

CITY OF
WOLVERHAMPTON
COUNCIL

02 July 2019

Responsible Authorities Forum



Dear Sirs,

Review Notice: 16/08705/PRE *16/08705/PRE*

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 K S News.

This follows:-

- The seizure on the 15 February 2019, of 9860 illegal cigarettes sticks (493 packets of 20), and 969 Sildenafil Citrate tablets, a pharmacy controlled drug, discovered on the premises of K S News and Off Licence, 120 Oxford Street, Bilston, Wolverhampton .

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

City of Wolverhampton Council
Civic Centre, St Peter's Square, Wolverhampton, WV1 1RP

- 🌐 wolverhampton.gov.uk
- 🐦 @WolvesCouncil
- 📱 WolverhamptonToday

Sensitivity: PROTECT

Email: 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)

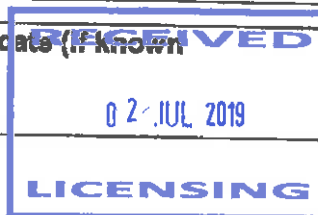
apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description KS News 120 Oxford Street Bilston	
Post town Wolverhampton	Post code (if known) WV14 7DZ

Name of premises licence holder or club holding club premises certificate (if known) Karanveer Singh

Number of premises licence or club premises certificate (if known) 16/08705/PRE
--



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 Tobacco Control Officer Trading Standards Service City of Wolverhampton Council Civic Centre St Peters Square Wolverhampton WV1 1RP
Telephone number (if any) 01902 558063
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
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<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 8 December 2018 and 23 January 2019, City of Wolverhampton Council Trading Standards received information that illicit cigarettes and tobacco were being sold from K S News and Off Licence, 120 Oxford Street, Bilston. WV14 7EA.

On the 15 February 2019, officers from Trading Standards visited 120 Oxford Street with a Tobacco search dog. On this occasion 9860 cigarette sticks, equivalent to 493 packs were discovered behind the counter, and in a store room.

In addition, 969 Sildenafil Citrate 100mg tablets were discovered in blister packs behind the counter. Although not a classified drug under the Misuse of Drugs Act 1971 (as amended); these products contain the same active ingredient as 'Viagra' used to treat erectile dysfunction and are classified as a pharmacy medicine. There were no patient instructions or warnings with the tablets. Sildenafil citrate tablets can have serious side effects. Subsequently on the 25 February 2019, KS News was issued with a written warning by the Medicines & Healthcare Products Regulatory Agency. Pharmacy medicines such as Sildenafil Citrate may only be legally sold or supplied to the public through registered pharmacy premises, by or under the supervision of a pharmacist. KS News has not been given authorisation to sell such medicines and to continue is a breach of Regulation 255, 214 and 46 of the Human Medicines Regulations 2012.

██████████, the manager, was present at the time of the inspection and gave

his address as [REDACTED]. The tobacco products were suspected of being counterfeit or non duty paid and were subsequently seized.

A traders notice was left with [REDACTED]. He 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 large number of cigarettes known as 'foreign cheap whites', e.g. FEST, Minsk, 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, that bore foreign warnings and labelling were 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.

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. K S Stores, 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

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

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)

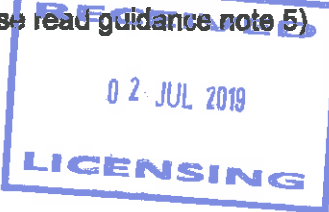
Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature

[Redacted Signature]

Date 2 July 2019

Capacity Tobacco Control 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

Defendant: Ashoka Singh and Karanveer Singh KS News Oxford St	Officer in Charge of Case: Dianne Slack	Type of Evidence: Cigarettes, tobacco Hand Rolling, Viagra Re-counted and resealed 20 February 2019 by Dianne Slack.
Date Seized: 15 February 2019	Date Into Storage: 15 February 2019	
Case Reference: RS/18/54	Number of Bags/Boxes: 6	

