof of age policy?**

YES/NO

If YES, what policy (Challenge 21, Challenge 25, etc.)

Comments: Julija knew to ask if someone looked under 18. She said she always asks if they look under 18 (ie not clearly in their 40s with grey hair). The owner had told her to do this. - They don't have a "Challenge" policy.

**4. Do you have a till prompt? (There is on in the pack)**

YES/NO

If YES, electronic/physical sign.

Comments: Prices have to be typed in so no prompt and nothing by the till to prompt.

**5. Do you have a refusals book?**

YES/NO

If YES, inspect the book, is it up to date?

Comments: Julija was unaware of one and wasn't aware to document any refusals. Asked if there was a book under the counter - she couldn't see one.

## 6. Do you have CCTV at the premises?

YES/ NO - both internal & external.

If YES, how many/where are the cameras? What quality are recordings?

Are staff trained to download footage?

Comments: Julija was unaware of how to use the CCTV and couldn't show me footage from 31 days ago when I asked. She couldn't get the footage off the CCTV.

## 7. Have you/your staff received training regarding underage sales?

YES/ NO

If YES, when was last training? Is there any written record of this available?

Comments: Yes when she started but nothing was written down. There was no documents showing training records that could be produced.

## 8. Does the premises also sell tobacco?

YES/ NO

If YES, is there a notice at the premises that states: 'it is illegal to sell tobacco products to anyone under the age of 18'?

YES/ NO

## 9. Underage sales advice and guidance pack given to premises?

YES/ NO

Any Other Comments: One fire extinguisher behind the till but Julija unable to provide maintenance contract and unaware if other equipment on the premises.

Signed (by Officer) ..

Date 17.7.15



Dear Mr Edge

**Euro Shop 43 Newhampton Road West . W-ton WV6 0RY (PRE 1031)**  
**International Mini Market (Aka Sams Euro Style) 373 Newhampton Road West , Whitmore Reans,**  
**Wolverhampton WV6 0RX**

On the 23rd of July 2015 I received a letter from Elaine Moreton, Section Leader for licensing, about the City Council's intention to apply for a review under section 51 of the Licensing Act 2003 in respect of the above premises.

I have to tell you that as part of the nascent criminal investigation that I have important information which the Licensing sub-committee needs to be aware of. A fuller disclosure of this information will, I believe, give the sub-committee a clearer picture of the scope and severity of the alleged offences in relation to the tobacco and the alcohol found at the premises.

However, currently if this information is made public it could jeopardise any prosecution that may be conducted and so I have omitted the specifics from this reply.

Thank you

Paul Dosanjh  
Service Lead: Trading Standards  
Tel. Office: 01902 556056

[E-mail: Paul.Dosanjh@wolverhampton.gov.uk](mailto:Paul.Dosanjh@wolverhampton.gov.uk)  
Wolverhampton City Council

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**From:** Mitchell Harvey [<mailto:m.harvey@west-midlands.pnn.police.uk>]  
**Sent:** 17 August 2015 15:45  
**To:** Shelley Humphries  
**Cc:** Elaine Moreton; Licensing  
**Subject:** RE: PRE1162 INTERNATIONAL MINIMARKET [KNOWN AS SAM EURO STYLE]. 373 Newhampton Road West. Whitmore Reans - REVIEW [PROTECT]

Dear all,

I am authorised to write on behalf of the Chief Officer of Police for the West Midlands Police as a responsible authority.

I am writing in support of the above review application made by Wolverhampton Licensing Authority. Representations are made against the crime and disorder and public safety licensing objectives and the failure of the current management of the premises, to uphold and promote those objectives.

The issues brought by the Licensing Authority relate to the possession and sale of large quantities of illegal and non-duty paid tobacco, non-duty paid alcohol and breaches of the premises license conditions. These are all examples of the outright disregard not only to the licensing objectives, but also the law.

If the committee are satisfied that illegal activities have taken place at the premises and if they agree that the premises licence holder and management of the premises are failing to promote the licensing objectives, West Midlands Police would request revocation of the premises licence.

This type of criminality not only undermines the licensing objectives as a whole, but is a key factor in contributing further to local crime, anti-social behaviour and the overall degradation of community cohesion.

**Kind Regards,**

**PC 1080 Mitch Harvey  
 Partnerships & Licensing Officer  
 Wolverhampton Central Police station**

**DDI: 01902 643 407  
 External: 101 ext 871 3194  
 Email: [wv\\_licensing@west-midlands.pnn.police.uk](mailto:wv_licensing@west-midlands.pnn.police.uk)**

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**From:** Shelley Humphries <[Shelley.Humphries@wolverhampton.gov.uk](mailto:Shelley.Humphries@wolverhampton.gov.uk)>  
**Sent:** 24 July 2015 15:26  
**To:** ICT Service Desk; Ann Wedge; Dawn Williams (Head Of Safeguarding); Elaine Moreton; Environmental Health; Licensing; Paul Cooper; Paul Dosanjh; R & T Building Control; Public Health; Planning; Stefan Polatajko; Trading Standards; WV Licensing; West Midlands Fire Service; William Humphries  
**Subject:** PRE1162 INTERNATIONAL MINIMARKET [KNOWN AS SAM EURO STYLE]. 373 Newhampton Road West. Whitmore Reans - REVIEW [PROTECT]

**PROTECT**

Dear All,

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**From:** Public Health  
**Sent:** 20 August 2015 16:20  
**To:** Licensing  
**Subject:** FW: PRE1162 INTERNATIONAL MINIMARKET [KNOWN AS SAM EURO STYLE]. 373 Newhampton Road West. Whitmore Reans - REVIEW [PROTECT]

Dear Licensing,

Given numerous breaches of the premises licence conditions and offences committed Public Health support the application to review the premises licence for International Minimarket/Sam Euro Style. We would also support the recommendation to revoke the premises licence as the licence holder is clearly undermining the promotion of the four licensing objectives.

