



**Leicestershire
Police**
Protecting our communities

Force Licensing Department
Mansfield House
74 Belgrave Gate
Leicester LE1 3GG

Tel: 101

www.leics.police.uk

Leicestershire Police

Licensing Act 2003 – Representation in respect of Premises Licence number LEIPRM1701

Details of person or body making representation	
Your Name:	[REDACTED]
Your Address:	Force Licensing Department, Mansfield House, 74 Belgrave Gate, LEICESTER LE1 3GG

Details of premises representation is about	
Name of Premises:	The Local Store
Address of premises:	116 Bruin Street LEICESTER LE4 5AY
Application No. (if known)	

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	X
Public Safety	X
Prevention of public nuisance	X
Protection of children from harm	X

Please summarise your concerns about this application:
<p>I write in my capacity as Deputy Licensing Manager for the Leicestershire Police on the authority delegated to me by the Chief Constable.</p> <p>The premises The Local Store is situated at 116 Bruin Street, Leicester.</p> <p>This establishment is being operated as an off licence / grocery store and is nestled in amongst residential dwellings. It is also on the junction with Ross Walk.</p>

The premises has a licence to operate and provide the supply of alcohol from the premises. This is for Off Sales Only.

The opening hours of the premises.

Mon – Sun = 06:00 x 21:00 hours

The Supply of alcohol for consumption OFF the premises.

Mon – Sun = 06:00 x 21:00 hours.

The circumstances surrounding this representation being asked for are as follows.

██████████ is both the Designated Premises Supervisor (DPS) and Premises Licence Holder (PLH) for the said premises and has been there since the licence was granted on 23rd October 2017.

Following the said person taking control of the establishment, a series of compliance visits were carried out at the premises and as a result of this, the following breaches have been discovered which in turn have undermined the licensing objectives.

1. On 25/02/2019 - ██████████ visited the premises and found a number of breaches of the Premises Licence Operating Schedule.
 - i. There were customers inside the establishment who were consuming alcohol from open containers.
 - ii. There was no refusal log in place.
 - iii. No training log was present.
 - iv. The CCTV system was not working and no-one knew how to operate it.
 - v. The store did not have any 'Challenge 21' poster nor was there any policy for dealing with underage drinkers.
 - vi. Illegal tobacco was also found within the store which was seized.
2. On 25/03/2019 ██████████ returned to the store and issued ██████████ an Action Plan (see Annex A) and CPN (Community Protection Notice) (See Annex B). He explained to him what this meant and how he had to adhere to both.
3. On 29/06/2019 – ██████████ again visited the said establishment to discuss the Action Plan that had been issued on 25/03/2019, upon entering the store he found in the rear store room several males consuming alcohol. He also checked behind the front counter and found an amount of illegal tobacco which he seized.
4. On 07/07/2019 – ██████████ again visited the store and issued ██████████ with a CPN Warning Letter (Annex C)
5. On 04/12/2019 – ██████████ entered the said premises for a compliance visit and saw a male in the shop drinking alcohol from open container.
6. On 11/12/2019 – ██████████ The Local Store and issued ██████████ with a Community Protection Order (See Annex D)

7. On 10/01/2020 – [REDACTED] with [REDACTED] entered the said shop and upon entering the premises they observed in the rear store room, several males, next to these people were numerous bottles and cans of alcohol which were either empty or partially drank. The DPS [REDACTED] was also present.

8. On the 09/3/2020 [REDACTED] entered the store and found an Asian male in the rear store. The male left the store and the LH [REDACTED] stated that the male had only been using the toilet. Upon closer inspection [REDACTED] was a half full can of beer left near the sink area in the store room [REDACTED] asked the male who appeared intoxicated if the half full can of lager was his. He reluctantly stated that the beer was his. This is evidenced on BWV submitted as [REDACTED]

All of the above information has been retrieved from our licensing recording system InnKeeper.

