

**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 Police Constable **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	
Uni 39 Western Boulevard	
Post town Leicester	Post code (if known) LE2 7HN

Name of premises licence holder or club holding club premises certificate (if known)
Mr Nawzad SHARIF-NAZHAD

Number of premises licence or club premises certificate (if known)
LEIPRM1423

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

Police Constable 2093 - 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 / 07976 845205

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 -
- 4) the protection of children from harm - **YES**

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

The premises is currently known as “Uni”, however it was formally known as “Schnaps”.

The Leicester City Council premise licence number is LEIPRM1423.

The premises licence was initially granted in May 2012, however the licence has been transferred several times since 2014.

The current premises licence holder and designated premises supervisor since February 2020 is Mr Nawzad SHARIF-NAZHAD.

The premises is located on a busy thoroughfare and close to De Montfort University and Bede Park.

The premises licensable activities includes the sale of alcohol for consumption off the premises only, daily from 7am until midnight.

In May 2014, the premises was subject of a licensing review after Leicestershire Police raised concerns about alcohol being sold to persons under the legal age.

As a result of the review hearing in 2014, the licensing authority attached a number of conditions.

These additional conditions are included within Annex 3 of the licence.

In September 2020, Leicestershire Police received some intelligence stating that illegal foreign cigarettes were being sold from the premises.

As a result of further suspicions arising from an incident at the premises on Sunday 6th December 2020, Leicester City Council Trading Standards sent a letter dated Monday 11th January 2021 to the premises licence holder making him aware of his legal obligations and notifying him that he was liable to prosecution if he failed to comply with the law.

On Friday 29th January 2021, Leicestershire Police located a quantity of illegal cigarettes under the counter at the premises, contrary to Section 144 Licensing Act 2003 – The keeping of smuggled goods.

On Sunday 6th December 2020, the premises licence holder was suspected to have been involved in a public order incident at the premises. It was alleged that an argument arose over the sale of single cigarettes resulting in the premises licence holder allegedly threatening a customer with a baseball bat.

A baseball bat was found behind the counter by the attending police officers and the premises licence holder stated he was unable to operate the CCTV system.

Therefore, the premises licence holder himself is suspected to have been involved in a criminal offence and is suspected to have deliberately obstructed a criminal investigation involving himself.

On Thursday 17th December 2020, both the premises licence holder and a member of staff were witnessed within the premises whilst not wearing a face mask or covering. This was despite other members of the public being within the premises. The premises licence holder displayed a blasé attitude towards the current coronavirus pandemic regulations.

The premises licence holder has repeatedly ignored warnings from Leicestershire Police and continued to breach the conditions of its Leicester City Council premises licence.

Leicestershire Police have attempted to engage with the premises licence holder without success.

The premises licence holder has repeatedly shown a disregard for the law, the conditions of its Leicester City Council premises licence and has demonstrated that he is unwilling to support the fundamental principles of the licensing objectives.

Given the actions of the premises licence holder himself and the actions of his staff with his knowledge, Leicestershire Police have no confidence in his ability to promote and uphold three out of the four licensing objectives in terms of:

- (1) The prevention of crime and disorder.
- (2) Public Safety
- (3) The protection of children from harm.

Therefore, Leicestershire Police respectfully requests that the licensing committee revokes the premises licence, as no alternative remedies are viable.

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

Incident 1

Sunday 6th December 2020 at 19:14 hours.

Public Order Incident / Offensive Weapon

Crime Number – 2000064443

Leicestershire Police received a report from a member of the public stating that he had been involved in an argument concerning the sale of single cigarettes with a person at the premises.

It was alleged that during the argument the owner / owner's son threatened him with a baseball bat and hammer.

However, on police arrival the caller did not wish to engage but the attending officers did locate a baseball bat behind the counter.

The premises licence holder denied the allegation and when officers requested to review the premises CCTV system, were told that it was not available.

On Wednesday 13th December 2020, the investigating officer returned to the premises to review the CCTV, given the nature of the allegation and a licence condition that stipulates that CCTV footage must be retained for a minimum of thirty one days. However, the investigating officer was informed that the CCTV footage was only retained for 24 hours and was therefore no longer available in relation to the incident on Sunday 6th December 2020.

Therefore a breach of its licence had been committed as an Annex 3 condition stipulates, *“The licence holder will ensure that the premises has a digital CCTV system installed and that the images are recorded at all times during the premises opening times and retained for a minimum of 31 days... ..”*

As the witness refused to provide an evidential statement and without any CCTV evidence there were no viable lines of enquiry and the criminal investigation was filed no further action.

Incident 2

Thursday 17th December 2020 at 11:50 hours.

Police Licensing Visit / Breach of Licence / Coronavirus Offences / Licensing Concerns.

As a result of the incident on Sunday 6th December 2020, a police licensing visit was conducted at the premises.

A police licensing officer observed a staff member serving a customer whilst not wearing a face mask/covering and also whilst there was no protective screen to prevent the aerial transmission of coronavirus.