Kind regards

**Michelle Smith**  
**Commissioning Officer**  
**Public Health**  
**Civic Centre**  
**St Peter's Square**  
**Wolverhampton**  
**WV1 1RT**  
**01902 550154**

**From:** Shelley Humphries  
**Sent:** 24 July 2015 15:27  
**To:** ICT Service Desk; Ann Wedge; Dawn Williams (Head Of Safeguarding); Elaine Moreton; Environmental Health; Licensing; Paul Cooper; Paul Dosanjh; R & T Building Control; Public Health; Planning; Stefan Polatajko; Trading Standards; West Midland Police Licensing; West Midlands Fire Service; William Humphries  
**Subject:** PRE1162 INTERNATIONAL MINIMARKET [KNOWN AS SAM EURO STYLE]. 373 Newhampton Road West. Whitmore Reans - REVIEW [PROTECT]

**PROTECT**

Dear All,

An application to review the above premises licence has been submitted by the Licensing Authority. The application relates to the following licensing objectives:

- The Prevention of Crime and Disorder

Premises Licence Holder: Zemnako Azad Salih

Last day for reps is: **20/08/2015**

**ICTS – Please add this to the website.**

Kind regards,

Anita Chonk  
Licensing Officer  
Tel. Office: 01902 556037

[E-mail: anita.chonk@wolverhampton.gov.uk](mailto:anita.chonk@wolverhampton.gov.uk)  
Wolverhampton City Council



Petition to Wolverhampton City Council.

Dated : 27/07/15

We the Undersigned do hereby petition to Wolverhampton City Council to keep Sam Euro Style, 373 Newhampton road west, Whitmore reans, Wolverhampton, WV6 0RX in Service with an alcohol licence active for the premises for the Convenience of the people of Whitmore reans Community.

DATE	NAME	SIGNATURE	ADDRESS
28.07.15	BOYKO Mizev	[Redacted]	STANLEY ROAD 251
	PARISHAN COSTINEL	[Redacted]	BONSALL ROAD 111
	Valentina Lebeaux	[Redacted]	
	Christo Adesoyen	[Redacted]	201 Follenhall road WU6 0RN
	Anusha Resigan	[Redacted]	Gorsebrook Rd.
	POGDAN Gabriel	[Redacted]	
	Mindaugas Dubas	[Redacted]	150 sweetman street
	Konolis Konstantinos	[Redacted]	HORDERN ROAD
	ALAN TRANTER	[Redacted]	19 HORDERN RD W-10
	IONUT PUSCAS	[Redacted]	55 FAWARR STREET
	CONSTANTIN ANDREI	[Redacted]	DUNSTALL AVENUE
	MARK ALBURN	[Redacted]	481A NEWHAMPTON RD WEST
	Deinidas Othoracigiu	[Redacted]	47 coast road
	Chris E	[Redacted]	117 Tettenhall
	Edgaras Papucelis	[Redacted]	26 Hordern road
	Attila Erdelyi	[Redacted]	230 Hordern road
	J. SINGH	[Redacted]	80 RICHES STREET
	Nataly Pedina	[Redacted]	19 RICHES STREET
	Danny Hayward	[Redacted]	299 Goffalls drive.
	Ernest Nyko	[Redacted]	920 Love St



DATE	NAME	SIGNATURE	ADDRESS
	Frank Lengyel	[REDACTED]	30 court road
	Natasha Albanese	[REDACTED]	22 crane road
	KOBERTAS KUVIOLIS	[REDACTED]	186 Leicesters
	Julie Holst	[REDACTED]	10 glasdale gdns.
	wiggin Hart	[REDACTED]	Flat 1/45 loc Rd.
	RAIMONDAS	[REDACTED]	7, ALLEN PA
	David Malbon	[REDACTED]	34 SWEETMAN STRIT
	stephan whitaker	[REDACTED]	68 Ryghills road
	Adam Burns	[REDACTED]	69 fairdale Avenue
	[REDACTED]	[REDACTED]	66 Auden Court
	[REDACTED]	[REDACTED]	27 Bond St
	[REDACTED]	[REDACTED]	23 74 82 3
	[REDACTED]	[REDACTED]	23 7. 15
	[REDACTED]	[REDACTED]	82 33 75
	Smith	[REDACTED]	28-7-15
	S. CARTWRIGHT	[REDACTED]	144 SWEETMAN ST
	Angela Kennedy	[REDACTED]	289 Hordern
	Mick Brien	[REDACTED]	40 Hordern Rd.
	John Wolley	[REDACTED]	32 Glenworth Gdns
	Salvatore	[REDACTED]	97 Chester St.
	[REDACTED]	[REDACTED]	Mess Dale
	DACE PARIKMA	[REDACTED]	61 COURT ROAD
	Garry Hill	[REDACTED]	47 Pirage court
	Artis Belkavskis	[REDACTED]	93 BRIGHT STREET
	Barba Ozole	[REDACTED]	313 Newington road
	Kateina Vershunina	WV6 ORF	164 Coleman Street
	Dmitrijs Sinjakovs	WV6 ORF	164 Coleman Street
	Jelena Aboltina	WV6 ORF	164 Coleman Street



DATE	NAME	SIGNATURE	ADDRESS
28-07-15	ARENTHAS		21 DERBY AVENUE
	ANCA		53 PARK ROAD
	HENRYK		3756 NEW HAMPTON ROAD
	Nerijus		FAWDRY STREET
	Ruslan		2 Gibbons Road
	GABI		WU11 1UA
	Stacey		72 Horden Rd.
	Kostadin		WV6 0HG
	Rajvan		1 School House
	MODE		4 OLIVE AVENUE
	S POUDET		5 YORK AVE
	MALCOLM		18 TRENHAM CRE
	Katarzyna		Coleman Street 8
	Ceznianska		Corten Rd.
	Pal Timea		Horden Road
	CRIST BOBATU		255 KIMBALL A.A.
	CLAUDIU		Court Road
	Iliyan		Bright street
	MAJ		100 Horden Rd
	Bogdan		Wolverhampton Road
	IVAN		24 LEICESTER STR.
	CRISTI		59 COURT ROAD
	SPETHAS		241 COLMAN STREET
	A. BOLTAN		73 CHERRY ROAD
	SILVIA IRE		109. BRINTLEY
	E. Chilton		16 MILL LANE
	S. Thalayasingam		WEDNESKED
			↓ 209 New Hampton Rd 5
	K. Zaliouyte		48 ALLEN ROAD
	E. Zaliouyte		16 REGENSWAY
			SQ



