

**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 Gurdip Gill  
*(Insert name of applicant)*

**Apply for the review of a premises licence under section 51**

**(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> European Mini Market 94 Prestwood Road Wolverhampton WV11 1RA	
<b>Post town</b> Wolverhampton	<b>Post code (if known)</b> WV11 1RA

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Kayfi Ibrahim Ismail
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<b>Number of premises licence or club premises certificate (if known)</b> 24/05919/PREDPS
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**Part 2 - Applicant details**

I am

**Please tick yes**

- 1) an interested party (please complete (A) or (B) below)
  - a) a person living in the vicinity of the premises
  - b) a body representing persons living in the vicinity of the premises
  - c) a person involved in business in the vicinity of the premises
  - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A)  below)

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

**Please tick**

Mr  Mrs  Miss  Ms  Other title  
(for example, Rev)

**Surname**

**First names**

**I am 18 years old or over**

**Please tick yes**

**Current postal  
address if  
different from  
premises  
address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address  
(optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

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

Name and address Gurdip Gill District 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)**

Please tick one or more boxes

- |   |                                     |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety                        | <input type="checkbox"/>            |
| 3) the prevention of public nuisance    | <input type="checkbox"/>            |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

**Please state the ground(s) for review (please read guidance note 1)**

Based on conditions under the protection of children from harm and the prevention of crime and disorder being breached

[REDACTED]

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

a) 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.

b) European Mini Market is a trading name for DAARP Limited, company registration number 15437757. The registered office is 94 Prestwood Road, Wolverhampton, WV11 1RA. Mr Diar Abobakr Abdolrahmanpour is the sole director and person with significant control of DAARP Limited.

c) Kayfi Ibrahim Ismail is the holder of the Premises Licence for European Mini Market, 94 Prestwood Road, Wolverhampton, WV11 1RA. Kayfi Ibrahim Ismail is also the Designated Premises Supervisor, Personal Licence Number 17/000874/LAPER issued by Sandwell Council.

d) On 9 November 2023 Trading Standards received intelligence from a City of Wolverhampton Council Officer that they had noticed oversized vapes, ranging between 4000 to 9000 puffs, on display at European Mini Market, 94 Prestwood Road, Wolverhampton, WV11 1RA.

e) On 27 February 2024 Trading Standards received intelligence from another City of Wolverhampton Council Officer that they had seen oversized vapes on display at European Mini Market, 94 Prestwood Road, Wolverhampton, WV11 1RA.

f) European Mini Market was included as part of an inspection exercise by Trading Standards on 14 March 2024.

g) During the inspection, Trading Standards Officers found 1080 illegal cigarettes, 16 pouches of hand rolling tobacco and 158 oversized vapes in the store. The vapes were openly displayed for sale on shelving in the counter area. Illegal cigarettes and pouches of hand rolling tobacco were found hidden in a holdall bag at the bottom of the shelving unit. A substantial amount of cash (seemingly in excess of £1000) was also found in a small wall cupboard in the counter area.

h) The cigarettes found at the premises were not allowed to be sold in the UK as they carried foreign language warnings, were not in the permitted plain packaging required for the UK, appeared to be non-duty paid and were suspected to be counterfeit. These items were likely to have been smuggled in. The keeping of smuggled goods on a licensed premises is an offence under s144 of the Licensing Act 2003.

i) Vapes found at the premises appeared to have a nicotine tank larger than permitted in the UK. The labelling on the vapes stated that they ranged from 3500 to 9000 puffs. This is likely to exceed the permitted 2ml tank capacity which is currently equivalent to about 600 puffs. The labelling of the e-cigarettes breached the Tobacco and Related Product Regulations 2016. These items are not allowed in the UK and may have been smuggled in. The keeping of smuggled goods on a licensed premises is an offence under s144 of the Licensing Act 2003.

j) At the time of the inspection, the owner of the shop, Mr Diar Abdolrahmanpour, was not present. A female who gave her name as [REDACTED] was present at the premises. She told officers she was a friend of the owner and was helping out.

k) Mr Abdolrahmanpour spoke to officers on the phone. When asked about the

holdall containing the illegal cigarettes that had been found he told officers that he did not know about them. He also told officers that the cash that had been found was in relation to a delivery and was to be handed to the delivery driver.

l) When [REDACTED] was asked about the holdall containing the illegal tobacco she said it was there when she arrived and did not belong to her. She also said that she had not been asked by the owner to hand any money over to a delivery driver.

m) The illegal cigarettes, pouches of hand rolling tobacco and oversized vapes found at European Mini Market were bagged up and taken away by Trading Standards. The cash that had been found was seized by West Midlands Police who accompanied the Trading Standards inspection team.

n) Officers also found that there was no Licence Summary on display. Failure to display the Licence Summary is a criminal offence under Section 57(4) of the Licensing Act 2003.

o) As the premises licence holder, Kayfi Ibrahim Ismail has engaged in activities which have breached the licensing objectives namely 'the prevention of crime and disorder' and 'the protection of children from harm'.

The Home Office publishes guidance under section 182 of the Licensing Act 2003. The guidance states that:

11.28 .....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.

