

**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 Jefferson Pritchard

(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	
European Shop 12 Hannam Court Charles Street	
Post town Leicester	Post code (if known) LE1 3FT

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

Number of premises licence or club premises certificate (if known)
LEIPRM1459

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) - **YES**

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

Please tick ✓ yes

I am 18 years old or over

**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 Jefferson Pritchard Leicester City Centre Police Licensing Officer Licensing Department Leicestershire Police Mansfield House Police Station 74 Belgrave Gate Leicester LE1 3GG
Telephone number (if any) 101
E-mail address (optional) jefferson.pritchard@leicestershire.pnn.police.uk 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 - **YES**
- 2) public safety - **YES**
- 3) the prevention of public nuisance - **YES**
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 2)

The premises is located within the heart of Leicester city centre and on a busy pedestrian and public transport thoroughfare.

The premises operates as European supermarket and off licence.

The premises current premises licence holder, who is also the designated premises supervisor was appointed in January 2013.

The premises is licensable to supply alcohol for consumption “off” the premises daily between 8am and 10pm.

The premises has several conditions attached to the licence under annex 2 (conditions consistent with the operating schedule) but also Annex 3 (conditions attached after a hearing by the Licensing Authority).

These include:

Annex 2 – The licence holder will ensure a CCTV system is in operation at the premises with images retained for 31 days. Staff will have recorded and documented training in the use of CCTV system.

Annex 3 – The licence holder shall ensure that no beer, larger, cider or perry’s are sold where the alcohol by volume (ABV) exceeds 5.5%.

On Wednesday 22nd April 2020 and Monday 27th April 2020, the premises was twice found offering alcohol/beer in excess of 5.5% ABV for sale. The premises licence holder was initially issued with a verbal warning but later a formal written warning.

On Wednesday 22nd April 2020, the premises licence holder was also issued with a verbal warning, as the premises CCTV system was not recording.

On Thursday 18th June 2020, twenty three cans of beer in excess 5.5% ABV, was located on a shelf within the shop, behind some other beers with a lower ABV.

On Thursday 18th June 2020, the lone sales assistant in the premises at that time serving customers provided false details to the police’s licensing officer PC2093 Pritchard, during a licensing visit. It later transpired that the sales assistant was not permitted to engage in work, as per his Home Office Immigration status.

On Thursday 18th June 2020, a quantity of duty free and imported cigarettes which are not permitted to be sold in the United Kingdom, were found both behind and under the counter.

On Wednesday 24th June 2020, the premises licence holder received a verbal warning from Leicestershire Police about the incident on Thursday 18th June 2020, in relation to employing staff not permitted to legally engage in work in the United Kingdom.

On Wednesday 24th June 2020, the premises licence holder stated that the CCTV system was working, however on physically checking it, it was discovered to be only recording for 24 hours and not 31 days as required. This was despite the premises licence holder receiving a verbal warning on Wednesday 22nd April 2020.

On Saturday 27th June 2020, the same person as on Thursday 18th June 2020, was again discovered working at the premises contrary to his Home Office Immigration Employment status.

On Monday 27th April 2020 and Wednesday 24th June 2020, PC2093 Pritchard observed two “street life” individuals known to him, who are associated with city centre alcohol related crime, disorder and anti-social behaviour, ask other members of the public to enter the premises and buy alcohol for them, all whilst in the presence of the premises licence holder and other staff members.

Under the Licensing Act 2003, there are certain criminal activities that may arise in connection with licensed premises which should be treated particularly seriously. Employing a person who is disqualified from work by reason of their immigration status in the UK, is one of them.

Leicestershire Police believe that the premises has repeatedly failed to adhere to the conditions of its Leicester City Council premises licence and are failing to promote three out of the four licensing objectives in terms of:

- (1) The prevention of crime and disorder.
- (2) Public Safety.
- (3) The prevention of public nuisance.

Therefore, Leicestershire Police respectfully requests the licensing committee revoke the premises licence.

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

Wednesday 22nd April 2020

On Wednesday 22nd April 2020, PC2093 Pritchard discovered three different brands of beer in excess of 5.5% ABV on display and offered for sale during a licensing visit.

The premises licence holder also admitted that the CCTV system was not working and that the footage was not retained for 31 days.

The premises licence holder was issued with a verbal warning in relation to both the CCTV retention period but also the alcohol ABV % limit. The premises licence holder was instructed to remove all the beers, ciders and perry's above 5.5% ABV from sale, immediately.