DATE	NAME	SIGNATURE	ADDRESS
	R. Gestawca	[REDACTED]	16 Bramsley St
	TIGEA RAREȘ BOGDAN	[REDACTED]	54 LEICESTER
	Delmaslas Găstian	[REDACTED]	34 Leicester
	Khalid S. Abdallah	[REDACTED]	109 Newton
	GINTARAS DOVIDAUSKAS	[REDACTED]	FLAT 2, SUTHERLAND <sup>HOUSE</sup>
	Ignas GASPONIČIUS	[REDACTED]	28 ALL SAINTS ROAD
	PETRA NOVIČNA	[REDACTED]	277 PARTILD ROAD
	OSKARS LASMANIS	[REDACTED]	118 PINFOLD LANE
	Amaini LARENZO	[REDACTED]	225 Skensley Road
	Gintaras Janulis	[REDACTED]	Dunkley st apt 46
	Curis Jukaus	[REDACTED]	24 Westwood road REANZ.
	Manny Singh	[REDACTED]	25 Westwood rd
	Mick Perle	[REDACTED]	4 Walsley Street
	S. Fox	[REDACTED]	17 Bradford Park
	W. SAVVID	[REDACTED]	21 HARTLEY STREET
	L. Cizauskaite	[REDACTED]	12 JAMESON STREET
	K Patel	[REDACTED]	4 TIBURN ROAD.
	David Campbell	[REDACTED]	48 Harden Rd. REANZ
	MITCHELL Bellincham	[REDACTED]	50 HARBIN Rd
	IULIA CAPRIAN	[REDACTED]	103 Grosbrook road
	Wendy Jones	[REDACTED]	200 Newkington.
	Chris Freeman	[REDACTED]	11 Newkington.
	STEVES LOGES	[REDACTED]	48 LOXBY Gdns.
	BRIAN BREAKWELL	[REDACTED]	25 LAWNWOOD AVE.
	NIOLE TREILINA	[REDACTED]	18 COURT ROAD
	John Smith	[REDACTED]	26 EVANS ST
	W. Hermiz	[REDACTED]	197 Newkington Rd West
	Buhacianu Ionut	[REDACTED]	266 Bilston
	Deico Cezor	[REDACTED]	268 Bilston
	POPESCU EMANUELA	[REDACTED]	DUNSTALL ROAD IAG

100 50 20



DATE	NAME	SIGNATURE	ADDRESS
	John Musterson	[REDACTED]	66 Carter Road
	Akeel Shah	[REDACTED]	16, Coleman Street
	Mewa	[REDACTED]	31, Taylor Road
	Sandra Teršinskienė	[REDACTED]	6 Clare rd.
	A Lynch	[REDACTED]	132 Sweetman St.
	V Topchiev	[REDACTED]	47 Fawdry Street
	Ander Manuel Florim	[REDACTED]	Dunkley Street nr. 1
	VASILE BACIU	[REDACTED]	NEW HAMPTON ROAD 29
	MAR	[REDACTED]	
	ADRIAN DEACONU	[REDACTED]	GREAT HAMPTON 57
	Shak. Mohamed.	[REDACTED]	27. NEWHAMPTON ROAD.
	MARIH MARIJA	[REDACTED]	110 LEICESTER ST.
	MOCANU CRISTIAN	[REDACTED]	110 LEICESTER ST.
	LISA GRIMALDE	[REDACTED]	SICOURT ROAD
	Martyna Jaska	[REDACTED]	unter road nr. 40
	T. Hitehvan	[REDACTED]	5 SWINFORD RD.
	Dea Tereza	[REDACTED]	Alice Way
	Szczepanowski	[REDACTED]	Szelebi
	Callum	[REDACTED]	19 Challenger Avenue
	A.S. SANDALL	[REDACTED]	WV1 6 0 0 W
	IKANOLAY	[REDACTED]	WV1 6 NT
	J. KAVRA	[REDACTED]	WV2 4BN
	Martins Grudis	[REDACTED]	WV6 0HG
	[REDACTED]	DANIEL MARIAN	- CORISSION - 27 -
	[REDACTED]	[REDACTED]	- WEETRS JET.
	River	[REDACTED]	
	Gustina	[REDACTED]	WV 96 AD
	ANDREJ	[REDACTED]	WV 14 PG
	ANDRIUS	[REDACTED]	WV 6 PAL
	Andrius	[REDACTED]	WV 6 0HF



DEATHEN TO WOLVERHAMPTON CITY COUNCIL 10/11/20

DATE	NAME	SIGNATURE	ADDRESS
	P. Wright	[REDACTED]	12 ROSE LN
	CRISTIAN	[REDACTED]	WV3 7AW
	COLEMAN	[REDACTED]	WV10 9LT
	M.	[REDACTED]	WV3 9NS
	P. HARRIS	[REDACTED]	WV6 0AT
	KUN GABRIEL	[REDACTED]	WV6 0AT
	A. NICOLAE	[REDACTED]	WV6 0AT
	E. BURJENKA	[REDACTED]	WV3 0NZ
	W. Jozwik	[REDACTED]	WV4 1HP
	TOMAS TIRVA	[REDACTED]	WV6 0NT
	VITA BUKINA	[REDACTED]	} WV6 0NT
	ALINA BUKINA	[REDACTED]	
	IGORIS IVANOVAS	[REDACTED]	
	ASTA GUANOMIENE	[REDACTED]	} WV10 0PR
	MANTAS GUANOMAS	[REDACTED]	
	TADAS CERKAUSKAS	[REDACTED]	
	Jacqueline Thomas	[REDACTED]	WV6 0BT
	DEVIDAS BUDRIKAS	[REDACTED]	
	Edvins Gudelis	[REDACTED]	Coleman street 164
	MANIS	[REDACTED]	164 Coleman Street
	VAIDAS	[REDACTED]	WV4 0TB
	SALVATORE Puccio	[REDACTED]	95 Leicester Street WV6 0B
	VYTAUTAS LANSBERGIS	[REDACTED]	LESPORN SORT 18
	[REDACTED]	[REDACTED]	Codsall
	Vita Cole	[REDACTED]	WV6 0SA
	Razvan Chirila	[REDACTED]	WV6 0EY
	RANON Siran	[REDACTED]	WV6 0TA
	Bella cherry	[REDACTED]	WV6 0TT
	Julie Hermie	[REDACTED]	WV6 0TT