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

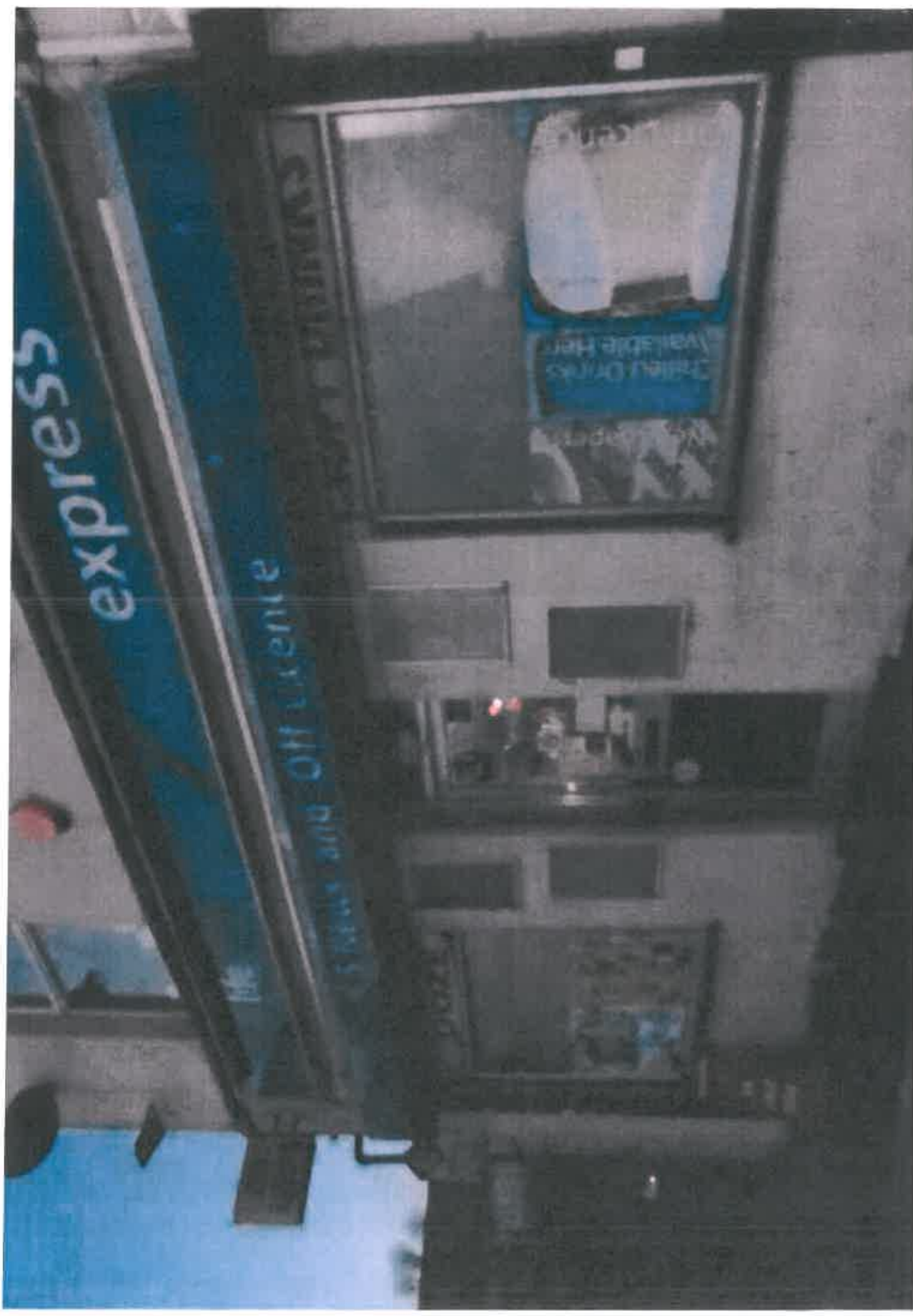
Original Seal	Bag Ref	Item/Description	Location Found	Quantity	Duty not paid	Markings	New Seal	Date Out	Destination	Date In	New Seal	Other
0523142	DS/KS/A/1	Rothmans x 8 Kent x2 Marlboro gold x 3 Fest Red x 8 Minsk Capital x 1 Minsk QS x 13 NZx2 NZ Gold x 5 LD Impulse x 3 L&M x1 Richmond x 2 x 20 Regal Kingsize x5 B & H Gold x 6	Lower gantry	180 40 60 160 20 280 40 100 60 20 40 100 120 1180	UK Duty paid Duty free UK duty paid	Foreign 72128F782051 x6 Foreign Foreign Foreign Foreign Foreign Foreign Foreign Foreign English - counterfeit,old English - old pack English, diff nos but same photo, read on scanner						
00082394	DS/KS/A/2	L&M fine cut x 13 L&M Forward x 4 Kent Queen Meritrol Marlboro gold NZ Gold NZ10 Superking x1 Regal	Undemeath counter	280 80 80 180 140 40 280 20 140 1140	UK duty paid UK duty paid	Foreign Foreign Foreign Foreign Foreign Foreign English / old packaging English / old packaging	0523087					

