

LICENSING ACT 2003
PARTIES NOTICE OF INTENTION



Leeds
 CITY COUNCIL

Application No: PREM/02978

Name of Applicant/premises: Mr Ali Joodaky / Europa Shop

Date of Hearing: 10 January 2011

I am	The Applicant/Licence holder	
	A Responsible Authority	
	An Interested Party	

Name:	PC CATH ARKLE	Address:	LICENSING DEPT. MILLGARTH POLICE STATION MILLGARTH STREET. LEEDS LS2 7HX
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I will be attending the Hearing	<input checked="" type="checkbox"/>
I will not be attending the Hearing	<input type="checkbox"/>
I will be represented at the Hearing by	
<i>NB If you complete this section all further correspondence will be sent to your representative</i>	

Note – if you say that you will not be attending the Hearing the Committee will make it's decision based upon your written objection, that submitted by any other party and any representations made by parties who do attend.

If you wish to withdraw your representation please tick here

OR

If you consider that a hearing can be dispensed with please tick here

Please give details as to why you think a Hearing can be dispensed with.
 (e.g. because you have reached agreement with the other party(ies) on conditions)

WITNESSES

Please set out below the name of any person you wish to appear at the Hearing (other than your representative) and give brief details of what you want the witness to tell the Committee. You will only be allowed to call the witness if the Committee gives permission.

Name	Evidence to be given
STEPHEN KILROY - HMRC	EVIDENCE FROM HMRC RE ILLEGAL SALES OF ILLICIT CIGARETTES + TOBACCO + DEALINGS WITH THE APPLICANT.

DOCUMENTS

Please list below and attach any documents (other than your application or written objections) that you wish the Committee to consider and indicate whether copies have already been sent to the other parties.

Document	Copy sent
WITNESS STATEMENT FROM STEPHEN TERRY KILROY 6 PHOTOGRAPHS SUPPLIED BY HMRC RELATED TO THEIR INVESTIGATION OF THE APPLICANT.	} NO

PLEASE RETURN THIS FORM TO

ENTERTAINMENT LICENSING SECTION
LEGAL, LICENSING AND REGISTRATION
LEEDS CITY COUNCIL
CIVIC HALL
LEEDS
LS1 1UR

FAX 0113 224 3885

E mail entertainment.licensing@leeds.gov.uk

WITNESS STATEMENT

ENGLAND AND WALES ONLY

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70, CP Rules Part 27.1)

Statement of: Stephen Terry Kilroy

Age if under 18:
Customs

(If over 18 insert 'over 18')

Occupation: Officer of HM Revenue &

This statement (consisting of 1 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: _____

Date: 14 December 2010

HMRC officers have made several seizures of illegal sales of illicit cigarettes and tobacco from Europa Stores, 344A, Dewsbury Road, Beeston, Leeds.

I have noted the dates and seizure amounts below for your information which I have taken from our Inland Detection Seizure file. These are not all seizures of goods I have been involved in personally:-

27/10/10 - 760 Cigarettes were seized.

31/10/10 - 400 Cigarettes and 1.35Kg of HRT (Hand Rolling Tobacco) were seized.

15/09/10 - 3560 Cigarettes and 0.15Kg of HRT.

16/09/10 - 4580 Cigarettes and 2.65kg of HRT.

19/09/10 - 5050 Cigarettes and 2.35kg of HRT
22/09/10 - 700 Cigarettes and 2.45Kg of HRT were seized.

19/03/10 - 400 Cigarettes were seized.

20/02/10 - 580 Cigarettes were seized.

On the 19/03/10 - 16220 Cigarettes were seized directly from Mr Ali Joodaky. We witnessed Mr Joodaki delivering these cigarettes to Europa Stores from his vehicle - Reg No. KR05 KNX. The vehicle was also seized before being restored on payment of the duty to the amount of £2500. This amount was paid in cash.

In total 32250 cigarettes have been seized, which is approximately £6127.50 in evaded duty plus VAT at 17.5% at £1072.31 = £7199.81. The duty calculated at the current duty rate of equal to 24% of the retail price plus £114.31 per thousand cigarettes as per Budget day of 24 March 2010.

In total 10.1 Kilos of HRT has been seized. This comes to £1308.86 in evaded duty plus VAT at 17.5% at £229.05 = £1537.91. The duty is calculated at the current duty rate £129.59 per kilo of hand rolling tobacco as per budget day of 24 March 2010.

Date: _____

Signature: _____

(signature of witness)

Signature: _____

(signature witnessed by)

STATEMENT OF WITNESS: ENGLAND AND WALES ONLY

WITNESS STATEMENT

ENGLAND AND WALES ONLY

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70, CP Rules Part 27.1)

Statement of: **Stephen Terry Kilroy**

In total, Europa Stores have had goods seized evading £8737.72 in duty and VAT between 20 February 2010 to 27 October 2010 on the few times we have visited Europa Stores.

HMRC officers have also found concealments in Europa Stores and I have attached pictures of theses.

Date: _____

Signature: _____

(signature of witness)

Signature: _____

(signature witnessed by)

STATEMENT OF WITNESS: ENGLAND AND WALES ONLY