NAME

SIGNATURE

ADDRESS

NAME	SIGNATURE	ADDRESS
29/07/16 Giuseppe Albanese		2 Lowe Street WVB
29/7/16 Tomasz Sankajczyk		36 Tettenuall Road,
29/07/16 Antoni Wozniak		
24-7-16 M WALKER		24, TETTENUALL ROAD
29-7-15 M. MAKINOW		26 BRICETER STREET
29-7-15 A. BERCEANU		27 HARROW STREET
V. MOEA		51 RUGBY STREET
M. BATTERY		83 COURT ROAD
M. WALKER		244 DUNSTALL RD
Grzegorz Sebastian		31, Hangrove Street
29/07/15 IAN HANES		137 NEWHAMPTON
C. HODGETTS		96 (ARTURZAKI) COURT
A. OLUGAS		7 THE CHASE
S. PEMPE		7 THE CHASE
M. SAMUELS.		Whitmoreau.
M. WILKINS		42 LEAS GARDENS
Robert Pooler		7 Water Street
T. MORRIS		9 NEWHAMPTON ST
K. Jones		200 Newhampton Rd East
J. CHAYTON		70 GARDEN ST W-TOW
S. Butler		14 PAGET STREET
S. Whitehouse		218 Newhampton Street
NITA GABRIE.		60 CLIFFOOD STREET
TADAS		108 CLOVERLEY
DAINORA		108 CLOVER LEY
BOBAM		69 GORSE BROOK
Edas		NEWHAMPTON ROAD WEST
J. Harris		218 NEW HAMPTON <sup>243</sup>
SYLVIA		Sherwood Street GS
ILGARS		42 GORSEBROOK Rd.
REY.		102 NEWHAMPTON WEST

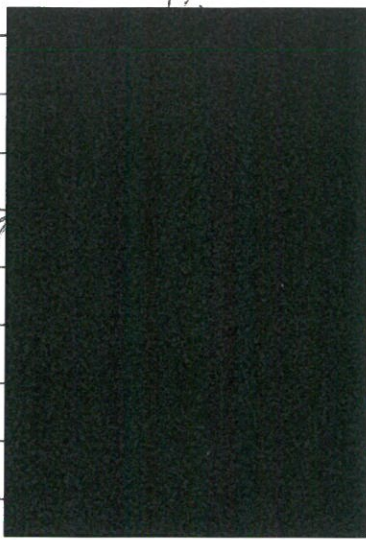


# Petition to Wolverhampton City Council

DATE	NAME	SIGNATURE	ADDRESS
28.02.2015	RAMUNAS	[REDACTED]	3 UNELBURY WY GARDENS 6 OTF
29-07-15	Peter Williams	[REDACTED]	6 Beechcroft Place Carters Road 16
29.07.15	Dominik Tidy	[REDACTED]	
29.7.15	SAMANTHA DOYCE	[REDACTED]	763 RICHES ST WV6 0EN
30/7/15	Giuseppe Albanese	[REDACTED]	Tynningham Avenue
30/7/15	Georgina Grainger	[REDACTED]	Bath Rd, Wolves.
30/7/15	J PARRIS	[REDACTED]	BATH ROAD, WOLVES.
30/7/15	[REDACTED]	[REDACTED]	[REDACTED]
30.7.15	Verejka Stanov	[REDACTED]	Newhampton Road
30/7/15	Dizena Stankova	[REDACTED]	Newhampton Road
30/07/15	PAWEL WIELGUS	[REDACTED]	CRADOCK
30/07/15	C-TIN DANIEL	[REDACTED]	Newhampton Road
30/9/15	SARAH JAYNE HILL	[REDACTED]	18 GLAISDALE GARDENS WU60TS
30/11/15	MATTHEW ASHCROFT	[REDACTED]	18 GLAISDALE GARDEN WU60TI
31/7/15	MARTYN WILKINS	[REDACTED]	42 ROKBY GARDEN WU60TL

DATE NAME SIGNATURE ADDRESS

	David Hernandez	WV60TT
	Nasrine Shaouni	WV60RW
	JAMES PARKES	WV1 YEL
	Sileen Hoq	WV2 IDV
	DRAGOS BOLEA	WV60RR
	MANN SMITH	WV60AG
	LORNO GEORGHIS	WV60OP
	ANDREW JATIS	WV37BD
	SARINI ZUKRI	WV1A7N
	FLORIN JOSEFINA	WV60HY
	Kamal Frouk	WV60RH
	RUTJ SORIN	WV60AN



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# Licensing Sub-Committee

10 September 2015

<b>Report Title</b>	<b>Licensing Act 2003 – Application for a Review of a Premises Licence in respect of Euroshop, 43 Newhampton Road West, Wolverhampton WV6 0RY.</b>	
<b>Wards Affected</b>	Park	
<b>Accountable Strategic Director</b>	Tim Johnson, Place	
<b>Originating service</b>	Licensing Services	
<b>Accountable officer(s)</b>	Rob Edge	Section Leader (Licensing)
	Tel	01902 55(0106 )
	Email	<a href="mailto:rob.edge@wolverhampton.gov.uk">rob.edge@wolverhampton.gov.uk</a>

**Recommendation for action or decision:**

The Licensing Sub-Committee is requested to consider this application for a review of a premises licence.

**1.0 Purpose of Report**

1.1 To submit for consideration by the Sub-Committee an application for a review of a premises licence.

**2.0 Background**

2.1 The current premises licence is attached at Appendix 1.

**3.0 Review Application**

3.1 An application was received from the Licensing Authority as a responsible authority on 23 July 2015 for a review of the premises licence in respect of Euroshop, 43 Newhampton Road West, Wolverhampton WV6 0RY. The premises are situated in Park ward and a location plan is attached at Appendix 2.

3.2 A copy of the review application is attached at Appendix 3. The review has been brought in support of the Prevention of crime and disorder and the protection of children from harm licensing objectives. Supporting evidence is detailed within the review application.

3.3 Representations have been received from the following:

- Trading Standards
- West Midlands Police
- Public Health

These representations can be found at Appendices 4-6

3.4 The notice of review has been properly served on all the Responsible Authorities. The Council has complied with the legislative process and displayed the appropriate notice at the premises and on its website as required, when the application for review was made.

3.5 No relevant representations have been received from

- West Midlands Fire Service
- Environmental Health
- Planning
- Social Services

3.6 The applicant for review, Trading Standards, West Midlands Police, Public Health, and the Premises Licence Holder have all been invited to attend the review hearing.

#### 4.0 **Legal Implications**

4.1 Section 51 of the Licensing Act 2003, as amended states that a responsible authority or any other person may apply to the relevant Licensing Authority for a review of a licence.

