

Leicester
City Council

PLEASE NOTE: This will be a 'virtual meeting', a link to which will be available on the Council's website at least 24hrs before the meeting.

LICENSING (HEARINGS) SUB-COMMITTEE

DATE: WEDNESDAY, 9 SEPTEMBER 2020
TIME: 10:00 am
VENUE: Teams Virtual Meeting

Members of the Sub-Committee

Councillors Cank, Gee and Singh Johal

Members of the Sub-Committee are summoned to attend the above meeting to consider the items of business listed overleaf.

for Monitoring Officer

Officer contact: Ed Brown
Democratic Support, Leicester City Council
City Hall, 115 Charles Street, Leicester, LE1 1FZ
Tel: 0116 454 3833
email: edmund.brown@leicester.gov.uk

Information for members of the public

PLEASE NOTE that any member of the press and public may listen in to proceedings at this 'virtual' meeting via a weblink which will be publicised on the Council website at least 24hrs before the meeting. Members of the press and public may tweet, blog etc. during the live broadcast as they would be able to during a regular Committee meeting at City Hall / Town Hall. It is important, however, that Councillors can discuss and take decisions without disruption, so the only participants in this virtual meeting will be the Councillors concerned, the officers advising the Committee and any objectors and applicants relevant to the applications to be considered.

Attending meetings and access to information

You have the right to attend/observe formal meetings such as full Council, committee meetings & Scrutiny Commissions and see copies of agendas and minutes. On occasion however, meetings may, for reasons set out in law, need to consider some items in private.

Dates of meetings and copies of public agendas and minutes are available on the Council's website at www.cabinet.leicester.gov.uk, or by contacting us using the details below.

Making meetings accessible to all

Braille/audio tape/translation - If you require this please contact the Democratic Support Officer (production times will depend upon equipment/facility availability).

Further information

If you have any queries about any of the above or the business to be discussed, please contact Ed Brown, Democratic Support on **(0116) 454 3833** or email edmund.brown@leicester.gov.uk.

For Press Enquiries - please phone the **Communications Unit on 0116 454 4151**

PUBLIC SESSION

AGENDA

LIVE STREAM OF MEETING

The live stream of the meeting can be viewed here: <https://tinyurl.com/y5f4dbu2>

- 1. APPOINTMENT OF CHAIR**
- 2. APOLOGIES FOR ABSENCE**
- 3. DECLARATIONS OF INTEREST**

Members are asked to declare any interests they may have in the business to be discussed.

- 4. APPLICATION FOR A REVIEW OF AN EXISTING PREMISES LICENCE, EUROPEAN SHOP, 12 HANNAM COURT, CHARLES STREET, LEICESTER, LE1 3FT**

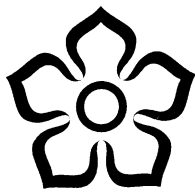
Appendix A

The Director of Neighbourhood and Environmental Services submits a report on a review of an existing premises licence European Shop, 12 Hannam Court, Charles Street, Leicester, LE1 3FT.

Report attached. A copy of the associated documentation is attached for Members only. Further copies are available on the Council's website at www.cabinet.leicester.gov.uk.

(Wards Affected: Castle)

- 5. ANY OTHER URGENT BUSINESS**



Leicester
City Council

WARDS AFFECTED
Castle

Appendix A

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:
Hearing under the Licensing Act 2003

9th September 2020

Application for a review of an existing premises licence
European Shop, 12 Hannam Court, Charles Street, Leicester, LE1 3FT

Report of the Director of Neighbourhood and Environmental Services

1. Purpose of Report

- 1.1. This report provides information for Members about an application made under the Licensing Act 2003, to assist them in determining the outcome of that application.