WOLVERHAMPTON TRADING STANDARDS - EVIDENCE STORAGE RECORD SHEET

Original Seal	Bag Ref	Item/Description	Location Found	Quantity	Duty not paid	Markings	New Seal	Date Out	Destination	Date In	New Seal	Other
	DS/KS/A/3	Sildenafil Citrate 100mg tablets (Viagra)	On shelf, behind poppers. LHS of counter if facing it.	969		plasticfoil blister pack, manufactured in India by Alpha Pharmaceuticals, 41, New DLF Industrial Area, Faridabad - 121003, Mfg Llc. No.744-OSP.	0523160					
0523113	DS/KS/B/1	Minsk Capitol Fest Red x 34 NZ Gold NZ L&M Rothmans Regal Kingsize Regal Kent Richmond Marlboro Gold		1580 660 400 200 200 200 200 800 200 200 20	uk duty pd/ dutyfree UK Duty paid	F F F F F F - 72128F8512111 Foreign English Foreign English -Counterfeit? Foreign	0523135					
0523016 P05884261	DS/KS/B/2	LD Impulse x 32		640		Foreign	n/a					
0523112	DS/KS/B/3	Richmond Fest Red	Monster Munch box	200 1880	UK Duty paid	English Foreign	0523159					
0523111	DS/KS/B/4	Chesterfield Red x 5 Marlboro Red x 2		2080 100 40 140	UK Duty but came up as red on cigarette scanner	Plain packs English	n/a					