4.2 The Licensing Sub-Committee when determining an application for review, pursuant to Section 52 of the Licensing Act 2003 has power to take any of the following steps (if any) as it considers necessary for the promotion of the “licensing objectives” which are listed at 4.3.

- (a) Modify the conditions of the licence;
- (b) Exclude a licensable activity from the scope of the licence;
- (c) Remove the designated premises supervisor;
- (d) Suspend the licence for a period not exceeding 3 months;
- (e) Revoke the licence.

4.3 The four licensing objectives are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm.

4.4 In addition, regard shall be had to guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003 and Wolverhampton City Council’s Licensing Policy Statement. [ ]

#### 5.0 **Human Rights and Equalities Implications**

5.1 This report has human rights implications for both the premises licence holder and the residents from the local neighbourhood. Any of the steps outlined in Section 4 of this report may have financial implications for a licensee’s business and livelihood and/or may have impact upon the day to day lives of residents living in close proximity to the premises.

5.2 Article 8(i) of the European Convention of Human Rights provides that everyone has the right to respect for his/her private and family life and his/her home (which includes business premises). This right may be interfered with by the Council on a number of grounds including the protection of rights and freedoms of others. The First Protocol – Article 1 – also provides that every person is entitled to the peaceful enjoyment of his possessions and shall not be deprived of his possessions except in the public interest and conditions provided for by law. Members must accordingly make a decision which is proportionate to the hearing and endeavour to find a balance between the rights of the applicant, residents and the community as a whole.

**6.0 Financial Implications**

6.1 The Licensing Committee agreed fees and charges for this function on 21st January 2015. The fees are based on a cost recovery basis. There is no fee for the application of a Review, and there are no financial implications arising from this report [TK/09012015/H]

**7.0 Environmental Implications**

7.1 This report has environmental implications in that there is a potential for disturbance caused by patrons using the premises and nuisance caused by litter and waste originating from the premises



# Premises Licence

Issued in accordance with The Licensing Act 2003

**Name of Premises:** Euro Shop

**Address of Premises:** 43 Newhampton Road West  
Whitmore Reans  
Wolverhampton  
West Midlands  
WV6 0RY

**Premises Licence Number:** WN/15/00122/PRE – Variation of Premises DPS

**Date of Last Update:** 14<sup>th</sup> January 2015

## 1. Opening hours of the premises

**Normal Hours** Monday to Sunday 0800 to 2300 hours  
**Seasonal Variations:** None  
**Non Standard Hours:** None

## 2. Licensable Activities authorised by the licence and the times the licence authorises the carrying out of these activities:

### Sale/Supply of Alcohol off the premises

Monday to Sunday 0800 to 2300 hours  
 Seasonal Variation None  
 Non Standard Timing None

## 3. Name of the Designated Premises Supervisor if the sale of alcohol is involved

Soma Khalid Jasim dated as of 14/1/2015  
 Personal Licence Number: 4438  
 Issued by Birmingham City Council

## 4. Is access to the premises by children restricted or prohibited

Provision only as prohibited or restricted under the Licensing Act 2003

## 5. Name, (registered) address of the holder of the premises licence

Soma Khalid Jasim  
 81 Highfield Road  
 Great Barr  
 Birmingham  
 B43 5AW

## **Mandatory Licensing Conditions (Licensing Act 2003)**

### **Mandatory conditions as required by the Act will apply to the licence.**

It is the responsibility of the Premises Licence Holder and the Designated Premises Supervisor to ensure that they are conversant and compliant with all current mandatory conditions in relation the Licensing Act 2003.

## **Conditions consistent with the Operating Schedule**

### **General**

Nothing beyond existing Health and Safety/Fire Safety etc requirements.

### **Prevention of Crime & Disorder**

Also lock up premises will have internal and external cctv, recordings of which are to be retained for thirty one days.

There will be external roller shutters front and rear and the premises will be fully alarmed including a panic button facility.

The licence holder shall ensure that any staff involved in the sale of alcohol are fully aware of their responsibilities under the licensing Act 2003.

### **Public Safety**

Internal and external cctv etc. Premises will have fully maintained fire fighting equipment on site with a maintenance contract along with emergency lighting and smoke detectors.

### **Prevention of Public Nuisance**

Internal and external CCTV.

### **Protection of Children from harm**

Layout of shop gives consideration to the prevention of children's access to alcohol and any alcohol displayed will not be obstructed from the view of the sales assistants.

Also premises will operate a proof of age scheme via acceptable forms of identification and incorporating the 'challenge 21' system.

A sales refusal book will be fully maintained.

### **Plans**

As submitted with application dated 15/11/2007 and retained by Wolverhampton City Council.



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*Euro Shop*  
 Newhampton Road West

Wolverhampton City Council  
 Asset Management  
 Civic Centre  
 St Peters Square  
 Wolverhampton  
 WV1 1RL

Plan Produced  
 30.7.2015  
 Scale 1:1,250

MapData - Provided by

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[Insert name and address of relevant licensing authority and its reference number (optional)]

**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 *Elaine Moreton* on behalf of the Licensing Authority apply for the review of a  
(Insert name of applicant)  
**premises licence under section 51 of the Licensing Act 2003 for the premises  
described in Part 1 below**

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

Postal address of premises or club premises, or if none, ordnance survey map reference or description
Euro Shop, 43 Newhampton Road West, Whitmore Reans

Post town Wolverhampton

Post code (if known) WV6 0RY

Name of premises licence holder Soma Khalid Jasim
Number of premises licence or club premises certificate (if known) WN/15/00122/PRE

**Part 2 - Applicant details**

I am

Please tick <sup>b</sup>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





(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address: <b>Elaine Moreton, Licensing Services (Licensing Act 2003 – Responsible Authority), Reception 14.</b>
Telephone number (if any) <b>01902 555033</b>
E-mail (optional) <b>Elaine.moreton@wolverhampton.gov.uk</b>

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) the protection of children from harm | <input checked="" type="checkbox"/> |

**Please state the ground(s) for review** (please read guidance note1)

On 17<sup>th</sup> July 2015 the Licensing Authority became aware of offences committed by Soma Khalid Jasim under section 8 (h) of the Tobacco Products Duties Act 1979.

These potential offences were identified by officers from the Licensing Authority Trading Standards and West Midlands Police following Operation Riposte on 17 July 2015.