Monday 27th April 2020

On Monday 27th April 2020, PC2093 Pritchard discovered one of brand of beer in excess of 5.5% ABV on sale in the premises, in clear view of customers.

On the same day, Leicestershire Police sent a written warning letter and text message (SMS) to the premises licence holder about breaching the 5.5% ABV limit.

Thursday 18th June 2020

On Thursday 18th June 2020, PC2093 Pritchard conducted a licensing visit at the premises and located a lone sales assistant serving customers. The individual obstructed PC2093 Pritchard and provided false details, as it later transpired that he was not permitted to work in the United Kingdom as per his Home Office Immigration status.

A quantity of duty free and imported cigarettes were recovered from behind/under the counter, which are not permitted to be sold in the United Kingdom.

A short while later, another staff member arrived at the premises and revealed twenty three cans of beer in excess 5.5% ABV, located on a shelf within the shop, behind some other beers with a lower ABV.

The shelf was located next to the cooler unit and accessible to customers.

On explaining to the other staff member that the area behind the till was going to be searched as part of the licensing visit as it was suspected the premises was in breach of its licence conditions, the staff member quickly left the premises, despite being asked to remain.

Wednesday 24th June 2020

The premises licence holder attended a pre-arranged meeting with PC 2093 Pritchard. The premises licence holder stated that the CCTV was working, however on attending the premises to check the footage it was established the footage was only retained for 24 hours and not the 31 days as required. This was despite the verbal warning issued to the premises licence holder on Wednesday 22nd April 2020.

The premises licence holder was advised about events of Thursday 18th June 2020 and informed of the staff member's immigration status in relation to his entitlement to work.

Saturday 27th June 2020

The same person as on Thursday 18th June 2020, was discovered working in the premises by PC2093 Pritchard and PC11 Hannon.

PC2093 Pritchard from Leicestershire Police can provide an evidential statement and additional evidence to support the review representation.

Elaine Watterson from Leicester City Council Trading Standards can provided an evidential statement.

Please tick ✓ yes

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

If yes please state the date of that application

Day	Month	Year
0	4	08
2	0	16

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

On 30/06/2016, PC1790 Jonathan Webb submitted an application to Leicester City Council to review the premises licence due to “street drinkers” purchasing high strength alcohol from the premises and thus fuelling crime, disorder and public nuisance in the area.

A Leicester City Council licensing hearing was held on 23/08/2016. The Licensing Authority agreed to modify the licence and add the condition requested by the police as follows:

- The licence holder shall ensure that no beers, lagers, ciders or perry’s are sold where the alcohol by volume (ABV) exceeds 5.5%.

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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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 PC2093 Jefferson Pritchard.
.....

Date 15/07/2020
.....

Capacity **Leicestershire Police - Leicester City Centre Police Licensing Officer**
.....

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

NOTE

Any personal data that you provide will be processed in accordance with current data protection laws. It will be used by Leicester City Council and our partners to deliver and improve services and fulfil our legal duties. We will not disclose any personal information to anyone else unless required or allowed to do so by law. Read more about how we use personal data in our Privacy Notice on our website www.leicester.gov.uk

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.

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

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Statement of: PC 11 HANNON

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

Occupation: Police Constable

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.

I am Police Constable 11 HANNON and I am currently based at Mansfield House Police Station, Leicester. On Saturday 27th June 2020 I was on duty in full uniform and had been asked to assist PC 2093 PRITCHARD in a licensing visit at EUROPEAN SHOP, CHARLES STREET, LEICESTER. On approach to the location I have activated my body worn video camera, I exhibit this footage as CMH/1. PC 2093 PRITCHARD has entered the store first and I have followed closely behind at approximately 1310hrs. On entering the store I have seen one male behind the counter serving a customer, I have heard him say something in another language. I have then looked to my left and seen another male near to the fridges which run parallel to the shop counter. The male near the fridges was mopping the shop floor but has instantly put the mop down. PC 2093 PRITCHARD asked the male for his ID but he stated he did not have any on him, I would describe this male as Eastern European, around 6'2 in height, black hair which was shorter on the sides and longer on top, he had some facial stubble and he spoke with a strong accent. At the time he was wearing a grey jumper with a white stripe across the torso and blue jeans. The male behind the counter provided his name to PC 2093 PRITCHARD. The owner of the store then arrived and PC 2093 PRITCHARD advised him about the male having been found working in the store, we have then left the location.

Signature: 

Date: 31/07/2020

Signature: 

Signature witnessed by:

WITNESS STATEMENT

CJ Act 1967, s.9; MC act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN

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Statement of: Jefferson Pritchard

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

Occupation: Over 18

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.

Signature:.....  PC2093

Date: 27/07/2020

I am PC2093 Pritchard of Leicestershire Police, currently based at Mansfield House police station in Leicester city centre.


This statement is further to my previous statement dated 27/06/2020, in relation to a city centre licensed premise known as European Shop, 12 Hamman Court, Charles Street, Leicester.

At 17:15 hours, on Wednesday 11th September 2018, I conducted a licensing visit to the premises.

Whilst at the premises I located five different brands of beer in excess of 5.5% ABV on sale. Thus contrary to the conditions of their Leicester City Council premises licence.

The brands were:

- (1) Borwar Namyslow Pils (568ml can) – 6% ABV.
- (2) Tomza Export (500ml can) – 5.7% ABV.
- (3) Zyweic 1856 (500 ml can) – 5.6% ABV.
- (4) Perla Chielowa Pils (500 ml bottle) – 6% ABV.
- (5) Tomza Non Pasteurised (500ml bottle) – 5.7% ABV.

The sales assistant who later identified himself as  initially denied he was working at the premises but later stated that the premises licence holder Mr Rasoul was out of the country at present.

Signature  Signature witnessed by:

Continuation of Statement of: Jefferson Pritchard

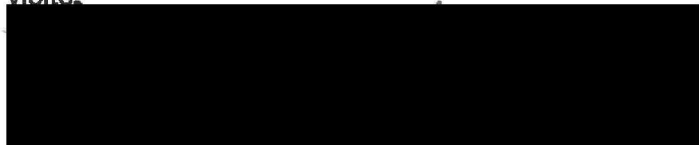
I advised [REDACTED] of the licence condition and instructed him to remove all the beers above 5.5% ABV from sale, immediately. [REDACTED] was given my contact details and instructed to notify Mr Rasoul of my visit, on his return.

At 15:15 hours, on Monday 16th September 2018, I re-attended the premises in order to ensure compliance in light of my previous visit on Wednesday 11th September 2018.

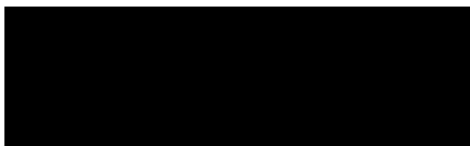
A different staff member was on duty, however three 500 ml bottles of Perla Chielowa Pills – 6% ABV were located in the fridge and being offered for sale.

The staff member apologised and immediately removed them from sale.

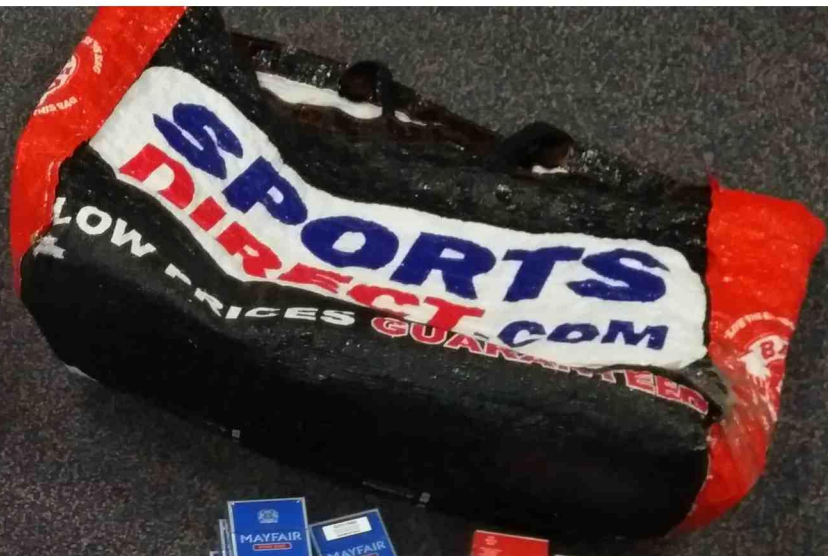
Mr Rasoul never contacted me discuss the visits.



Signature:



Signature witnessed by:



stay and reduce Lung Cancer
dangers your lungs

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