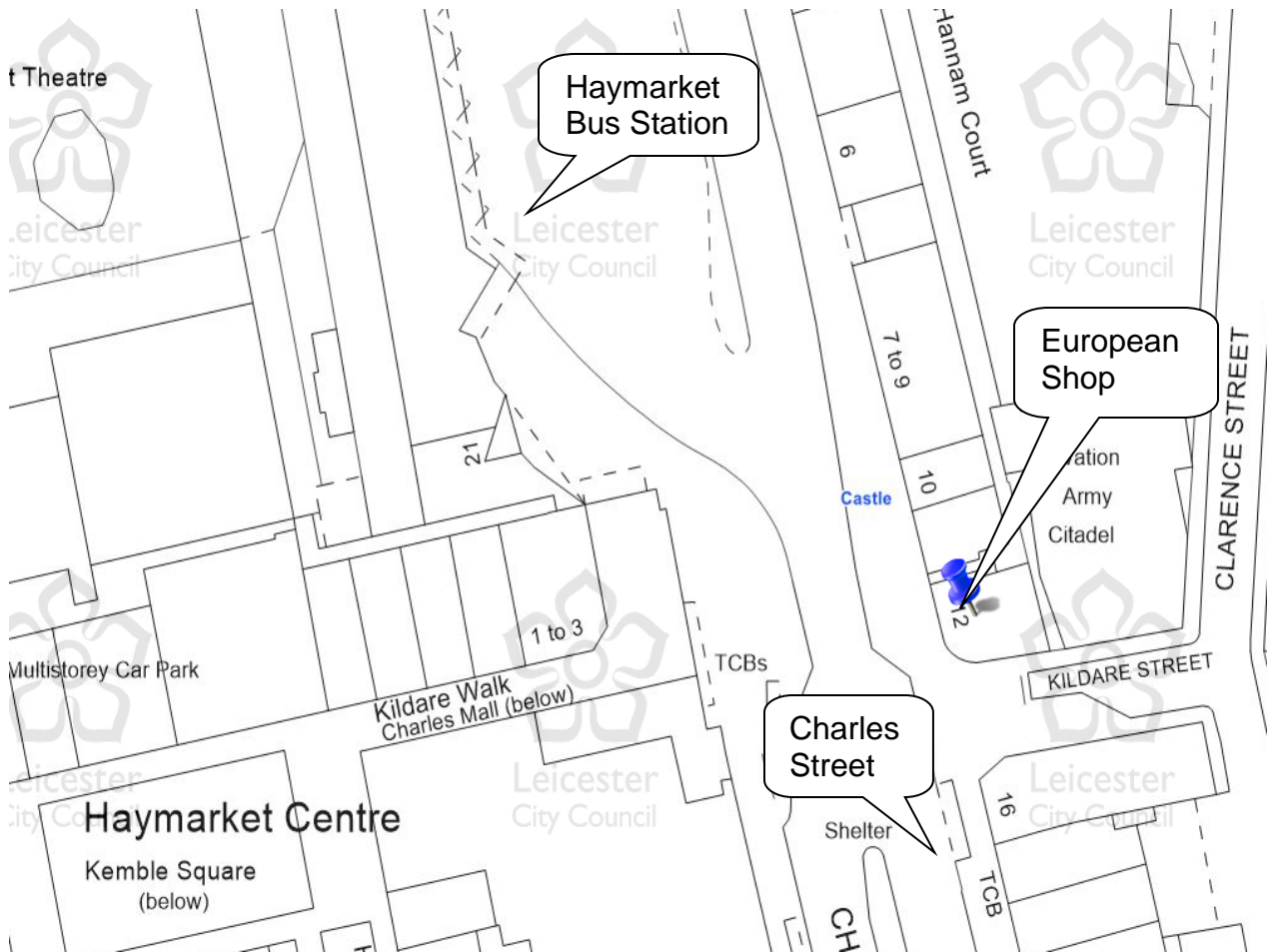
2. Determination to be made

- 2.1. Having considered the application Members must consider whether to
- Reject the review application
 - Modify the conditions of the licence
 - Exclude a licensable activity from the scope of the licence
 - Remove the designated premises supervisor
 - Suspend the licence for a period not exceeding three months
 - Revoke the licence
- 2.2 Where Members take the decision to reject the review application, they are permitted to issue an informal warning to the licence holder and / or recommend improvement within a particular period of time.

3. Summary

- 3.1 This report outlines an application for a review of an existing premises licence for European Shop. It also highlights the licensing objectives, the relevant parts of the guidance and regulations, and the pertinent sections of the Licensing Authority's Licensing Policy.

4. Location Plan



5. Existing Licence

- 5.1. The existing licence is attached at Appendix A.
- 5.2. The activities and hours permitted by the existing licence are as follows:
- 5.3.

Licensable activity	Current Hours
Supply of Alcohol	Monday to Sunday 08:00-22:00
Opening hours	Monday to Sunday 08:00-22:00

6. Review application

- 6.1 An application was received on 20th July 2020 from Leicestershire Police for a review of the existing premises licence for European Supermarket. The application was made on the grounds of the prevention of crime and disorder, public safety and the prevention of public nuisance. A copy of the application is attached at Appendix B.
- 6.2 Leicestershire Police is concerned that the premises has been observed in breach of their licensing conditions in relation to have operational CCTV and not offering for sale beer and lagers in excess of 5.5% ABV. One member has been observed serving in the store on two separate occasions who does not have the right to work in UK and when approached by PC Pritchard gave false details. Illicit cigarettes have been discovered on

the premises and the licence holder has observed but not dealt with members of public being asked by known individuals related to alcohol related criminality in the city to buy alcohol on their behalf

7 Steps to Promote the Licensing Objectives

- 7.1 In arriving at its decision on the review application, the Licensing Authority's primary consideration must be the promotion of the licensing objectives.