In accordance with sections 51 and 52 of the Licensing Act 2003 and the Secretary of States Guidance issued under Section 182 of the Licensing Act 2003, Sections 11.27 and 11.28, the Licensing Authority (as a Responsible Authority under the Licensing Act 2003) is making an application for a review of the premises licence for Euro Shop, 43 Newhampton Road West, Whitmore Reans, Wolverhampton, WV6 0RY.

This review is brought on the grounds of the Prevention of Crime and Disorder and Protection of Children from Harm licensing objectives.

Euro Shop, 43 Newhampton Road West, Whitmore Reans, Wolverhampton WV6 0RY has had the benefit of a premises licence under the Licensing Act 2003 from 14 December 2007. Mr Arkani Muradi has been the premises licence holder and the designated premises supervisor from that date until the licence was transferred to his wife Soma Khalid Jasim on 14 January 2015. On 14 January 2015 she also became the designated premises supervisor at the premises.

On the 29 August 2014 after receiving complaints Trading Standards visited Euro Shop. 4920 cigarettes and 1.150 kg of illicit hand rolling tobacco were found in a concealed compartment under the counter operated by electro magnets. These products were a mixture of foreign, non-duty paid and counterfeit tobacco products.

On 28 November 2014 at approximately 12 noon, Euro Shop was visited as part of a multi-agency exercise. Mr Arkani Muradi was present during the visit and he was unable to produce his underage refusals log despite it being a condition of his premises licence. He was given a new refusals book with a 'NO ID NO SALE' pack to help him comply with his licence. The Premises Licence Summary was not displayed on the premises as required by the Licensing Act 2003. Mr Muradi was advised about his legal responsibilities for preventing the sale of age restricted products.

On the 1 December 2014 Trading Standards received a further complaint against Euro Shop alleging the sale of counterfeit goods and the sale of alcohol and cigarettes to children.

On the 5 January 2015, Trading Standards wrote to Mr Muradi at Euro Shop, 43 Newhampton Road West, Wolverhampton, WV6 0RY asking him to attend a formal interview and explain why the contraband cigarettes were found at the premises. The letter was returned indicating the business had been sold and Mr Muradi was no longer there. Therefore on 13 January 2015, Trading Standards wrote to Mr Muradi at his home address. However he did not attend the interview arranged for 20 January 2015. On 20 February 2015 a further letter was sent by recorded delivery to Mr Muradi at his home address again requesting him to attend an interview. However the letter was returned unopened.

On the 26th March 2015, Trading Standards organised a covert underage sales operation during which child volunteers were able to buy a packet of 10 Royal cigarettes and a bottle of vodka alco-pop. They were not asked for any age identification and the sale was observed by an officer from Trading Standards. The seller, Mr Dishad Saeed, did not know where the refusals log was kept. There was minimal alcohol age of purchase signage despite previous advice to the premises in November 2014. Disappointingly, Mr Saeed did not know who or where the premises licence holder was. Mr Saeed was given a fixed penalty charge of £90 for the sale of the alcohol to the minor.

Continued on next page.



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

Continued...

On 2 April 2015 as part of a joint Council and Police enforcement exercise an entry warrant was executed at the premises. A small amount of illicit tobacco was found under the bottom shelf of the counter of the shop and was seized along with some illicit vodka on display. An illegal taser device was also discovered and seized by the police. As the inspection continued cigarettes and tobacco were found on the bathroom floor; in a back room and in a filing cabinet. In total, 57,707 cigarettes and 21.005 kg of hand rolling tobacco were seized together with 72 bottles of alcohol due to suspected irregularities in respect of non-payment of UK duty from 43 Newhampton Road West.

The total quantities of non-compliant goods seized in the course of the inspections 29 August 2014 until 2 April 2015 are as follows:

62, 627 cigarettes.  
22.155 kilograms of hand rolling tobacco.  
66 bottles of non-duty paid vodka and brandy.

The packaging for these products was clearly non-compliant and as such the possession and supply of these products are not mistakes but a deliberate and conscious act to gain financial advantage by breaking the law.

As part of the investigation both Mr Muradi and his wife Mrs Sonia Khalid Jasim attended formal interviews on 30 April 2015 in connection with offences under the Trade Marks Act 1994, Consumer Protection Act 1987, Licensing Act 2003 and Children and Young Persons Act 1933 (as amended). Investigations are continuing into these matters.

The above incidents show a lack of managerial control either by the past or present premises licence holder.

On 17 July 2015 as part of a joint Council and Police Enforcement exercise (Operation Riposte) a Trading Standards Officer entered Euro Shop. At approximately 0630 hours the undercover officer purchased two cans of Special Brew (lager) 9.0% Alc Vol.

This is a breach of the Premises Licence and an offence under Section 136 of the Licensing Act 2003 as the trading hours for the sale and supply of alcohol off the premises are Monday to Sunday 0800 to 2300 hours.

On the same day at approximately 1000 hours as part of the same operation a Trading Standard Officer seized a large amount of non-duty and counterfeit tobacco from the premises. The exact quantity unknown as not yet calculated. However, the estimated value is to be at least £50,000. Also, 72 bottles of non-duty paid Vodka was also seized.

A copy of the relevant sections from the Licensing Act 2003 amended 182 guidance and witness statements from William Humphries and Paul Dosanjh, Trading Standards Officers, are attached at Appendices A, B and C to this application.

The premise licence holder has shown a disregard to the law and has continually failed to adhere to her licence conditions.

The Licensing Authority are requesting the Licensing Sub-Committee give serious consideration to the revocation of the Premises Licence for Euro Shop, 43 Newhampton Road West, Whitmore Reans, Wolverhampton WV6 0RY.



Please tick <sup>b</sup> 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 X
- I understand that if I do not comply with the above requirements my application will be rejected X

**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 (please read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature

Date **23/07/2015** .....

Capacity **Section Leader (Licensing Services)** .....

<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)</b>	
Licensing Services Reception 14 First Floor Civic Centre	
Post town Wolverhampton	Post code WV1 1DA
Telephone number (if any) 01902 555033	
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.