With regards to vapes, Part 6 of the Tobacco and Related Products Regulations 2016:

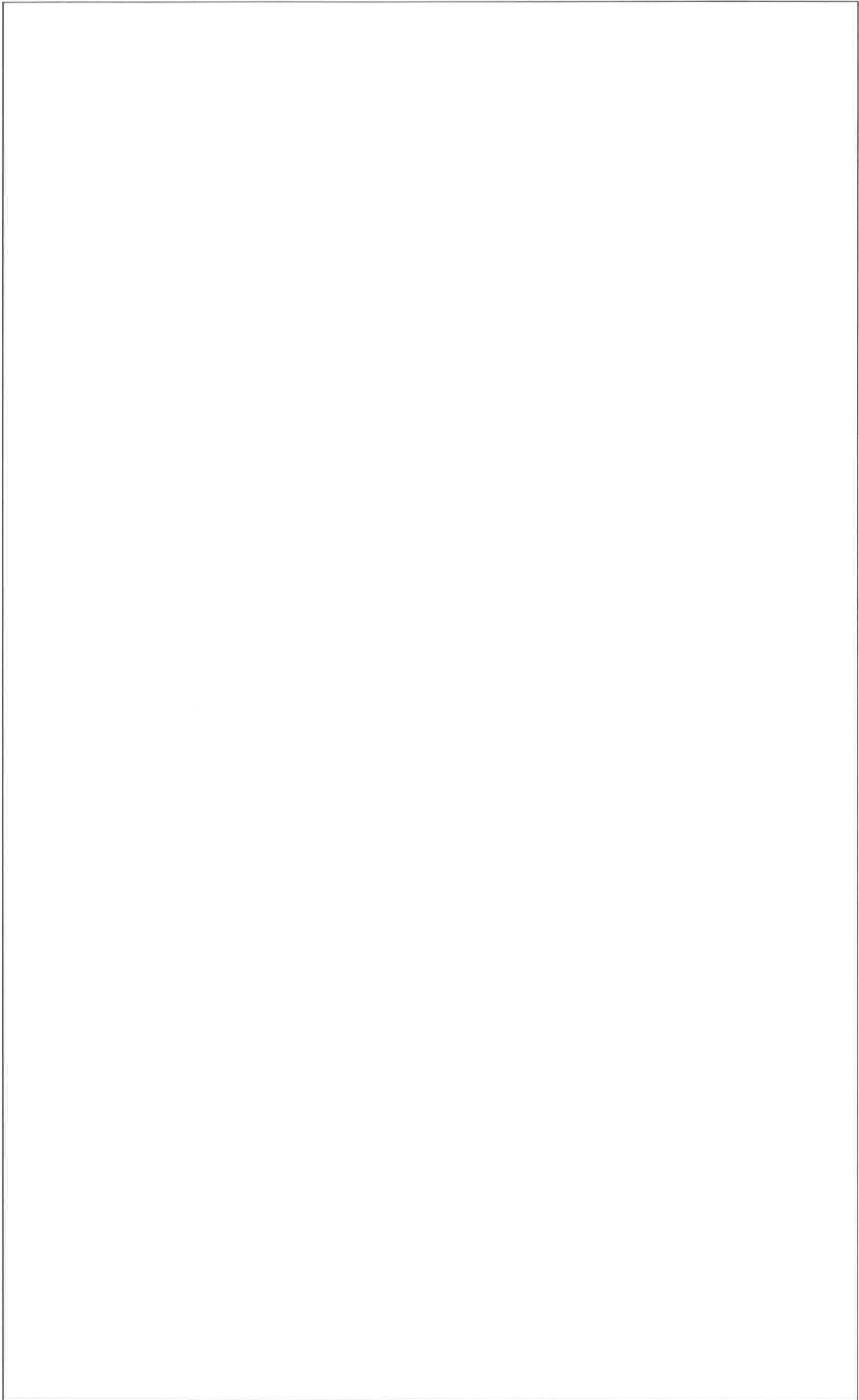
- sets minimum standards for the safety and quality of all e-cigarettes and refill containers (otherwise known as e-liquids)
- ensures that information is provided to consumers so they can make informed choices
- promotes an environment that protects children from starting to use these products

On 29 January 2024, the Government announced that disposable vapes will be banned in the UK as part of Government plans to tackle the rise in youth vaping and protect children's health. Information on the Gov.UK website states the measure comes as part of the Government's response to its consultation on smoking and vaping, which was launched in October 2023.

Recent figures show the number of children using vapes in the past 3 years has tripled. Use among younger children is also rising, with 9% of 11 to 15 year olds now using vapes. The long-term health impacts of vaping are unknown and the nicotine contained within them can be highly addictive, with withdrawal sometimes causing anxiety, trouble concentrating and headaches.

#### RECOMMENDATION

Trading Standards recommends that Licensing sub-committee considers suspension of the premises licence for 3 months to allow for staff training and the addition of robust conditions to the premises licence. In particular, the addition of a licence condition that European Mini Market will sign up to a responsible retailer scheme of an equivalent standard to the City of Wolverhampton Council Trading Standards Responsible Retailer Scheme before the suspension lapses and any other matters as the sub-committee sees fit.



**Please tick yes**

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

If yes please state the date of that application

Day Month Year

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

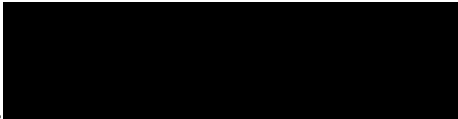
**Please tick yes**

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

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

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

Signature 

Date 21 March 2024

Capacity District Officer

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 5)	
<b>Post town</b>	<b>Post Code</b>
<b>Telephone number (if any)</b>	
<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.