

*[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 Stefan Polatajko**

*(Insert name of applicant)*

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

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

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>	
Family Shopper 289 Wood End Road Wednesfield Wolverhampton WV11 1YQ	
<b>Post town</b> Wolverhampton	<b>Post code (if known)</b> WV11 1YQ

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>
Manmeet Singh Chawla

<b>Number of premises licence or club premises certificate (if known)</b>

**Part 2 - Applicant details**

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

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 ✓ yes

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 STEFAN POLATAJKO Senior Trading Standards Officer Trading Standards Service City of Wolverhampton Council Civic Centre St Peter's Square Wolverhampton WV1 1RP
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

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

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>

**Please state the ground(s) for review** (please read guidance note 2)

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 23 December 2022, Wolverhampton Trading Standards received an anonymous complaint in respect of a store called the Family Shopper trading from 289 Woodend Road, Wednesfield, Wolverhampton, WV11 1YQ. A customer alleged that the shop was selling counterfeit e- cigarettes, also known as vapes.

On the 2 August 2023, a second complaint was received against Family Shopper, 289 Woodend Road. It was alleged the shop was displaying, for sale, oversized vapes on the counter.

On 28<sup>th</sup> September 2023 an inspection was carried out at the premises by officers from the Trading Standards Service. During this inspection 878 illicit vapes and 660 illicit cigarette sticks were found that is (3 cartons and 3 packs). These were surrendered voluntarily.

The vapes that were displayed for sale on the counter clearly stated that they were 4000 and 9000 puffs each. Regulation 36 of the Tobacco and Related Products 2016, in summary, states that vapes must not be sold with a nicotine tank exceeding two millilitres in volume. This applies to both disposable and refillable vapes. Generally speaking, any vape stating it contains more than 600 'puffs' is likely to have a tank capacity greater than that allowed by UK regulations and as such creates a criminal offence under Regulation 48 of these Regulations. In this case the tank capacity has been exceeded not just slightly but several fold compared to the capacity which is permissible by law. The vapes were also surrendered voluntarily.

The Regulations also promote an environment that protects children from starting to use these products.

The cigarettes included well known brands King on which no UK duty had been paid and Marlboro Red which were suspected to be counterfeit. In addition they were not in plain packaging and had incorrect health warnings contrary to the Standardised Packaging of Tobacco Products Regulations 2015 and the Tobacco and Related Products Regulations 2016 respectively

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. Family Shopper has engaged in activities which have breached a licensing objective namely the prevention of crime and disorder.

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 to pocket money prices thereby counteracting Central Government's attempts to use price as a disincentive.

The inspection also uncovered other issues, namely that the Premises Licence was still in the name of the previous owner and that the Refusals book only contained 3 entries, the last of which was made in 2022. No entries had been made for over a year.

This failure to complete the refusals book is a strong indicator that Family Shopper has failed to promote the licensing objective of protecting children from harm.

**Please provide as much information as possible to support the application (please read guidance note 3)**

Home Office guidance published under section 182 of the Licensing Act 2003 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."

Legitimate cigarette brands are required to comply with British Standard EN 16156 which relates to ignition propensity. In short, legitimate brands have a band of fire-retardant chemical added to the cigarette paper during manufacture to slow down the burn rate at the point where the retardant chemical has been added. If a smoker were, for example, to fall asleep whilst holding a genuine cigarette, the reduced burn rate would increase the likelihood of the cigarette simply going out. Counterfeit and illicit cigarettes such as those seized from the premises, would not comply with the burn rate safety requirement imposed by the British Standard.

**Please tick ✓ yes**

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

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

**If you have made representations before relating to the 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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature



.....

Date **09/10/2023**

.....

Capacity **Senior Trading Standards Officer**

.....