Please tick <sup>b</sup>yes

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

If yes please state the date of that application

Day                      Month Year

--	--	--	--	--	--	--	--	--	--

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

**LICENSING ACT 2003****AMENDED GUIDANCE ISSUED UNDER SECTION 182****MARCH 2015**

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- For the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
- For the sale and distribution of illegal firearms;
- For the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- For prostitution or the sale of unlawful pornography;
- By organised groups of paedophiles to groom children;
- As the base for the organisation of criminal activity, particularly by gangs;
- For the organisation of racist activity or the promotion of racist attacks;
- For knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter;
- For unlawful gambling; and
- For the sale or storage of smuggled tobacco and alcohol.

11.28 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. 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 revocation of the licence – even in the first instance – should be seriously considered.



STATEMENT OF WITNESS

(Criminal Procedure Rules, r 27.2;  
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

Statement of  
(Full Name)

William Robert Humphries

Age of witness  
(If over 18 enter over 18)

Over 18

Occupation of witness

Service Lead, Regulatory Services

This statement, (consisting of 1 page(s) 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 22 day of July 2015

.....  
Signed

I am employed by The City of Wolverhampton Council as a Service Lead within Regulatory Services, part of my responsibilities include Licensing Compliance.

On 17<sup>th</sup> July 2015 I was part of operation Riposte. At approximately 6.30am I entered Euro Shop, 43 Newhampton Road West. I was disguised as a tree surgeon. There was a woman behind the counter, she was white, medium to short height, slim to medium build with a roundish face shape, she had brown pulled back hair, she was not wearing glasses, she was wearing a grey top. I took two cans of Special Brew alcohol from the fridge and placed them on the counter along with a Twix chocolate. She placed them in a small black plastic bag and said £3.33 in what I thought was an Eastern European accent, I gave her a note and she gave me the change. I took the goods and left the shop at 6.33am.

.....  
Signed

NOTE: If statements are typed double spacing should be used.  
One side only of the paper should be used.





**STATEMENT OF WITNESS**

(Criminal Procedure Rules, r 27.2;  
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

Statement of (Full Name)	Paul Dosanjh
Age of witness (If over 18 enter over 18)	Over 18
Occupation of witness	Service Lead: Trading Standards

This statement, (consisting of 2 page(s) 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 twenty first day July of 2015

.....  
Signed

I am employed by the City of Wolverhampton Council as a Service Lead for Trading Standards. I have held the Diploma in Trading Standards which is statutory qualification to act as a Trading Standards Officer, since 1993. I am a full member of the Chartered Trading Standards Institute. On 17<sup>th</sup> July 2015 I took part in Operation Riposte which was a council operation set up to deal with problems around licensed premises including the supply of illicit tobacco and alcohol. At approximately 10:00 I entered the premises at 43 Newhampton Road West Whitmore Reans Wolverhampton known as Euro Shop. I dealt with a short white female shop assistant. My colleague and I carried out a quick inspection of the premises and determined that there were no other people present. I discovered illicit tobacco and cigarettes around the till area and they were seized. At approximately 10:30 my colleague Dianne Slack arrived and

.....  
Sig

---

NOTE : If statements are typed double spacing should be used.  
One side only of paper should be used.



**STATEMENT OF WITNESS**

(Criminal Procedure Rules, r 27.2;  
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

Continuation Sheet No. 1

served an entry warrant on the shop assistant together with a notice or powers and rights. Shortly afterwards a tobacco detection dog along with its handler indicated where tobacco products may have been hidden. The inspection continued and illicit tobacco and cigarettes were found in the rooms concealed in various places. Finally we spoke to the shop assistant in order to complete the premises licence questionnaire which I produce as the exhibit labelled PD/EW/ES/1. During the discussion we asked the assistant to produce the refusals book or record. After about five minutes searching the shop assistant conceded that she could not find the book. I left a receipt for the 29 bags of seized goods which were a mixture of cigarettes, tobacco and spirits. At about 1:45 we left the premises and took the seized items and placed them into secure storage.

.....  
Signed

.....

NOTE : If statements are typed double spacing should be used.  
One side only of the paper should be used.



SIGNED [Signature]

DATED 21st July 2015

**RESPONSIBLE AUTHORITIES FORUM**  
**Premises Licence Questionnaire**

Premises Name/Address: EURO SHOP 43 Newhampton Road West - Whitton Reams -

Officer Name: Emma Wates

W-10A

Date of Visit: 17.7.15 Time: 1:38pm

**NOTE:** Survey the premises prior to speaking to any members of staff. Are there signs notifying customers that underage sales are illegal? (Particularly are there such signs at the entrances, where alcohol is sold and at the tills?)

Comments: Sign above till  
.....  
.....  
.....

Approach the till operator and identify yourself.

**1. Is the Designated Premises Supervisor at the premises?**

YES/NO (NO)

If YES ensure all further questions are asked to the DPS

If NO, who is the responsible person at the premises?

Name: .....

Date of Birth: .....

Address: .....  
.....  
.....

Does the responsible person and/or the till operator have permission to sell alcohol from the DPS?

YES/NO (NO)

Is this in writing (if so inspect if available)

YES/NO (NO)

**2. Can I see your Premises Licence Summary? (This should be on display at the premises)**

Comments: *yes*  
.....  
.....  
.....

**3. Do you have a proof of age policy?**

YES/NO

If YES, what policy (Challenge 21, Challenge 25, etc.)

Comments: *In draw*  
.....  
.....  
.....

**4. Do you have a till prompt? (There is on in the pack)**

YES/NO

If YES, electronic/physical sign.

Comments: *Don't know*  
.....  
.....  
.....

**5. Do you have a refusals book?**

YES/NO

If YES, inspect the book, is it up to date?

Comments: *Can't find*  
.....  
.....  
.....

**6. Do you have CCTV at the premises?**

YES/NO

If YES, how many/where are the cameras? What quality are recordings?

Are staff trained to download footage?

Comments: .....  
.....  
.....  
.....

**7. Have you/your staff received training regarding underage sales?**

YES/NO

If YES, when was last training? Is there any written record of this available?

Comments: .....  
.....  
.....  
.....

**8. Does the premises also sell tobacco?**

YES/NO

If YES, is there a notice at the premises that states: 'it is illegal to sell tobacco products to anyone under the age of 18'?

YES/NO

**9. Underage sales advice and guidance pack given to premises?**

YES/NO

Any Other Comments: .....  
.....  
.....  
.....