All of these incidents lead the police to have grave concerns as to how the premises is being run and what is actually occurring there, it also shows that [REDACTED] has no regard to either his licence conditions and more importantly the act itself. This has been highlighted due to his continued disregard to law and also numerous warnings that have been given to him by the police.

Not only has he continued to breach his licence conditions, he has now also done so with a further breach after the Leicester City Council review hearing has been called.

[REDACTED] has not only committed licensing offences, he is also putting members of the public (including children) who may use the store to purchase goods, at risk by essentially turning his premises into a male orientated drinking den. These men could be drunk and at any time, things could turn for the worst and he would have no control over what happens. They could also be causing a public nuisance by loitering in and around the establishment.

We have to be seen to be protecting the public from this sort of environment and also ensuring that they can walk into an establishment without being subjected to what is happening at this premises.

We also have an obligation to support and enforce the licensing act, hence the reason this representation has been called due to everything that has been outlined in this report.

The following additional information in support of this representation will be forwarded to the local authority in due course.

1. Copy of the Action Plan issued by [REDACTED] (Annex A)
2. Copy of the Community Protection Notice/CPN issued by [REDACTED] [REDACTED] (Annex B)
3. Copy of Community Protection Notice Warning Letter issued by [REDACTED] [REDACTED] (Annex C)

4. Copy of the Community Protection Order issued by [REDACTED] (Annex D)
5. [REDACTED] as provided a statement outlining his interactions and also what he observed happening at the said [REDACTED]
6. [REDACTED] has produced a statement describing what he witnessed when he visited the premises (Annex F)
7. [REDACTED] has provided a statement describing what he saw when he entered the establishment (Annex G)
8. [REDACTED] was with [REDACTED] and will also state what he saw within an attached statement (Annex H)
9. A copy of all of the bodycam footage from all of the visits (the ones where they had cameras with them) (Annex I)

[REDACTED]
Leicestershire Police

13th March 2020



ANNEX A

**Action Plan – Dharmesh Valobo Local Shop, 116 Bruin Street,
Leicester**

Issues

Local Shop, 116 Bruin Street, Leicester. Leicester is a local Licensed premises

In light of the complaints from local residents re ASB coming from the location.

In response to a License check conducted by PC 1122 Rawlings entered the above premises under section 180 Licensing Act 2003 re suspicion that a breach of the License was in progress at the premises. This entry was 25/2/19 where upon entry to your premises, it was deemed illegal tobacco was being sold. This was seized and Trading Standard Notified.

It is the responsibility of the DPS to ensure that the License is adhered to, and it is Leicestershire Police's intention to work with LH and DPS's to ensure their businesses comply with the four Licensing Objectives

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Prevention of Harm to children.

Below is set an Action Plan to assist you to achieve these objectives. This will be monitored over a three month period and assessed again. Listed below are achievable objectives that fall within the remit of your license.

Task No.	Action	Owner	Update/Comment
LICENSING			
1 CCTV	Upon the visit on the 25/2/19 the CCTV was not connected or operating. Additionally the DPS had no knowledge of how to operate the system	Dharmesh Valobo	To ensure the you comply with Annex 2 of the License conditions.
2. Challenge 21 Policy	Whilst attending your	Dhanesh Valobo	Annex 2 of your license deems the condition that a