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 6)

**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. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

[REDACTED]

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**From:** Stefan Polatajko [REDACTED]  
**Sent:** Friday, October 13, 2023 4:11 PM  
**To:** Joshua Queensborough [REDACTED]  
**Subject:** Family Shopper -289 Woodend Road Wednesfield, Wolverhampton, WV11 1YQ

**Sensitivity: PROTECT**

Hi Joshua,

Could you please add the attached photos to the licence review application for this premises.

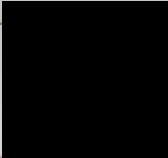
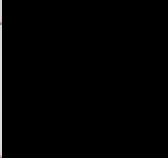
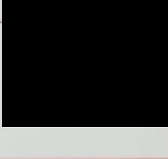
Best regards

Stefan Polatajko  
Senior Officer - Trading Standards  
Tel. Office: [REDACTED]

[E-mail:](#) [REDACTED]  
City of Wolverhampton Council



# Refusals log

Date	Time	Staff member	Details of person refused <small>(name, appearance any info?)</small>	Reason for refusal <small>(no proof of ID, drunk etc.)</small>	Type of product attempted to purchase	Was the person violent or abusive? <small>(please give details)</small>
8/12/21	6:00 PM		Under age.	No ID	Cigarette.	
27/03/22	9:00 AM		Under age	No ID.	Beer.	
27/09/22	7:46			No ID.	Alcohol.	



20



This product contains nicotine which is a highly addictive substance. £5.00



Elfbar Disp Blue 600 £5.00



Crystal 4000 £13.00

This product contains nicotine which is a highly addictive substance.



Elf Lux £10.00



WARNING: This product contains nicotine, which is a highly addictive substance.



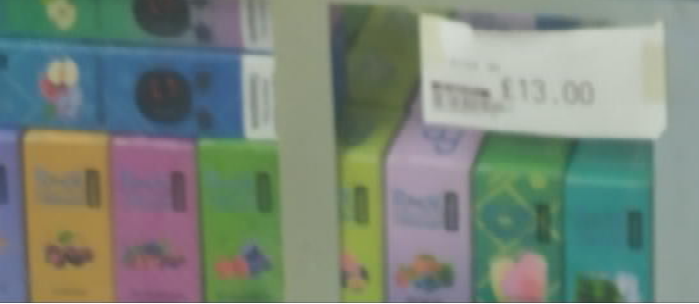
£13.00

£13.00



£13

2 for £24



£13.00

BUY 1 FOR  
**£05.99**

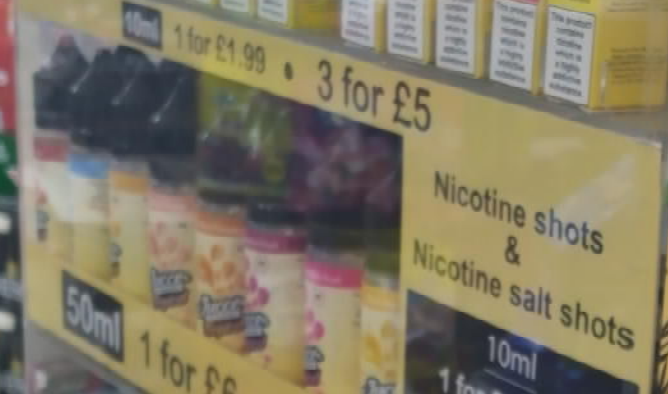
This product contains  
nicotine which is a highly  
addictive substance



NEW

**Jucce**  
E-liquids  
Tropical

50ml  
1 for £6 or  
2 for £10



10ml 1 for £1.99 • 3 for £5

Nicotine shots  
&  
Nicotine salt shots

10ml  
1 for £1.99 or  
3 for £5



50ml 1 for £6 • 2 for £10



10ml  
1 for £1.99 or  
3 for £5



10ml 1 for £1.99 • 2 for £5

**Jucce**  
Salts

1 for £1.99 or  
2 for £5



10ml 1 for £1.99 • 2 for £5

