



Walsall Council

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 The Chief Constable of West Midlands Police

(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 Bentley Mini Market 13 – 15 Bentley North Road	
Post town Walsall	Post code (if known) WS2 0BZ

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

Number of premises licence or club premises certificate (if known) WS/PRL/1195
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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 Chief Constable of West Midlands Police Walsall Licensing Section West Midlands Police HQ Lloyd House Birmingham B4 6NQ
Telephone number (if any) 101 8896331
E-mail address (optional) H_WALSALL_LICENSING@westmidlands.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 | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" 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 2)

The grounds for this review are a direct result of a visit on the 26th January 2022 where Walsall Police together with Trading Standards made a joint visit to Bentley Mini Market.

On this visit a number of weapons were seized together with a firearm and ammunition. Drugs and drug paraphilia were evidenced also and seized. A small supply of potential illicit tobacco was seized by Trading Standards. An arrest of the Premise Licence holder was made.

These are serious offences and clearly undermines the licensing objectives, therefore West Midlands Police are requesting the revocation of this licence.

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

On the 24th November 2021 the Walsall Police Licensing Officer requested a visit by the Neighbourhood policing team. It had been brought to her attention by the council licensing team the owner of the shop, the Premise Licence holder Mohammed Rafique had died in February 2021. The family had been in contact and had wished the council to transfer the Premise Licence into the name of Raja Abbas Rafique, the son of the owner. Concerns were raised that alcohol sales had been continuing since February 2021. The family were clearly informed on 22 October 2021 by Walsall Council that under Section 28 of the Licensing Act 2003, a premises licence lapses following the death of the licence holder. The licence could have been transferred, providing the transfer application is made within 28 days of the lapse of the licence, however in this case it had been over 28 days and therefore, a transfer was no longer possible. They were spoken to by the council on the phone and advised that currently there was no premises licence in place, and that they must remove all display of alcohol from the store and no alcohol could be sold from the premises until a premises licence was in place. They were also told via email in October, if any alcohol was sold from the premises, it will be an offence, and the fine for the offence is unlimited and or 6 months imprisonment. They were informed on the process to make a new application and given contact information for the Walsall Police Licensing Officer should they wish to make contact to discuss an application.

On 25th November 2021 the Darlaston policing team attended the shop and spoke with Mr Rafique who was at the counter. He advised Sgt Khalid that he had already applied for a premise licence and was under the impression this was fine. The shop had alcohol on display behind the counter and in the fridge

On 25th November 2021 the Walsall Police Licensing Officer made a call to the shop and advised them they had no authority to sell alcohol. They were also advised to apply online for Temporary Event Notices whilst they submit a full Premise Licence Application.

On 25th November I received an email from Mr Rafique advising that a Temporary Event Notice had been applied for and this was confirmed the following day when the police received a valid and current Temporary Event Notice. Two further Temporary Event Notices were applied for and approved.

On 30th November a new Premise Licence application was submitted and after liaising with the applicant, revised conditions were agreed. On 22nd December the police confirmed they had no representations to this new application subject to the agreed conditions being applied to the licence should it be granted.

On 26th January 2022 police officers after receiving intelligence attended the shop with Trading Standards officers. Whilst inside the shop officers they have searched Raja Rafique where he was found in possession of cocaine. Also located behind the counter at the shop where items associated with drugs together with a series of weapons. At his home address which is connected to the shop a fire arm and ammunition was found. Mr Rafique did not have a licence for this weapon. All items were seized by officers and Mr Rafique was arrested for a number of serious offences, full details where possible will be supplied at the Licensing hearing. The firearm is currently with WMP forensics awaiting authenticity however

For all of the reasons documented, West Midlands Police have no confidence in the management of this premises which has shown a total disregard to the licensing objectives and for the safety of their customers and staff.

If it had been possible, West Midlands Police would have sought an expedited review owing to the seriousness of what has happened. WMP are therefore seeking the revocation of this Premise

Licence.

West Midlands Police will supply a full evidence bundle for this hearing which will include –

Statements from local police officers that have engaged with the premises.

Licensing officer statement

Officer in Charge statement relating to the crimes recorded on visit to the shop on 26th January 2022

Neighbourhood Inspector statement

Bodycam footage of attending officers were appropriate

Photographs were appropriate

Any additional supporting evidence

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

Please tick ✓ yes
No

If yes please state the date of that application

Day	Month	Year

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

N/A

Please tick ✓

- 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 **X**
- I understand that if I do not comply with the above requirements my application will be rejected **X**

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 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 6th April 2022

Capacity Chief Superintendent 3398 Dolby

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

Walsall Licensing Department
Civic Centre
Darwall Street
Walsall
West Midlands

Post town
Walsall

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.