3. Refusals Log	<p>establishment on the 25th of February 2019, it was noted that there was no challenge 21 Policy in place as per Annex 2 of your license conditions</p> <p>On the visit on the 25/2/19 It was noted that there was no refusals log in place as per Annex 2 of your License.</p>	Dhanesh Valobo	<p>challenge 21 policy be in place on the premises. As part of your development you are to implement a policy with visual notices that a policy is in place</p> <p>As per Annex 2 of your License. Ensure there is a log in place, and DPS, and staff are trained on how to use the log, and the requirements</p>
4. Training	<p>It is the DPS responsibility that he along with any staff he employs are adequately trained. In relation to age related sales. And a training log is in place to monitor and update all training. There was no evidence of this log.</p>	Dhanesh Valobo	<p>You are to ensure that you and your staff are adequately trained as per Annex 2 of your schedule. Additionally you are to ensure that any staff you employ are authorized to serve alcohol. And a log is implemented</p>
5. Anti Social Behaviour	<p>As per the four Licensing objectives. No ASB to be committed inside or directly outside the store</p>	Dhanesh Valobo	<p>A community consultation will be conducted in three months to see if there are any issues in relation to the management of the store. Please ensure that you have adequate information and training on how to identify ASB and how to deal with it.</p>
6. Under age sales	<p>As per the license Annex 2. There was no under age policy in place. Signs are to be placed on the external walls and windows of the shop indicating that there will be no under age sales</p>	Dhanesh Valobo	<p>Ensure that signs are erected to instruct that there will be no under age sales.</p>
7. Illegal Tobacco	<p>There was a considerable amount of Tobacco deemed illegal behind the counter along with single cigarette sales. This is illegal.</p>	Dhanesh Valobo	<p>To cease this. It is illegal. And you can be prosecuted.</p>



<p>8. Licensing objectives</p>	<p>Adhere to the Licensing Objectives</p>	<p>Dhanesh Valobo</p>	<p>To ensure that you adhere to the licensing objectives. Ensure you are adequately trained and understand the objectives</p>
<p>9. Written authorization</p>	<p>There was no written authorization for persons to serve alcohol in the store.</p>	<p>Dhanesh Valobo</p>	<p>Ensure that there is a written authorization for other staff members to serve alcohol.</p>

Thank you

PC 1122 M Rawlings.
Belgrave Neighbourhood Team,
Belgrave Neighbourhood Centre,
Rothley Street,
Belgrave,
Leicester.



ANNEX D

Dharmesh Valobo Local Shop, 116 Bruin Street, Leicester

Reference

19000337051

11/12/19

Community Protection Notice –
S.43 to 58 Anti-Social Behaviour, Crime and Policing Act 2014

Dear Mr Valobo,

RESTRICTED after completion

NOTICE

Community Protection Notice
Section 43 Anti-social Behaviour, Crime and Policing Act 2014

*Please ensure that you also read the Appendix below for **further important information** about this notice including the right to appeal*

To: Dharmesh Valobo, Corner Shop, 116 Bruin Street, Leicester. *(In this notice the term 'body' refers to an artificial organisation such as a corporation and is used throughout this notice to identify the organisation named above. Delete as appropriate the alternative that is not required where the terms 'you' or the 'body' appear further down the text).*

As a constable (holding a 'sworn' rank in the police service), I am an 'authorised person' by virtue of sections 43 and 53 of the Anti-social Behaviour, Crime and Policing Act 2014. I am empowered to serve on you / the 'body' this community protection notice.

I am satisfied that this is necessary on the reasonable grounds that -

- (a) They conduct of you / the 'body', is having a detrimental effect, of a persistent or continuing nature, on the quality of life of those in the locality, and
- (b) that conduct is unreasonable.



The particular issues are Drinking of Alcohol in the shop, contrary to section (identify the issues and the location)

I require you / the 'body' to -

*(a) stop doing the following .allowing the consumption of alcohol on the Licensed premises . . section 136 Licensing Act,

*(b) do the following Not permit Anti Social Behaviour on or within the perimeter of the premises.. . . .

*(c) take reasonable steps to achieve the following results

*The requirements above must be acted upon before . . Immediately from 11/12/19

*The requirements above must be acted upon within the following period(s) . Immediately and continual

(*delete as appropriate)

It is an offence to fail to comply with any of these lawful requirements unless all reasonable steps have been taken to comply with the notice or there is some other reasonable excuse for the failure to comply with it.

Such a failure may subject you / the 'body' to any of the following - (i) arrest of a person; (ii) prosecution and conviction; (iii) seizure and forfeiture of property relevant to the case; (iv) an order against you / the 'body' for further enforcement action or (v) a fixed penalty notice in appropriate circumstances.

Signed . PC 1122 Rawlings . . . Rank . . . PC .

