

arec/acc - 15/06/2017 095151
 rep. period ends - 14/07/2012

White notice up → 16/06 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 Jonathan James WEBB

(Insert name of applicant)

apply for the review of a premises licence under section 51 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

Kapz News and Booze
 286 Loughborough Road

Post town Leicester

Post code (if known) LE4 5PH

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

Rahul VAGHELA

Number of premises licence or club premises certificate (if known)

PREM143

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
PC1790 Jonathan WEBB
Force Licensing Department
Leicestershire Police,
Mansfield House,
74 Belgrave Gate,
Leicester LE1 3GG

Telephone number (if any)
101 Ext 6683

E-mail address (optional)
licensing@leicestershire.pnn.police.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

Please state the ground(s) for review (please read guidance note 1)
Paragraph 11.24 of the Section 182 Guidance of the Licensing Act 2003 states that; A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authorities role when determining such a review is not therefore to establish guilt or innocence of the individual but to ensure the promotion of the licensing objectives.

Paragraph 11.25 states that Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings.

And finally Paragraph 11.26 states Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence for the promotion of the licensing objectives.

On the 31st May 2017 Officers from Leicestershire Police attended the premises following information that stolen items were being bought and sold from the premises.

On entering Officers have spoke with Mr Kapil VAGHELIA who was the member of staff working in the shop.

Kapil VAGHELIA is related to Rahul VAGHELIA the Designated Premises Supervisor and Premises Licence Holder

[REDACTED]

bags, electrical items and toys which were all believed to be stolen.

Further items including perfume/after shave and more electrical items were recovered from behind the till/counter area.

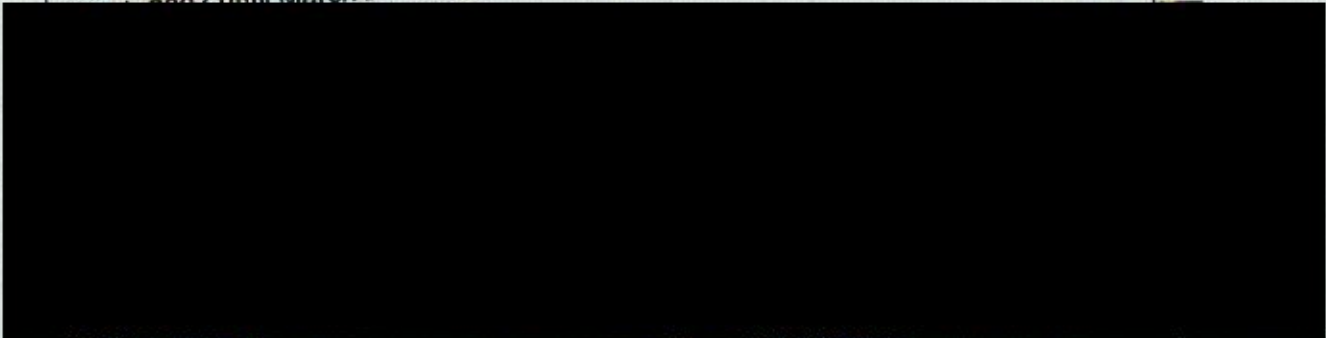
Mr Kapil VAGHELIA was arrested.

It is the view of Leicestershire Police that the licensing objectives would be best promoted by the revocation of this licence

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

Kapil VAGHELIA was the Premises Licence Holder (PLH) in 2006 along with Rahul VAGHELIA.

Kapil VAGHELIA was the Designated Premises Supervisor (DPS) for the shop from 2007 until March 2011 when a variation was submitted for Rahul VAGHELIA



On Wednesday 31st May 2017 Kapil VAGHELIA was interviewed in relation to his arrest on suspicion of selling stolen goods.

VAGHELIA stated that the business at Kapz News & Booze was a family run business of which he was the owner along with his wife and father.

VAGHELIA has been released under investigation whilst further enquiries are completed.

Further details of the interview can be released for the committee however this is a live investigation and therefore it is requested that the hearing is held in private session.

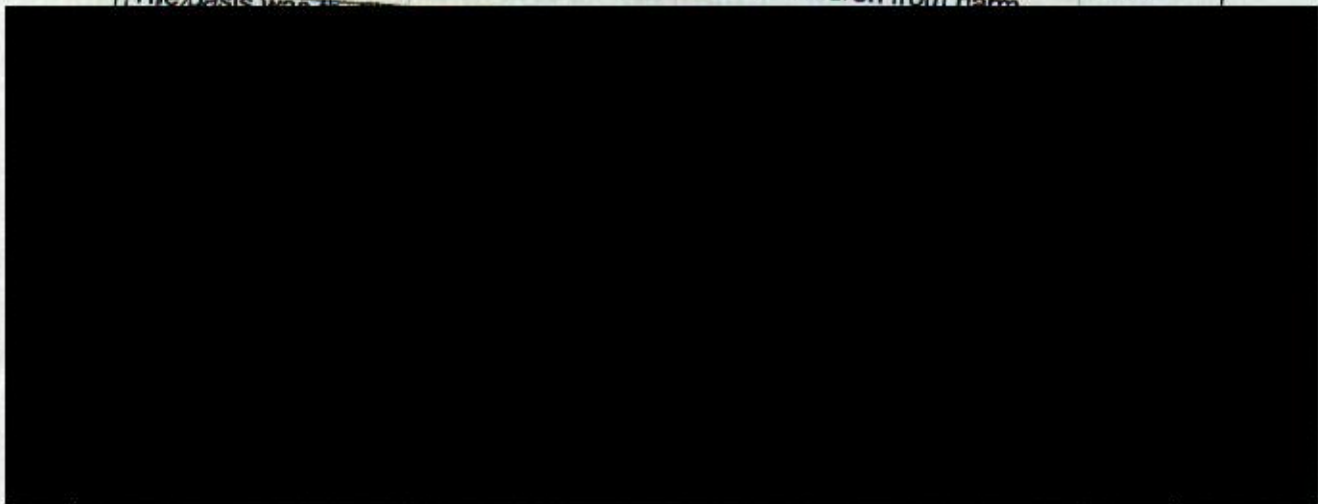
Have you made an application for review relating to this premises before **Please tick yes**
If yes please state the date of that application

Day Month Year
0 8 0 4 2 0 1 0

If you have made representations before relating to this premises please state what they were and when you made them
Leicestershire Police submitted representations to request a review of these premises on 08th April 2010.

The representations were in relation to the licensing objectives of the prevention of crime and disorder, public safety & the protection of children from harm

The basis was that



- 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

Capacity Licensing Officer Leicestershire Police

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.