The premises licence holder also walked into the premises, whilst not wearing a face mask/covering.

Despite a police licensing officer engaging and explaining the importance of wearing a face mask/covering, given the current coronavirus pandemic, the premises licence holder made no reference to a legal exemption and displayed a poor attitude towards the current pandemic.

The premises licence holder confirmed that the premises CCTV was only retained for a short period and not the time period specified in its Leicester City Council licence.

The premises licence holder was personally handed a Leicestershire Police letter which highlighted significant concerns the police had identified in relation to the events of Sunday 6th December 2020.

Whilst explaining the content of the letter, the premises licence holder smirked which the officer considered to be both disrespectful and unprofessional given the situation.

The premises licence holder was reminded of his responsibilities under the Licensing Act 2003 and reminded that it was his responsibility to ensure that the conditions of its Leicester City Council premises licence, was adhered to.

Incident 3

Monday 11th January 2021

Leicester City Council Trading Standards Letter Dated Monday 11th January 2021

Leicester City Council Trading Standards sent the premises licence holder a letter dated Monday 11th January 2021, making him aware of suspicions identified by Leicestershire Police and reminded him of his responsibilities in relation to selling single cigarettes and cigarettes that do not conform to UK standards.

The premises licence holder was reminded that any person found guilty of these offences would be liable to prosecution.

Incident 4

Friday 29th January 2021 at 11:00 hours.

Leicestershire Police Licensing Visit – Breach of Licence / Criminal Offences

A further police licensing visit was conducted and the same staff member as on Thursday 17th December 2020 was present.

The staff member admitted that he did not hold a personal licence himself, despite selling alcohol to customers.

Given that another licence condition under Annex 3 stipulates, "*All alcohol sales be made by the holder of a personal licence*" a further breach was committed.

The staff member argued the fact, despite the relevant condition being clearly visible on the Leicester City Council premises licence, displayed behind the counter.

At the same time, the staff member was unable to produce a refusal register, mainly as he didn't know what one was.

Therefore a further breach of another Annex 3 condition that stipulates, "*The licence holder will operate and maintain a refusals register which must remain on the premises and be made available immediately upon requests to any responsible authority*".

During the visit a quantity of illegal cigarettes, consisting of "duty free" and non UK brands were seized from a shelf directly under the till. The cigarettes were in clear view of anyone working behind the counter.

A suspected home-made offensive weapon was located under the counter and within arm's reach of anyone working behind the counter. The suspected offensive weapon consisted of two wooden poles about one meter in length, secured together with sellotape. This is further to the incident on Sunday 6th December 2020, when a baseball bat was found behind the counter and the premises licence holder issued with a warning.

The premises licence holder later arrived and after caution admitted knowledge of the cigarettes on the premises, however refused to elaborate. The premises licence holder later stated that the packet cost £6.

The premises licence holder was again challenged about the premises CCTV system retention period, given its licence condition and as a result of events on Thursday 17th December 2020.

The premises licence holder was unable to prove he was adhering to the conditions of its licence in regards to the CCTV retention period.

The premises licence holder was notified that his staff member did not hold a personal licence and was therefore unauthorised to sell alcohol to customers, as per an Annex 3 condition.

The premises licence holder argued the fact, despite it being written on the licence which was on display behind the counter.

The premises licence holder was given a number of options but was warned that if his staff member or anyone else without a personal licence continued to sell alcohol to customers they would be both in breach of their licence, committing an offence and most likely subject of a licensing review.

Incident 5

Monday 1st February 2021 at 18:24 hours.

Leicestershire Police Licensing Visit – Breach of Licence

A customer was seen to buy a single bottle of alcohol from the premises, whilst only the same member of staff as on Thursday 17th December 2020 and Friday 29th January

2021 was present. The staff member again admitted to selling the alcohol and again admitted that he did not have a personal licence himself.

The staff member again argued the condition despite it being clearly visible on the premises licence on display behind the counter.

The staff member stated that the premises licence holder was aware that he was working at the premises.

Later that evening the premises licence holder confirmed in a telephone conversation which staff member was working at the premises. The premises licence holder requested a further two weeks to resolve the matter, so that the staff member could obtain a personal licence himself. At no point during the conversation did the premises licence holder say he would instruct his staff member to stop selling alcohol to customers, despite being told of the offence being committed.

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
2	2	05
2	0	14

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

On the 22/05/2014, Inspector Nigel Rixon of Leicestershire Police submitted a review application for the same premises, when it was known as “Schnaps”.

The premises was operated by a different licence holder and designated premises supervisor at that time.

As a result of concerns in relation to the sale of alcohol to persons under eighteen years of age, Leicestershire Police requested a review but also recommended a number of further conditions in order to enforce and promote the licensing objectives in regards to – the protection of children from harm.

At a later hearing, Leicester City Council licensing committee agreed with Leicestershire Police and attached a number of conditions under Annex 3.

These Annex 3 conditions are still active today, despite a different premises licence holder and designated premises supervisor.

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 08/02/2021
.....

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.