Time .114511/12/19 hours

None compliance with the Licensing Objectives. Prevention of Crime and Disorder Public Safety Prevention of Public Nuisance Prevention of Harm to children.



Action you must take	Timescale by which you must complete the action/s immediately
Comply with the Four Licensing Objectives as discussed and subsequently issued Action Plan	
You were issued an Action Plan on 25/3/19 concerns raised during a License visit. This warning is in response to a further visit carried out on 29/6/19 where there were significant concerns witnessed.	
<p>A further seizure of illegal tobacco was actioned using Police Powers.</p> <p>There was no written authorization for the DPS.</p> <p>There were several males in the rear of the shop drinking Alcohol provided to them by the DPS. This is a direct contravention of the license issued to you.</p> <p>These activities must stop forthwith</p> <p>Only legal Tobacco to be sold/supplied/issued from the Store 116 Bruin Street, Leicester.</p> <p>Alcohol must not be consumed on the premises. As per your License</p> <p>Written authorization for the DPS.</p> <p>All actions must be adhered to immediately.</p>	

- (i) If you are prosecuted and convicted the maximum penalty is a fine not exceeding level 4 on the standard scale (currently £2,500); [or £20,000 for a corporate body].



- (ii) The Court can also make an order requiring you to carry out the specified actions or to allow these actions to be carried out by ourselves and the costs recovered.
- (iii) An order under this section may in particular require you:
 - (a) To carry out specified work, or
 - (b) To allow specified work to be carried out by or on behalf of a specified local authority, and the costs be recovered.
- (iv) The Court can also order forfeiture or seizure of any items which they believe were used in the unreasonable conduct. Failure to comply with these Court orders can result in further criminal sanctions.
- (v) Non-compliance may also result in the issue of a fixed penalty notice in the sum of £100.

We will also consider what other action may be required to stop the unreasonable conduct which may include criminal prosecution if a criminal offence has been committed. Other actions may include civil action, such as applying for an Anti-Social Behaviour Injunction, or notifying your landlord (where relevant) if we feel that breaches of your tenancy agreement/lease have occurred.

If you have any questions about the content of this letter please contact me at the address on this letter.

Yours sincerely

Signed: ...PC 1122 Rawlings Date: 11/12/19

Complete	GSC Class:	Reason:
If Req'd	Handing Conditions:	

MG11 (10/18)

Occurrence Ref:

Page 1

WITNESS STATEMENT

Criminal Procedure Rules, r 16.2, Criminal Justice Act 1967, s. 9

URN

Statement of DAVID BARBER

Age if under 18: 51 (if over 18 insert date of birth)

Occupation: R 769

This statement (consisting of 2 page(s) each 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.

Sign

[Redacted Signature]

Date: 01/03/2020

I am Constable 769 Barber of Leicestershire Police. At 7.45 pm on Friday 10th January 2020 I was on duty in full uniform in company with PC 2226 BREWEN, PC 2042 HARRISON and PSC 2043 SMITH. At this time we all attended 116 Basin Street in Leicester, an off-licence trading as THE LOCAL STORE. The purpose of our visit was to carry out a licence compliance check. I activated my body worn video prior to entering the premises. I produce that footage as my exhibit D01. On entering the premises a male who identified himself as the licence holder Dharmesh VALSBE born 18/05/1980 was stood behind the counter by the cash till. There were numerous persons stood

Sign

[Redacted Signature]

Signature witnessed by

Continuation of Statement of

→ Babee

on the shop floor and in an open storeroom at the rear of the shop floor. PC LOCANT and PC BREWSTER searched this storeroom and PC BROWN searched the shop floor and the licence holder VAROBS then walked around the store and saw that in the storeroom there were several open cans of alcohol stood on the side, and bin bags full of empty beer cans. There were males stood in the storeroom eating. I also saw one open beer bottle stood on a shelf in the shop floor area. I then spoke with VAROBS to complete a form called a 'Licensing Inspection Compliance Checklist'. Due to a language barrier, PC LOCANT assisted with this form, speaking to VAROBS in his spoken language. The form was completed, and was in order other than there being no refusal law in operation. A search of the premises was then conducted, on the shop floor and behind the counter. There were numerous English brand cigarettes under the counter, in packets and singles displaying 'UK DUTI PAID'. All officers then left the store.