8. Statutory Guidance

- 8.1 Any decision made by the Licensing Authority must be in accordance with the licensing objectives. In addition, the government has issued guidance under section 182 of the Licensing Act 2003. The relevant parts of the guidance in this case are as follows:

Section	Heading
1.2 – 1.5	The licensing objectives
1.15	General principles
1.16	Each application on its own merits
2.1 – 2.6	Crime and disorder
2.7 – 2.14	Public safety
2.15 – 2.21	Public nuisance
8.41 – 8.49	Steps to promote the licensing objectives
9.11 – 9.12	Role of responsible authorities
9.31 – 9.41	Hearings
9.42 – 9.44	Determining actions that are appropriate for the promotion of the licensing objectives
10.1 – 10.3	Conditions - general
10.8 – 10.9	Imposed conditions
10.10	Proportionality
10.25 – 10.66	Mandatory conditions in relation to the supply of alcohol
11.1 – 11.29	Reviews

9. Statement of Licensing Policy

- 9.1 The relevant parts of the Licensing Authority's Statement of Licensing Policy are as follows:

Section	Heading
2	Fundamental Principles
5	Licensing Hours
7	Prevention of Crime and Disorder
8	Public Safety
9	Prevention of Public Nuisance
13	Standardised conditions

10. Points for Clarification

- 10.1 The licence holder and the applicant for review have been asked to clarify certain points at the hearing, as follows:

By the premises licence holder

1. Whether the premises licence holder considers that the concerns outlined in the review application are valid, and if not why not?
2. In the light of the review application, does the applicant wish to propose any additional steps for the promotion of the licensing objectives?

By the applicant for review

1. Whether they have any additional information to support the review application they have made?
2. Whether there are any additional steps that could be taken which would be equally effective in the promotion of the licensing objectives?

11. Other Implications

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within Supporting information
Equal Opportunities	No	
Sustainable and Environmental	No	
Crime and Disorder	Yes	Parag. 6 – the review application was made on the grounds of the prevention of crime and disorder
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

12. Background Papers – Local Government Act 1972

- a. None.

13. Consultations

- 14.1 The Licensing Authority has fulfilled its obligations under the Licensing Act 2003 by preparing a notice which has been:

- Displayed at the premises
- Published on our website, and
- Emailed to Ward Members.

- 14. Report Author**
Vicky Marshall
Licensing Officer
0116 454 3048
Victoria.marshall@leicester.gov.uk

APPENDIX	CONTENT
A	Existing licence
B	Application for review

Licensing Act 2003
Premises Licence

LEIPRM1459



Leicester
City Council

Local Services & Enforcement
Leicester City Council
York House
91 Granby Street
Leicester
LE1 6FB

(0116) 4543040
licensing@leicester.gov.uk

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

European Shop

12 Hannam Court, Charles St, Leicester, LE1 3FT.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

Expires **no expiry**

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption OFF the premises only	Mon-Sun	8:00am	10:00pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Mon-Sun	8:00am	10:00pm

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption OFF the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Roma Karim Rasoul
roma.rasoul@gmail.com

16 Galaway Road, Leicester, LE4 2PJ.
Telephone 07767777081

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Roma Karim RASOUL



Licensing Act 2003
Premises Licence

LEIPRM1459



Leicester
City Council

Local Services & Enforcement
Leicester City Council
York House
91 Granby Street
Leicester
LE1 6FB

(0116) 4543040
licensing@leicester.gov.uk

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. LEIPRS2839

Issued by Leicester

ANNEXES

Annex 1 - Mandatory conditions

No supply of alcohol may be made under the premises licence -

- a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Annex 2 - Conditions consistent with the operating schedule

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 usage of the CCTV system.

The licence holder will ensure all staff involved in the sale of alcohol are fully trained in their responsibilities under the Licensing Act 2003 and all training is documented and available for inspection at the premises at any time.

The licence holder will operate the "Challenge 21" proof of age policy.

The licence holder will ensure an alcohol sale refusals and incident book is kept, maintained and available for inspection.