TOTAL SEIZURES

Foreign, Counterfeit, non duty cigarettes = 9860 sticks!
Viagra = 969 tabs





D5/KS/8/2

DENTASTIX

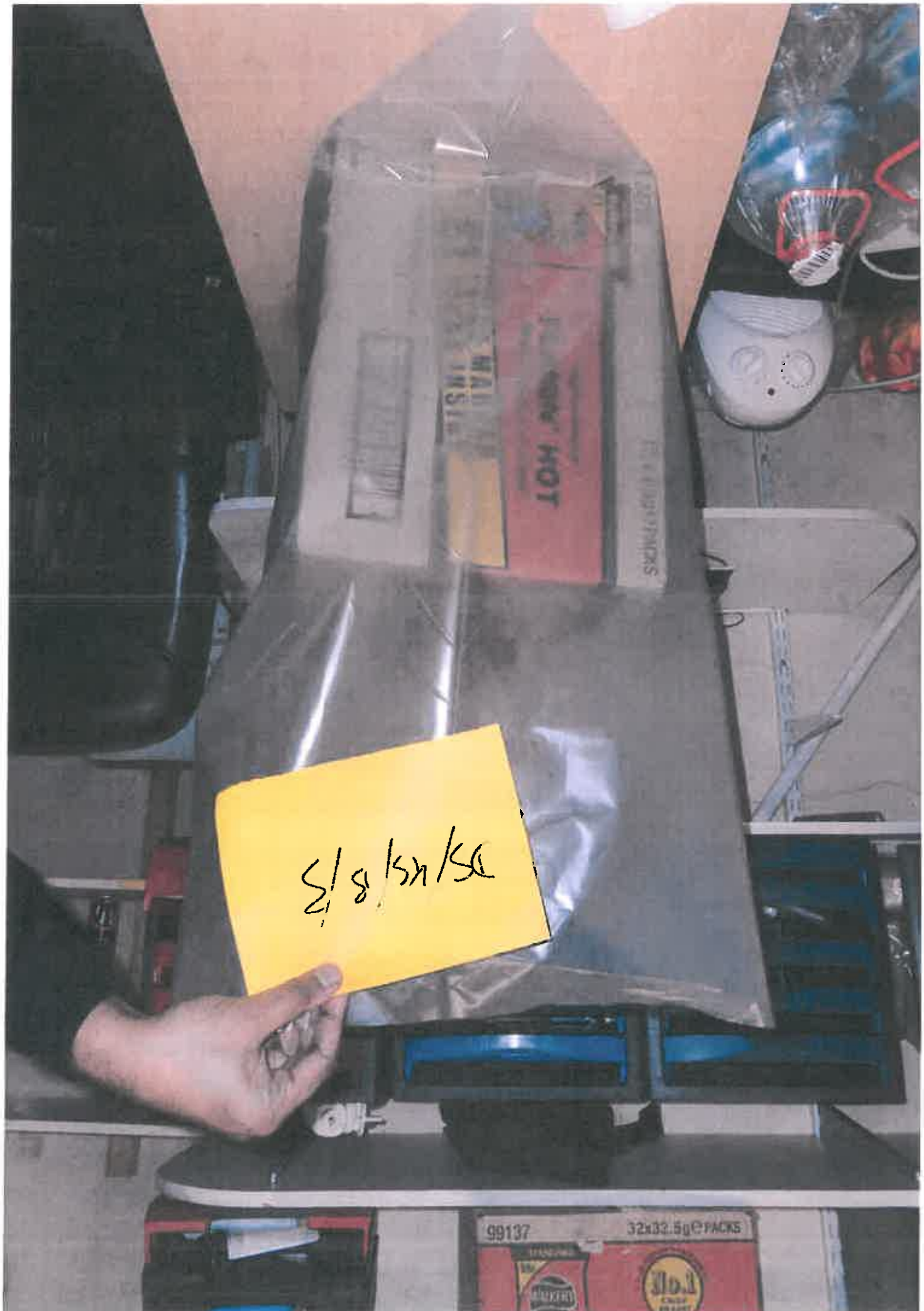
DAIY ORAL CARE

100%
DENTIST
RECOMMENDS

28x43g
DENTASTIX
DAIY ORAL CARE

100%
DENTIST
RECOMMENDS

100%
DENTIST
RECOMMENDS



S/g/ksn/ke

INSULATED

HOT

99137 32x32.5g ePACKS



15

18 x (3 pc / 77 g) e1 = 1.386 kg



DENTA STIX

DAILY DIGITAL CARE

3 BRUSHES

DENTA STIX
DAILY DIGITAL CARE

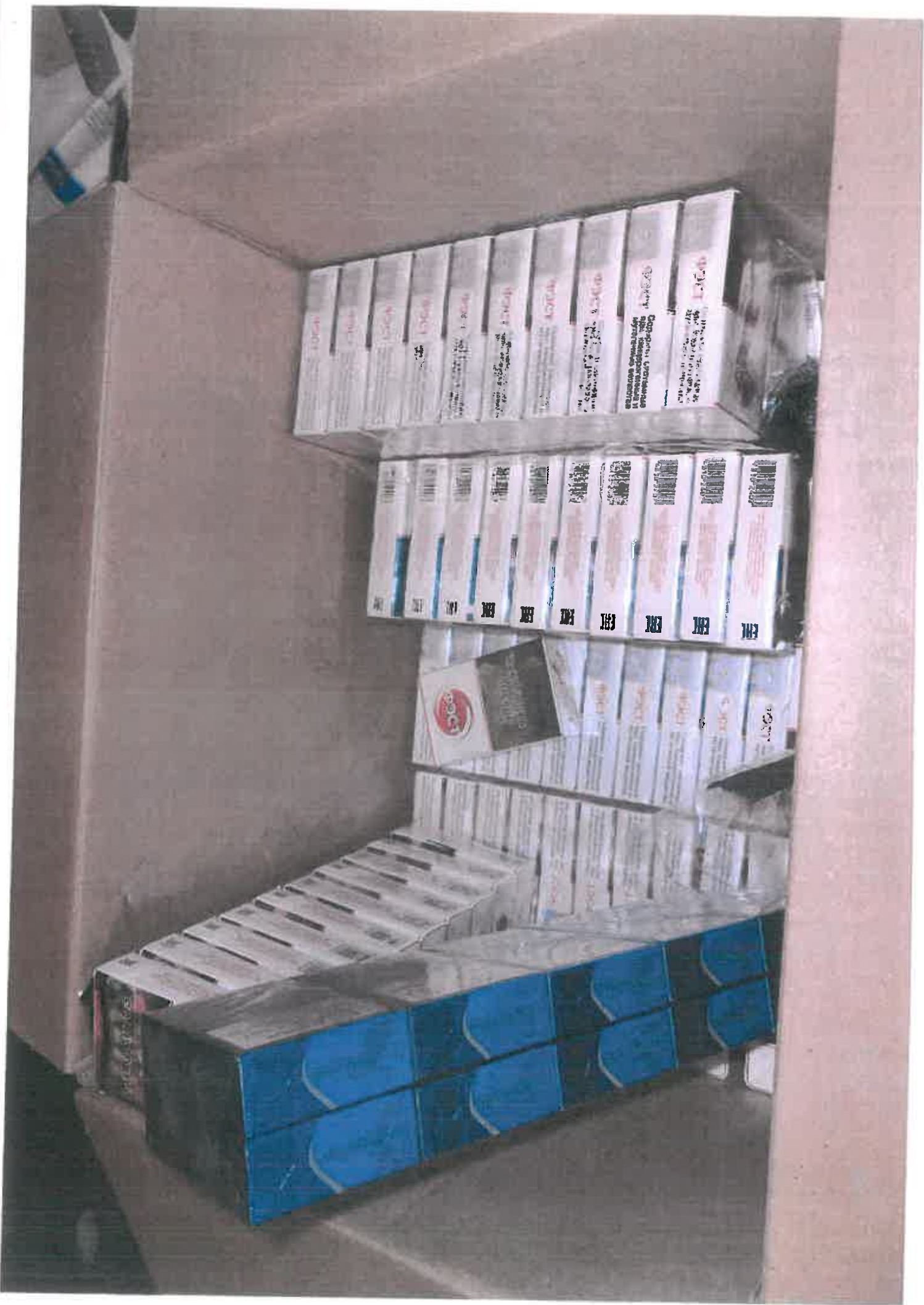
РАКТОР ПА

АНТИОСТАВОВО

МІЛКАЯ СРІВ

НІСОСТАВОВО







www.alpha-pharmaceuticals.com
Sildenafil Citrate I.P. 100 mg equivalent to Sildenafil Colour Indigo Carmine Lake & Titanium Dioxide & Store in a cool, dry & dark place.

SCHEDULE H DRUG
WARNING: To be sold by retail on the prescription of a Registered Medical Practitioner only.

Lot No. 19040111 - 100 mg - 100

Sildenafil Citrate Tablets I.P. 100 mg.

WARNING: To be sold by retail on the prescription of a **urologist / Psychiatrist / Endocrinologist / Vascularlogist / Dermatologist only.**

Mfg. Lic. No. 144-CSP (H)
Manufactured in India by:
Alpha Pharmaceuticals

B.No. 753
MFD JAN. 2011
EXP. DEC. 2021
M.R.P Rs. 50.00
I.A.T./10 TABS



Кур
B6иBae

Smoking
seriously harms
you and others
around you

Smoking
seriously harms
you and others
around you

Smoking
seriously harms
you and others
around you

1368

1368

Richmond

1368

RICHMOND

RICHMOND

RICHMOND

1368

Richmond

1368



Smoking clogs
your arteries

Get help to stop smoking at www.nhs.uk/quit



Benson & Hedges
Gold
20 Cigarettes

UK DUTY PAID

Smoking seriously harms
you and others



RICHMOND

your