Signature

nature witnessed by:



ANNEX B

RESTRICTED after completion

**WARNING to take action which will prevent the service of a
Community Protection Notice**

Section 43(5) Anti-social Behaviour, Crime and Policing Act 2014

To Dharmesh Valobo, Local Shop, 116 Bruin Street, Leicester.

As a constable PC M Rawlings 1122 I am an 'authorised person' by virtue of sections 43 and 53 of the Anti-social Behavior, Crime and Policing Act 2014. I am empowered to warn you that I am satisfied, on reasonable grounds, that -

- (a) The conduct of you Local Store 116 Bruin Street, Leicester is having a detrimental effect, of a persistent or continuing nature, on the quality of life of those in the locality, and
- (b) that conduct is unreasonable.

The issues that need attention the selling of Alcohol from this establishment is being consumed outside and inside the shop. Alcohol is being served to individuals intoxicated. Not complying with your License ie Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance. Acts of Anti Social Behavior on the front of your premises and actions observed by Officers from Leicestershire Police. On a recent visit it was deemed Illegal cigarettes and Tobacco and single cigarettes were also being sold

If no account is taken of this warning, a Community Protection Notice can be issued, once enough time has passed for me or another authorised person to be satisfied that you has had enough time to deal with the matter. The service of this notice will be the start of a legal process which will ensure that these issues are properly addressed.

Failure to comply with a Community Protection Notice can lead to a criminal prosecution and conviction.

Signed PC1122 Rawlings .Rank PC 1122 Date 18/11/2018



Leicestershire
Police

Protecting our communities

Police HQ, St. Johns,
Enderby, Leicester,
LE19 2BX

Tel: 101
www.leics.police.uk

Thank you

PC 1122 M Rawlings.
Belgrave Neighbourhood Team,
Belgrave Neighbourhood Centre,
Rothley Street,
Belgrave,
Leicester.
LE46LF

martin.rawlings@leicestershire.pnn.police.uk

WITNESS STATEMENT

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN

DU

Statement of: **MARTIN DAVID RAWLINGS**

Age if under 18 over 18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of _____ page(s) each 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.

Signature **MARTIN DAVID RAWLINGS**

Date 06/03/2020 12:35

Tick if witness evidence is visually recorded (supply witness details on MG11b)

I am the above named officer and I am currently a Dedicated Neighbourhood Officer working on the Belgrave area of Leicester. I am additionally the point of contact for all Licensing concerns and issues in the Belgrave area and I am BIIAB level 2 qualified. I make this statement in relation to a licensed premises 'Local Store, 116 Bruin Street, LEICESTER, LE4 5AY and in particular the DPS and LH, Dharmesh Valobo 18/5/1980 who has been a LH since 01/09/2017 and DPS since the 30/6/2017 of the premises.

I would describe the premises as an old 2 storey terraced property that at some point has been converted to what may be described as a typical corner shop. It is on the junction of Bruin Street and Ross walk, Leicester and is used by the local community. As you walk on to the shop through the front door you are faced with two aisles and a counter just in front of the front door. The actual shop area is probably in size no more than 5 meters by 10 meters in size and there is a store room in the rear of the shop with a small kitchen area and a rear door which leads to a rear yard. The shop is very cluttered and chaotic. and appears to have very little order to it. Alcohol in the form of spirits and wines are served from behind the counter, and towards the rear of the store beers and ciders are stacked in their cases for sale. There is a lot of rubbish in the store in the form of old boxes where it appears Mr Valobo has taken stoke but just opened boxes for the sale of said items and then just left the box. The rear store room does have stock in there however it is also a very untidy area. This area doubles up as a kitchen area as well as a store room. It is cluttered, untidy and from my experience dirty, with lots of rubbish left in this area.

This store first came to my attention 18/2/2018 where I received a communication from a member of the local community. The complaint which is recorded on Police System, Innkeeper makes reference to persons

Signature:

#3301122 RAWLINGS, M.

Signature witnessed by:

drinking illegally in the shop. I would suggest that there has been an error made in the recording of this communication and in fact the date is actually the 18/2/2019.

On the 25th of February 2019 I attended the store to conduct a compliance check on the LH and premises and I found a number of concerns. The CCTV was not connected or recording, no challenge 21 Policy was in place, no refusals log was operating, there were no records of training for the LH or the staff working there, and there was a considerable amount of Illegal chewing Tobacco behind the Till Counter. This Tobacco was seized. Additionally in the store were a number of males drinking alcohol towards the rear of the store and in to the store room. After a while at the premises I seized all the Tobacco, and left the store. Trading Standards and HMRC were informed of the find, and the Tobacco was destroyed. In light of the findings it was deemed that an Action Plan be issued to the DPS Valobo and a CPN Warning under Section 43-58 of the Anti-Social Behaviour, Crime and Policing Act 2014 be issued re the behaviour. Within the body of the CPN were the following conditions to adhere to. To comply with the 4 Licensing Objectives and this was issued to Valobo on the 25th of March 2019. Additionally there is a further entry on Innkeeper by PCSP 6134 Sohi that she was passing the store on the 26th of February 2019 and observed a male leaving the store with an open can of beer. She entered the store and challenged the LH who was identified as Valobo, who denied selling beer on the premises to be consumed on the premises.

on the 26th of June 2019 I re attended the location to review the Action Plan I had issued earlier, and went in to the store. A further amount of Illegal Tobacco was seized from behind the counter again (Police reference 19000337051 relates) and several males were seen drinking alcohol in the rear of the shop again. A further visit was conducted by myself on the 7th of July 2019 where he was issued a further CPN warning. This was in addition to the Warning he received in March 2019.

On the 4th of December 2019 PC 2225 Pickering was in the location of the store on a separate issue when he saw a male in the rear of the store, and an open can of Lager near to where the male had been standing. PC Pickering could smell alcohol on this males breath when he engaged with him. In light of this latest report on the 11th of December 2019 I issued Valobo with a Community Protection Notice under the Anti-Social, Crime and Police Act 2014.

on the 21st of December 2019 a member of the community who wishes to remain anonymous be mailed me to inform me that on the evening of the 20th December 2019 she was walking past the shop and noticed the window shutters were down, however she could see in to the store through a gap in the shutters and door. She observed persons inside the store acting in a manner that concerned her. In light of this new information I asked Officers from the local team to attend the location on the 1st of January 2020 to conduct a further

Signature:	#3301122 RAWLINGS, M.	Signature witnessed by:	
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WITNESS STATEMENT**(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)**

URN

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Statement of: **MARTIN DAVID RAWLINGS**

Age if under 18 over 18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of _____ page(s) each 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.

Signature **MARTIN DAVID RAWLINGS**

Date 10/03/2020 09:47

Tick if witness evidence is visually recorded (supply witness details on MG11b)

I make this statement in addition to the statement I made dated 6/3/20 and to highlighting the statement that on my previous statement I stated that officers attended Bruin Street, Leicester on the 1st of January 2020. This is incorrect and a typo and actually officers attended the location on the evening of the 10th of January 2020. Additionally I further attended Local Store, 116 Bruin Street, Leicester approximately 1230 pm on Monday the 9th of March 2020. I was in full uniform and on foot and single crewed.

As a uniformed Police Officer I have authority under the Licensing Act to lawfully enter a Licensed premises without consent. As I went in to the store I immediately walked to the rear of the store to an area where I know has previously been used by individuals to consume alcohol. As I did this I noted straight away that there were two males at the rear of the store. The incident is fully recorded on my Body Worn Video and I evidence this as exhibit MDR/1. In the footage there are two Asian males. One is leaning against a fridge with a phone in his hand. Next to him on a shelving unit is an empty can of Red Bull. I could see the other male inside the store room and in my mind he was trying to avoid me. He came out of the store room, and I could see his eyes were slightly glazed over and he smelled of Alcohol. I asked him to remain in the store, whilst I went in to the store room. I did find a half empty can of beer near the sink unit. By this time a male I know to be the License Holder, Dharmesh Valobo 18/5/1980 arrived at said something along the lines of, the male was in the store room using the toilet. I challenged Valobo on this and stated that I believed that the male was in the store room drinking Alcohol, and in fact he was drinking from this can of beer. I then turned to the male who I had seen in the store room and asked him if the can of beer, that I was now holding was his. He hesitated for a while and confirmed that the beer was his.

Signature:

#3301122 RAWLINGS, M.

Signature witnessed by:

compliance check. PC's Barber 769, Lorgat 2042 and Barlow 2226 attended the store in the early evening and spoke to Valobo. PC Barlow had Body Worn Video recording and this shows open alcoholic containers in the shop as well as large amounts of empty cans of beer in the rear store room. Also in the store were several males loitering in the rear of the store that had clearly been drinking. Valobo was behind the counter and was spoken to by all officers.

These are my original notes.

Signature:  #3301122 RAWLINGS, M. Signature witnessed by:

Signature:	#3301122 RAWLINGS, M.	Signature witnessed by:	
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Valobo was clearly still objecting to the find and at 1239 I cautioned Mr Valobo, and explained to him anything he says can be used in the event this matter goes to court or otherwise.

These are my original notes

Signature:  #3301122 RAWLINGS, M. Signature witnessed by:

Signature:	#3301122 RAWLINGS, M.	Signature witnessed by:	
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RESTRICTED (when complete)

MG11
Master URN

Crime Ref:

Custody Ref

Not Disclosable

Page 1

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.6B

URN

Statement of: Mark James Barlow

Age if under 18: over 18 (if over 18 insert 'over 18')

Occupation: Police Officer 2226

This statement (consisting of one page(s) each 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.

Mark James BARLOW

Date: 1/11/15

I am PC 2226 Mark James BARLOW of the Leicestershire Police and I am currently based at Keyham Lane Police Station as a Neighbourhood Officer. On the 10th January 2020, around 1925hrs I carried out a licensing check at the Off-Licence on Bruin Street, Leicester with PC 769 BARBER, PC 2042 LORGAT and PCSO 6543 SMITH. On entering the Off-Licence I saw that there were males stood near the counter and outside of a small room which is situated on the right hand side of the shop as you enter it through the main door there were two males stood in front of the door. There were also some males stood inside this room. Inside the room were dishes of snacks and also empty cans of alcohol. There was also rubbish bags which also had empty cans of beer inside them. On leaving the side room I saw that there was an empty bottle of beer and a can of Holsten Pils on the central stand area in the shop. I also saw that there were 2 cardboard boxes which contained empty cans of beer inside them. These were located near the fridge display. I used my BodyWorn Video camera during my visit and produce it as my exhibit MJB01

Signature witnessed by:

(when complete)



ANNEX C

Dharmesh Valobo Local Shop, 116 Bruin Street, Leicester

Reference

19000337051

7/7/19

Community Protection Notice – Warning Letter
S.43 to 58 Anti-Social Behaviour, Crime and Policing Act 2014

Dear Mr Valobo,

Warning Letter – Community Protection Notice

Pursuant to S.43 to 58 of the Anti-Social Behaviour, Crime and Policing Act 2014 ('the Act')

You are receiving this warning letter because it is considered that you are responsible for behaviour which is persistent or continuing and which is having a detrimental impact on the quality of lives of others. This conduct is believed to be unreasonable.

Behaviour Consists of

None compliance with the Licensing Objectives.

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Prevention of Harm to children.

This warning letter should be considered a formal notification in accordance with S.43 (5)(a) of the Act. You need to resolve this conduct and put these problems right to avoid further action being taken. Please ensure that you take the following action/s within the time scales detailed:

Action you must take	Timescale by which you must complete the action/s immediately



Comply with the Four Licensing Objectives as discussed and subsequently issued Action Plan	
You were issued an Action Plan on 25/3/19 concerns raised during a License visit. This warning is in response to a further visit carried out on 29/6/19 where there were significant concerns witnessed.	
<p>A further seizure of illegal tobacco was actioned using Police Powers.</p> <p>There was no written authorization for the DPS.</p> <p>There were several males in the rear of the shop drinking Alcohol provided to them by the DPS. This is a direct contravention of the license issued to you.</p> <p>These activities must stop forthwith</p> <p>Only legal Tobacco to be sold/supplied/issued from the Store 116 Bruin Street, leicester.</p> <p>Alcohol must not be consumed on the premises. As per your License</p> <p>Written authorization for the DPS.</p> <p>All actions must be adhered to immediately.</p>	

If you fail to complete the above actions within the timescales given then a Community Protection Notice ('CPN') may be issued without further warning.

If a CPN is issued it will tell you the things that you must do to put these problems right – if you fail to do so without reasonable excuse you may be prosecuted:



- (i) If you are prosecuted and convicted the maximum penalty is a fine not exceeding level 4 on the standard scale (currently £2,500); *[or £20,000 for a corporate body]*.
- (ii) The Court can also make an order requiring you to carry out the specified actions or to allow these actions to be carried out by ourselves and the costs recovered.
- (iii) An order under this section may in particular require you:
 - (a) To carry out specified work, or
 - (b) To allow specified work to be carried out by or on behalf of a specified local authority, and the costs be recovered.
- (iv) The Court can also order forfeiture or seizure of any items *which they believe were used in the unreasonable conduct*. Failure to comply with these Court orders can result in further criminal sanctions.
- (v) Non-compliance may also result in the issue of a fixed penalty notice in the sum of £100.

We will also consider what other action may be required to stop the unreasonable conduct which may include criminal prosecution if a criminal offence has been committed. Other actions may include civil action, such as applying for an *Anti-Social Behaviour Injunction*, or notifying your landlord (where relevant) if we feel that breaches of your tenancy agreement/lease have occurred.

If you have any questions about the content of this letter please contact me at the address on this letter.

Yours sincerely

Signed: ...PC 1122 Rawlings Date: 7/7/19

MG11 WITNESS STATEMENT

Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9

Occurrence Number:	20000029231	URN:	
Statement of:	PICKERING, TOBY		
Age:	Over 18	Occupation:	
This statement 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.			

I am Police Constable 2225 of Leicestershire Police, currently based within the East Leicester Neighbourhood Policing area.

On Wednesday 4th December 2019 I was on duty in uniform, in the call sign of NEU40. About 2:40pm that day I attended 'The Local Store', 116 Bruin Street Leicester, regarding recent incidents in the area targeting business premises. Having previously attended the store with colleagues on other occasions regarding the consumption of alcohol on the premises, I was familiar with the designated premises supervisor Dharmesh Valobo.

As I entered the shop, I could instantly smell alcohol, and noticed an Asian male holding a beer can in his hands. This male quickly 'scarpered' to the rear of the shop. As such, I switched on my body worn video camera and made my way to the rear of the shop where I located an open can of Holsten Pills on the shelf. I explained to Dharmesh that he was more than aware that alcohol was not to be consumed on the premises and that my I would be advising my colleague Pc Rawlings, who is dealing with matters concerning the shop, of what I had witnessed. I directed Dharmesh towards his till area in order to talk further.

I exhibit my body worn video footage of this incident as TP/01 and this concludes my involvement in this matter.

Signature of Witness		Signature Witnessed By	
Name:	PICKERING, TOBY	Name:	
Signed Time:	07/03/2020 08:31	Signed Time:	