

PRIVATE AND CONFIDENTIAL  
Leicester Licensing Authority

March 9, 2021

Dear sirs,

**Re: The Uni Shop, 39 Western Boulevard, Leicester, LE2 7HN (LEIPRM1423)**

We write in relation to our above named client who we have today been informed that he has a licensing hearing on the 29<sup>th</sup> March 2021.

We had been instructed in relation to this matter on the 10<sup>th</sup> February 2021. On that date we made contact with the licensing authority and spoke to Toni. We raised that we did not appear to have all the relevant material in order to make representations and that we wished to speak to the licensing officer dealing with the matter in order to discuss the matter further and then make representations accordingly.

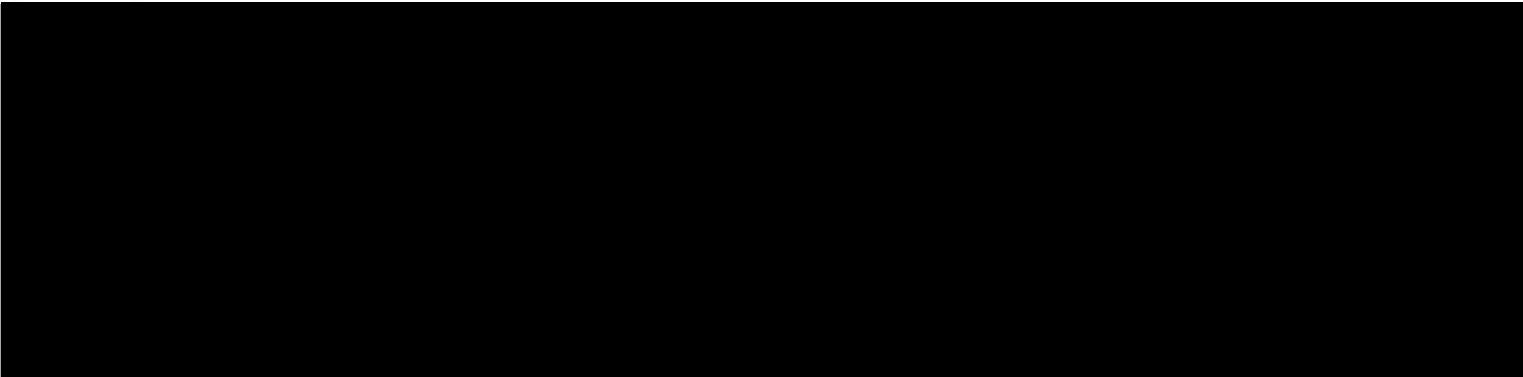
We then received a call back on the 11<sup>th</sup> February 2021 but regrettably Mr Munir was in court. Mr Munir then attempted to call the officer back and followed this up with an email inviting a call back in order for our issues to be resolved.

We would suggest that this is important because, we have today been provided with body worn video in relation to the aspect of this case pertaining to the 29<sup>th</sup> January 2021. This is exhibit JJP01 and is the Body worn video of PC 2093 Pritchard. Our clients inform us that they were provided this today and is fundamental to our consideration of this matter in order for us to provide written representations. You will appreciate that we are unable to make effective representations where evidence is provided piecemeal.

We have also recently learned that the deadline for written representations was the 8<sup>th</sup> March 2021. We would be grateful if our written representations could be considered, notwithstanding this date, as our intention has been to assist and also bearing in mind we have sought to clarify matters, including seeking an opportunity to speak to the relevant licensing officer.

We ask that any documents referred to within the body of the application are provided to us. This includes, by way of example any letters that have been sent and confirmation of the manner in which those letters were sent.

With the material we have been provided, we provide our initial representations in the following terms.



The application for review relates to the "Uni" shop which was formally known as "Schnaps". The licence number is LEIPRM1423 and it was initially granted in May 2012. It has been transferred a number of times, although the details of this are not known to us. Mr Sharif-Nazhad became the premises supervisor in February 2020. He came to manage the shop with a view to establishing a long term business and not with a view to overlook the purposes of the licensing regime.

There were issues in 2014 about the sale of alcohol to persons under the legal age. This, of course, could not be a criticism of Mr Sharif-Nazhad, who took over in February 2020.

There do not appear to be any issues or concerns raised between February 2020 and September 2020.

In September 2020 (date not specified in the application for review), the police receive intelligence about the sale of illegal foreign cigarettes. We are not informed about the veracity of the intelligence and whether any steps were taken at that stage to look into that suggestion. Certainly, no further intelligence or evidence is provided between September 2020 and December 2020.

The first substantive issue raised by the police takes place on the 6<sup>th</sup> December 2020. On this occasion it is alleged that during an argument the owner or owners son threatened a member of the public with a baseball bat and hammer. The caller to the police did not wish to engage with police officers but police officers found a baseball bat in the shop premises. Our client is clear about this incident. The member of the public is known to have stolen alcohol from the shop. He was told not to come into the shop and was not threatened at any stage. The criminal investigation was filed as "No further action". There is therefore no evidence, on the face of it, of any criminal liability in relation to this incident.

The secondary concern arises from the attempt by officers to obtain CCTV on the 13<sup>th</sup> December 2020. It is unclear who the officers spoke to on this occasion but it appears on the face of it, that the person attending the shop was unable to use the CCTV. Certainly the application does not indicate that the investigating officer who attended on the 13<sup>th</sup> December or 17<sup>th</sup> December had investigated how far the CCTV did go back. In any event, we invite the licensing authority not to view this as an ongoing problem because our client is clear that the CCTV is working in accordance with the licensing conditions and we invite any officers to come and check the same.

Our client does not accept smirking or being rude on the 17<sup>th</sup> December. We make this assertion as a side point. This may be a misunderstanding of our client's slight nervous disposition.

It is clear that a number of the issues that follow from December relate to a staff member who was present and behaving in a way that was contrary to the licence conditions. These are summarised as relating to the sale of alcohol, the recovery of illegal cigarettes and a suspected offensive weapon. That member of staff was dismissed and therefore does not work for the Uni shop. Mr Sharif-Nazhad has taken on board all concerns and has asked for the assistance of his uncle, Sheakha Sharif, in order to ensure that the licensing conditions are satisfied. Mr Sheakha Sharif has held a licence since 2016. We also point out that there is no evidence that the two poles that were discovered were in fact offensive weapons as there appears to be an assumption regarding criminal use.

During the licensing hearing, we will seek to advance a number of character references and are in the process of obtaining these. We will forward them as soon as possible.

We would submit that with the change in staffing, the bringing in of Mr Sheakha Sharif and the fact that there does not appear to have been any further issues since the 1<sup>st</sup> February 2021, we would invite the licensing authority to allow our client to retain his licence in relation to the Uni shop

We trust this clarifies the position however should you have any queries or concerns please do not hesitate to contact us.