Signed (by Officer) .. Date 17.7.15

*P-02*

10. 2



**From:** Paul Dosanjh  
**Sent:** 03 August 2015 10:47  
**To:** Rob Edge  
**Cc:** Dianne Slack  
**Subject:** Review of Licensed Premises [RESTRICTED]

**RESTRICTED**

Dear Mr Edge

**Euro Shop 43 Newhampton Road West . W-ton WV6 0RY (PRE 1031)**  
**International Mini Market (Aka Sams Euro Style) 373 Newhampton Road West , Whitmore Reans,**  
**Wolverhampton WV6 0RX**

On the 23rd of July 2015 I received a letter from Elaine Moreton, Section Leader for licensing, about the City Council's intention to apply for a review under section 51 of the Licensing Act 2003 in respect of the above premises.

I have to tell you that as part of the nascent criminal investigation that I have important information which the Licensing sub-committee needs to be aware of. A fuller disclosure of this information will, I believe, give the sub-committee a clearer picture of the scope and severity of the alleged offences in relation to the tobacco and the alcohol found at the premises.

However, currently if this information is made public it could jeopardise any prosecution that may be conducted and so I have omitted the specifics from this reply.

Thank you

Paul Dosanjh  
Service Lead: Trading Standards  
Tel. Office: 01902 556056

[E-mail: Paul.Dosanjh@wolverhampton.gov.uk](mailto:Paul.Dosanjh@wolverhampton.gov.uk)  
Wolverhampton City Council

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**From:** Mitchell Harvey [<mailto:m.harvey@west-midlands.pnn.police.uk>]  
**Sent:** 17 August 2015 15:45  
**To:** Shelley Humphries  
**Cc:** Elaine Moreton; Licensing  
**Subject:** RE: PRE1031 EURO SHOP, 43 NEWHAMPTON ROAD WEST, WHITMORE REANS - REVIEW [PROTECT]

Dear all,

I am authorised to write on behalf of the Chief Officer of Police for the West Midlands Police as a responsible authority.

I am writing in support of the above review application made by Wolverhampton Licensing Authority. Representations are made against the crime and disorder and public safety licensing objectives and the failure of the current management of the premises, to uphold and promote those objectives.

The issues brought by the Licensing Authority relate to the possession and sale of large quantities of illegal and non-duty paid tobacco, non-duty paid alcohol and breaches of the premises license conditions. These are all examples of the outright disregard not only to the licensing objectives, but also the law.

If the committee are satisfied that illegal activities have taken place at the premises and if they agree that the premises licence holder and management of the premises are failing to promote the licensing objectives, West Midlands Police would request revocation of the premises licence.

This type of criminality not only undermines the licensing objectives as a whole, but is a key factor in contributing further to local crime, anti-social behaviour and the overall degradation of community cohesion.

**Kind Regards,**

**PC 1080 Mitch Harvey**  
**Partnerships & Licensing Officer**  
**Wolverhampton Central Police station**

**DDI: 01902 643 407**  
**External: 101 ext 871 3194**  
**Email: [wv\\_licensing@west-midlands.pnn.police.uk](mailto:wv_licensing@west-midlands.pnn.police.uk)**

---

**From:** Shelley Humphries <[Shelley.Humphries@wolverhampton.gov.uk](mailto:Shelley.Humphries@wolverhampton.gov.uk)>  
**Sent:** 24 July 2015 14:54  
**To:** ICT Service Desk; Ann Wedge; Dawn Williams (Head Of Safeguarding); Elaine Moreton; Environmental Health; Licensing; Paul Cooper; Paul Dosanjh; R & T Building Control; Public Health; Planning; Stefan Polatajko; Trading Standards; WV Licensing; West Midlands Fire Service; William Humphries  
**Cc:** Rob Edge  
**Subject:** PRE1031 EURO SHOP, 43 NEWHAMPTON ROAD WEST, WHITMORE REANS - REVIEW [PROTECT]

**PROTECT**

Dear All,

An application to review the above premises licence has been submitted by the Licensing Authority. The application relates to the following licensing objectives:

- The Prevention of Crime and Disorder
- The Protection of Children from Harm

Premises Licence Holder: Soma Khalid Jasim

Last day for reps is: **20/08/2015**

**ICTS – Please add this to the website.**

Kind regards,

Shelley Humphries  
Licensing Officer  
Tel. Office: 01902 554350

[E-mail: Shelley.Humphries@wolverhampton.gov.uk](mailto:Shelley.Humphries@wolverhampton.gov.uk)  
Wolverhampton City Council

**From:** Public Health  
**Sent:** 20 August 2015 16:08  
**To:** Licensing  
**Subject:** RE: PRE1031 EURO SHOP, 43 NEWHAMPTON ROAD WEST, WHITMORE REANS - REVIEW [PROTECT]

Dear Licensing,

Given numerous and repeated breaches of the premises licence conditions and offences committed Public Health support the application to review the premises licence for Euro Shop. We would also support the recommendation to revoke the premises licence as the licence holder is clearly and continuously undermining the promotion of the four licensing objectives.

Kind regards

**Michelle Smith**  
**Commissioning Officer**  
**Public Health**  
**Civic Centre**  
**St Peter's Square**  
**Wolverhampton**  
**WV1 1RT**  
**01902 550154**

**From:** Shelley Humphries  
**Sent:** 24 July 2015 14:54  
**To:** ICT Service Desk; Ann Wedge; Dawn Williams (Head Of Safeguarding); Elaine Moreton; Environmental Health; Licensing; Paul Cooper; Paul Dosanjh; R & T Building Control; Public Health; Planning; Stefan Polatajko; Trading Standards; West Midland Police Licensing; West Midlands Fire Service; William Humphries  
**Cc:** Rob Edge  
**Subject:** PRE1031 EURO SHOP, 43 NEWHAMPTON ROAD WEST, WHITMORE REANS - REVIEW [PROTECT]

**PROTECT**

Dear All,

An application to review the above premises licence has been submitted by the Licensing Authority. The application relates to the following licensing objectives:

- The Prevention of Crime and Disorder
- The Protection of Children from Harm

Premises Licence Holder: Soma Khalid Jasim

Last day for reps is: **20/08/2015**

**ICTS – Please add this to the website.**

Kind regards,

Shelley Humphries

Licensing Officer  
Tel. Office: 01902 554350

[E-mail: Shelley.Humphries@wolverhampton.gov.uk](mailto:Shelley.Humphries@wolverhampton.gov.uk)  
Wolverhampton City Council