Annex 3 - Conditions attached after a hearing by the Licensing Authority

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



Licensing Act 2003

Premises Licence Summary

LEIPRM1459



Leicester
City Council

Local Services & Enforcement
Leicester City Council
York House
91 Granby Street
Leicester
LE1 6FB

(0116) 4543040
licensing@leicester.gov.uk

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

European Shop

12 Hannam Court, Charles St, Leicester, LE1 3FT.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the supply of alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption OFF the premises only	Mon-Sun	8:00am	10:00pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Mon-Sun	8:00am	10:00pm

WHERE THE LICENCE AUTHORIZES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption OFF the premises only

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Roma Karim Rasoul

16 Galaway Road, Leicester, LE4 2PJ.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES THE SUPPLY OF ALCOHOL

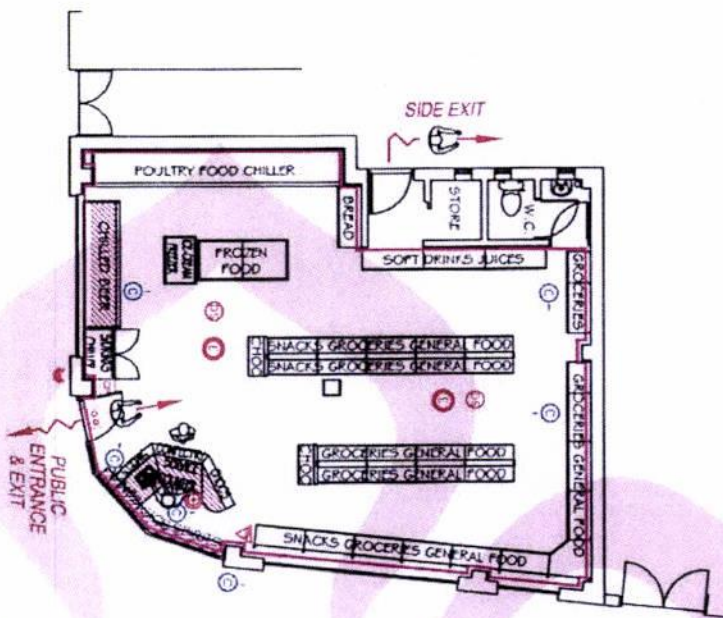
Roma Karim RASOUL

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED



Annex 4 - Plan

GROUND FLOOR PLAN LAYOUT



FIRE REGULATION SYMBOLS	
	Exit Boxes
	Escape Lighting Points
	Fire Exting. Carbon Dioxide
	Auto Fire Smoke detector
	Audible Warning Device
	Hand Operated Personal Alarm Button
	Control Panel
	CCTV Camera
	Extent of licensed area

An electrically operated fire alarm system should comply with BS5839, Part 1:2002. The electrical installation should comply with approved Document P (electrical safety). It is essential that the fire detection and fire alarm systems are properly designed, installed and maintained. Where a fire alarm system is installed, an installation and commissioning certificate should be provided.

The smoke and heat alarm system is to be mains-operated and conform to BS5446, 1:2000 or BS5446, respectively: fire detection and fire alarm devices for dwellings, Part 1 specification for smoke alarms, or Part 2 specification for heat alarms.

The emergency lighting installation is to comply with BS5266, Part 1, 2002 and the attention of the design/installing engineer drawn to paragraph 3.1 (construction and records) of BS5266, Part 1, 1988, which requires consultation with the Fire Authority. Riddling equipment is to conform with BS EN3.

Fire Safety related signs and notices are to conform to BS5499, Part 1, 1990 (incorporating running man symbol on fire exits) and other pictograms as required (illuminated 'EXIT' signs are to conform to BS2560).

Liquor Store to be sealed and the door to be half hour fire resistant in accordance with BS476, 1972 as amended.

L CENSED Trade Legal Services Ltd			
Application	Location		
EUROPEAN SHOP	12 HANHAM COURT		
APPLICATION FOR A	CHARLES STREET		
PREMISES LICENCE	LEICESTER		
By	Signature	Date	Rev.
J.S. Uppal		10.01.13	-
Scale	1:100 @ A3	Drawn	EUROSHOP-01

**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	0
8	2	0
1	6	

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**

URN

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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.

[REDACTED]

Signature:

[REDACTED]

Signature witnessed by:





Crime Ref:

Custody Ref

Not Disclosable

Page 1

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

URN

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:

27

WITNESS STATEMENT

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

URN

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:.....

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Signature witnessed by:

Continuation of Statement of: Jefferson Pritchard

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The staff member apologised and immediately removed them from sale.

Mr Rasoul never contacted me discuss the visits,

[REDACTED] 120093

Signature:

[REDACTED]

Signature witnessed by:





