



Scan the code above or visit www.nwleics.gov.uk/meetings for a full copy of the agenda.

Meeting	LICENSING SUB COMMITTEE
Time/Day/Date	10.30 am on Wednesday, 28 June 2023
Location	Abbey Room, Stenson House, London Road, Coalville, LE67 3FN
Officer to contact	Democratic Services (01530 454512) Licensing Enforcement Officer (01530 454596)

NOTIFICATION OF HEARING

Item	Pages
------	-------

1 ELECTION OF CHAIRMAN

2 APOLOGIES FOR ABSENCE

3 DECLARATION OF INTERESTS

Under the Code of Conduct members are reminded that in declaring interests you should make clear the nature of that interest and whether it is a disclosable pecuniary interest, registerable interest or other interest.

4 APPLICATION FOR REVIEW OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003

PREMISES: European Supermarket, 14-16 Jackson Street, Coalville, Leicestershire, LE67 3LT.

3 - 108

APPLICANT: Trading Standards Authority

To determine an application for a review of a premises licence in respect of the above.

A representation has been received from the Licencing Authority. A notice of hearing inviting them to attend has been sent to each of them. If they fail to attend, the hearing can be held in their absence or adjourned.

The following documents are attached:-

a) Report of the Licensing Enforcement Officer.

At the beginning of the Hearing, the authority shall explain to the parties the procedure it is proposed to follow. The Hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless it is required to consider the representations.

Circulation:

Councillor J G Simmons
Councillor A Barker
Councillor R Johnson

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL
LICENSING SUB COMMITTEE – WEDNESDAY, 28 JUNE
2023



Title of Report	APPLICATION FOR REVIEW OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003	
Presented by	Andy Cooper, Licensing Team Leader	
Background Papers	Revised Guidance issued under section 182 of the Licensing Act 2003 (publishing.service.gov.uk) Licensing Act 2003 (legislation.gov.uk) Statement of Licensing Policy – Issue 7	Public Report: Yes
Purpose of Report	<p>To determine an application for the review of a premises licence in respect of the premises European Supermarket, 14-16 Jackson Street, Coalville, Leicestershire, LE67 3LT.</p> <p>This report outlines the application and also highlights the licensing objectives, the relevant parts of Government guidance and the pertinent sections of the Licensing Authority's Licensing Policy.</p>	
Recommendations	THAT THE SUB-COMMITTEE DETERMINE THE APPLICATION.	

1.0 Background

- 1.1 The European Supermarket is the holder of a current premises licence under the Licensing Act 2003. An application for the grant of a new premises licence was received on 10 October 2013. The application was granted on 25 November 2013 following an agreement between the applicant and a trading standards officer to include additional conditions under Annex 2 of the premises licence. These additional conditions were added to promote the licensing objective relating to the protection of children from harm. The application form and written agreement is attached as **Appendix 1**.

- 1.2 A minor variation application was submitted on 4 June 2020 following a joint visit by Leicestershire County Council Trading Standards and HMRC where illicit alcohol was seized. The premises licence holder agreed to adding additional conditions to the premises licence to promote the licensing objectives relating to the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm. The application form is attached as **Appendix 2**.
- 1.3 An aerial view of the site is attached as **Appendix 3**. A map of the site is attached as **Appendix 4**.
- 1.4 The current premises licence is attached as **Appendix 5**.
- 1.4 Under the current premises licence, European Supermarket has the following timings in which licensable activities can occur.

Licensable activity	Timings	
Supply by retail of alcohol	Monday to Saturday	08:00hrs - 23:00hrs
	Sunday	08:00hrs – 21:00hrs

- 1.5 On 9 May 2023, Leicestershire County Council Trading Standards submitted an application to review the European Supermarket premises licence on the grounds that the licensing objectives of Prevention of Crime and Disorder and Public Safety are being undermined. The application is attached as **Appendix 6**.

The application states that European Supermarket has a history of selling illegal tobacco dating back as early as 2015. Numerous visits have been made throughout the years by Trading Standards, HMRC, Licensing Authority, Environmental Health and Police. The history of the premises and details of these visits can be found within the application.

2.0 Representations

- 2.1 Each of the responsible authorities have been served a copy of the application, namely; the Police, Fire Authorities, Home Office, Health Authority, Licensing Authority and the District Council's Health and Safety and Planning Sections. We have received one representation from the Licensing Authority on the grounds that the licensing objective of Prevention of Crime and Disorder is being undermined. The representation is attached as **Appendix 7**.
- 2.2 The Licensing Authority must advertise the review application and invite representations from other responsible authorities and any other person. The review application was displayed on the Council's website. The notices were displayed outside the European Supermarket premises on two lamp posts

and on the outside of the premises. Licensing visited the premises on 10 May, 11 May, 16 May and 31 May and observed that the notices remained in place. Therefore, officers are satisfied that the premises licence review was advertised as required.

3.0 Statutory Guidance

3.1 In making its decision, the Sub-Committee is obliged to have regard to Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. All Licensing Committee members have been provided with a full copy of the guidance document. Officers consider that paragraphs 1.1 to 1.5, 1.13, 2.1 to 2.6, 2.7 to 2.9, 3.1 to 3.2, 8.7 to 8.8, 8.80, 9.31 to 9.44, 10.1 to 10.10, 11.1 to 11.15, 11.16 to 11.23, 11.24 to 11.28, 14.1 to 14.3 may have a bearing upon the application.

4.0 Statement of Licensing Policy

4.1 The Sub-Committee is also obliged to have regard to its own Statement of Licensing Policy. Officers consider that paragraphs 1.5, 2.1 to 2.3, 2.5, 4.1 to 4.4, 5.1 to 5.4, 16.0, 22.0, and 26.0 may have a bearing upon the application.

5.0 Observations

5.1 The Committee is obliged to determine this application with a view to promoting the licensing objectives, which are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm.

5.2 The Committee may take such of the following steps, if any, as it considers appropriate for the promotion of the licensing objectives:

- to modify the conditions of the licence;
- to exclude a licensable activity from the scope of the licence;
- to remove the designated premises supervisor;
- to suspend the licence for a period not exceeding three months;
- to revoke the licence.

5.3 An appeal may be made to the Magistrates' Court within 21 days of the licence holder being notified of the Licensing Authority's determination on the review. An appeal may be made by the premises licence holder, the applicant (Leicestershire County Council Trading Standards) and/or any other persons who have made relevant representations.

5.4 The decision of the Licensing Authority, following the review hearing, will not have effect until the end of the period allowed for appeal, or until the disposal of the appeal.

Policies and other considerations, as appropriate	
Council Priorities:	Business and Jobs, Homes and Communities
Policy Considerations:	Statement of Licensing Policy – Issue 7
Safeguarding:	To determine the application in accordance with the Licensing Act 2003 objectives
Equalities/Diversity:	No Equality/Diversity issues raised, though this will be kept under review.
Customer Impact:	Not applicable
Economic and Social Impact:	Customers may be impacted by any decision made.
Environment and Climate Change:	Not applicable
Consultation/Community Engagement:	Leicestershire Police, Leicestershire Fire and Rescue Service, The Home Office, Trading Standards, Health and Safety, Environmental Protection, Licensing Authority, Planning, Health Authority and members of the public/local businesses by way of notice at the premises, on the Council's website and at the Council Offices, Coalville.
Risks:	The risk of incurring costs arising from an appeal against the decision of the Committee. In any event and in order to mitigate these risks, the Committee should give clear reasons for its decisions and any such reasons would need to be substantiated in Court.
Officer Contact	Andy Cooper Licensing Team Leader andy.cooper@nwleicestershire.gov.uk

This page is intentionally left blank



**Application for a premises licence to be granted
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/WE ISMET AYDEMİR

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
14-16 JACKSON ST COALVILLE			
Post town	LEICESTER	Post code	LE67 3LT
Telephone number at premises (if any)	NONE AS YET		
Non-domestic rateable value of premises	£ 8000. =		

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual * please complete section (B)
- i. as a limited company



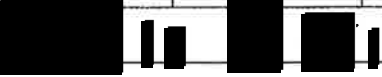
- ii. as a partnership please complete section (B)
- iii. as an unincorporated association or please complete section (B)
- iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname AYDEMİR			First names ISMET		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post Town	DERBY		Postcode		
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
1	0	10 2013

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

Please give a general description of the premises (please read guidance note1)

GENERAL GROCERS + GREENGROCERS, IN TOWN CENTRE.
OPENING HOURS 08.00 TO 21.00 DAILY INCLUDING
SUNDAYS. APPROX 14 x 8 SQ M OF SHOP SPACE

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)

j) dancing (if ticking yes, fill in box J)

k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue				
Wed				
			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
Thur				
Fri				
			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) <i>NONE CURRENTLY PLANNED</i>					
Mon	08.00	21.00						
Tue	08.00	21.00						
Wed	08.00	21.00						
Thur	08.00	21.00				Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) <i>NONE CURRENTLY PLANNED</i>		
Fri	08.00	21.00						
Sat	08.00	21.00						
Sun	08.00	21.00						

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

[REDACTED]	
Address	
[REDACTED]	
Postcode	[REDACTED]
Personal Licence number (if known)	
Issuing licensing authority (if known)	

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

NIL

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	08.00	21.00	NONE CURRENTLY PLANNED
Tue	08.00	21.00	
Wed	08.00	21.00	
Thur	08.00	21.00	
Fri	08.00	21.00	
Sat	08.00	21.00	
Sun	08.00	21.00	
			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
			NONE CURRENTLY PLANNED

P Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

WE NEED TO MAINTAIN AN ATMOSPHERE IN THE SHOP WHICH ENCOURAGES CAREFUL USE OF ANY ALCOHOL SALES, TO KEEP A FRIENDLY ATMOSPHERE, TO MINIMISE ANY NUISANCE TO THE PUBLIC, SECURE ALCOHOL FROM CHILDREN + TRADE WITHIN THE LAW.

b) The prevention of crime and disorder

TO USE CAMERA (CCTV) TECHNOLOGY TO DETER CRIME, AND TO TRAIN/EDUCATE STAFF IN PROCESSES REQUIRED TO REDUCE LIKELIHOOD OF CRIME.

c) Public safety

MAINTAIN GENERAL AWARENESS OF THE STATE OF CUSTOMERS, AND IF NECESSARY FOR THEIR OWN HEALTH/SAFETY, REFUSE SALES.

d) The prevention of public nuisance

AGAIN, TO MAINTAIN AN AWARENESS OF CUSTOMERS, AND IF IT IS SUSPECTED THEY MAY CAUSE A NUISANCE OR HARM BY PURCHASE OF ALCOHOL THEN REFUSE THE SALE

e) The protection of children from harm

TO ENSURE BY THE USE OF ID CHECKING THAT CHILDREN DO NOT HAVE DIRECT ACCESS TO ALCOHOL. TO FURTHER PREVENT ACCESS BY REFUSING SALES TO SUSPECTED PROXIES.


Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	10-10-2013
Capacity	owner

For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent. (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			



Domestic Discounts
16 Jackson Street
Coalville
Leicestershire
LE67 3LT

Date: 6th November 2013
My ref:
Your ref:
Contact: Joe Lobban
Phone: 0116 305 7579
Email: joseph.lobban@leics.gov.uk

Licensing Act 2003
Application for a premises licence

I, Ismet Aydemir, wish to amend the following section of the operating schedule of the above application as follows:

E) The Protection of Children from Harm

1. A Challenge 21 policy shall be operated at the premises at all times. All staff shall require identification of all customers who appear to be less than 21 years old and wish to purchase alcohol. Acceptable proof of age will be a PASS approved proof of age card, UK passport or a UK photographic driving licence. No other form of identification shall be accepted unless agreed with the Licensing Authority or Leicestershire Constabulary.
2. Training will be provided for all staff before they are allowed to sell alcohol and will include Challenge 21, proof of age, management conflict and refusals records. The training will be documented. The Premises Licence Holder or Designated Premises Supervisor will check that the training has been understood. The training will be repeated at least every 6 months. Records of training will be provided to Responsible Authorities and the Licensing Authority on request.
3. The Premises Licence Holder shall operate and maintain an up-to-date record of refused sales of alcohol, indicating the date, time, reason for refusal and person refusing. The record shall be reviewed at least once a month by the Designated Premises Supervisor or premises licence holder. The person carrying out the review shall look for patterns and inconsistencies that may indicate that an individual is not complying

Chief Executive's Department
Leicestershire County Council, County Hall, Glenfield, Leicestershire LE3 8RA
Telephone: 0116 232 3232 Fax: 0116 305 6161 Minicom: 0116 305 6870

John Sinnott CBE, MA, Dipl. PA, Chief Executive
David Morgan, BA, LL.M, County Solicitor


www.leics.gov.uk


with the system or that additional support is required at certain times of the day. The reviewer shall sign and date the record once checked and record any action taken as a result of the review. This information shall be made available upon request to the Licensing Authority and any other Responsible Authorities.

or

If a premises has an Electronic Point of Sale system with a programme which will determine age-restricted products then upon scanning an age-restricted product, the sales assistant shall evidence the individual's age by means of asking for identification. The system shall record all challenges made, which will be checked and monitored by the Designated Premise Supervisor monthly. The record shall be reviewed at least once a month by the Designated Premises Supervisor or premises licence holder. The person carrying out the review shall look for patterns and inconsistencies that may indicate that an individual is not complying with the system or that additional support is required at certain times of the day. The reviewer shall sign and date the record once checked and record any action taken as a result of the review. This information will be made available upon request to the Licensing Authority and any other Responsible Authority.

4. Signs shall be displayed inside and outside of the premises warning adults that it is an offence to buy alcohol on behalf of anyone under the age of 18.

Signature..... 

Officer Signature..... 

Date 6 / 11 / 2013



Application to vary a premises licence 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/We Mr Mansoor Shariati

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number NWL20455
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Coalville Convenience Store 14 - 16 Jackson Street Coalville Leicestershire			
Post town	Coalville	Postcode	LE67 3LT

Telephone number at premises (if any)	01530 814713
Non-domestic rateable value of premises	£

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	[REDACTED]		
Post town	Leicester	Postcode	[REDACTED]

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

1) Challenge 21 materials shall be displayed at the premises to inform customers of the operation of the Challenge 21 scheme.

2) A Personal Licence Holder will be on duty at the premises at all times the premises are open.

3) Every member of staff that does not hold a Personal Licence must have written authority to sell alcohol, provided by the Designated Premises Supervisor. Such written authority must be displayed in a public area at the premises at all times. Any person that does not have a personal licence and is not named on such a written authority must not be involved in the sale of alcohol in any way.

4) The refusals log will be kept on the premises, updated by the end of the day when a refusal has been made and it is to be retained for 6 months once complete and made available immediately for inspection by Police or Officers of any Responsible Authority.

5) Full staff records will be kept at the premises. The records will show the full name, date of birth and address of each staff member. No person will be permitted to work at the premises (for payment or otherwise) without such a record first being completed. In the event that a member of staff ceases to work at the premises, the record will be kept for a minimum of 28 days after their last day at the premises. All staff to have knowledge of where the record is kept, to have access to this record and make available immediately for inspection by Police or Officers of any Responsible Authority upon request.

6) A CCTV system with recording equipment shall be installed, operated and maintained at the premises to the satisfaction of Leicestershire Constabulary and will record at all times. All public areas within the shop shall be covered by at least one camera including the till area. All recordings shall be of evidential quality, indicate the correct date and time, be retained for a minimum period of 28 days, be made available for inspection and copying upon request by an Authorised Officer of a Responsible Authority or the Licensing Authority in accordance with the principles of the Data Protection Act 2018, as soon as reasonably practicable and in any case within 24 hours. There will be staff trained in the operation of the system, to ensure compliance with any such request

7) To change the name of the business from Coalville Convenience Store to European Supermarket

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed					
Thur			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Fri					
Sat					
Sun			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed					
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)		
Day	Start	Finish			
Mon					
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the performance of live music (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) Not Applicable.					
Mon	08:00	23:00						
Tue	08:00	23:00						
Wed	08:00	23:00						
Thur	08:00	23:00						
Fri	08:00	23:00						
Sat	08:00	23:00						
Sun	08:00	21:00						
						Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) Not Applicable		

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).</p> <p>None</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

b) The prevention of crime and disorder

I have applied for this minor variation to increase the prevention of crime and disorder. I am requesting these conditions because they will reduce the possibility of items such as alcohol from being stolen from the shop.

c) Public safety

d) The prevention of public nuisance

By decreasing the possibility of items being stolen and age restricted products being sold to those underage then this will increase the prevention of public nuisance around the shop, for example those underage hanging around the shop trying to get those overage purchasing age restricted products for them. These conditions will also decrease the possibility of underage drinking and smoking within the local area of the shop.

e) The protection of children from harm

If these conditions on this minor variation are accepted they will decrease the possibility of those underage purchasing aged restricted items. It will also discourage those underage asking those of consenting age to purchase age restricted products for them.

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures (please read guidance note 10)


Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**


Signature	
Date	4/06/2020
Capacity	

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

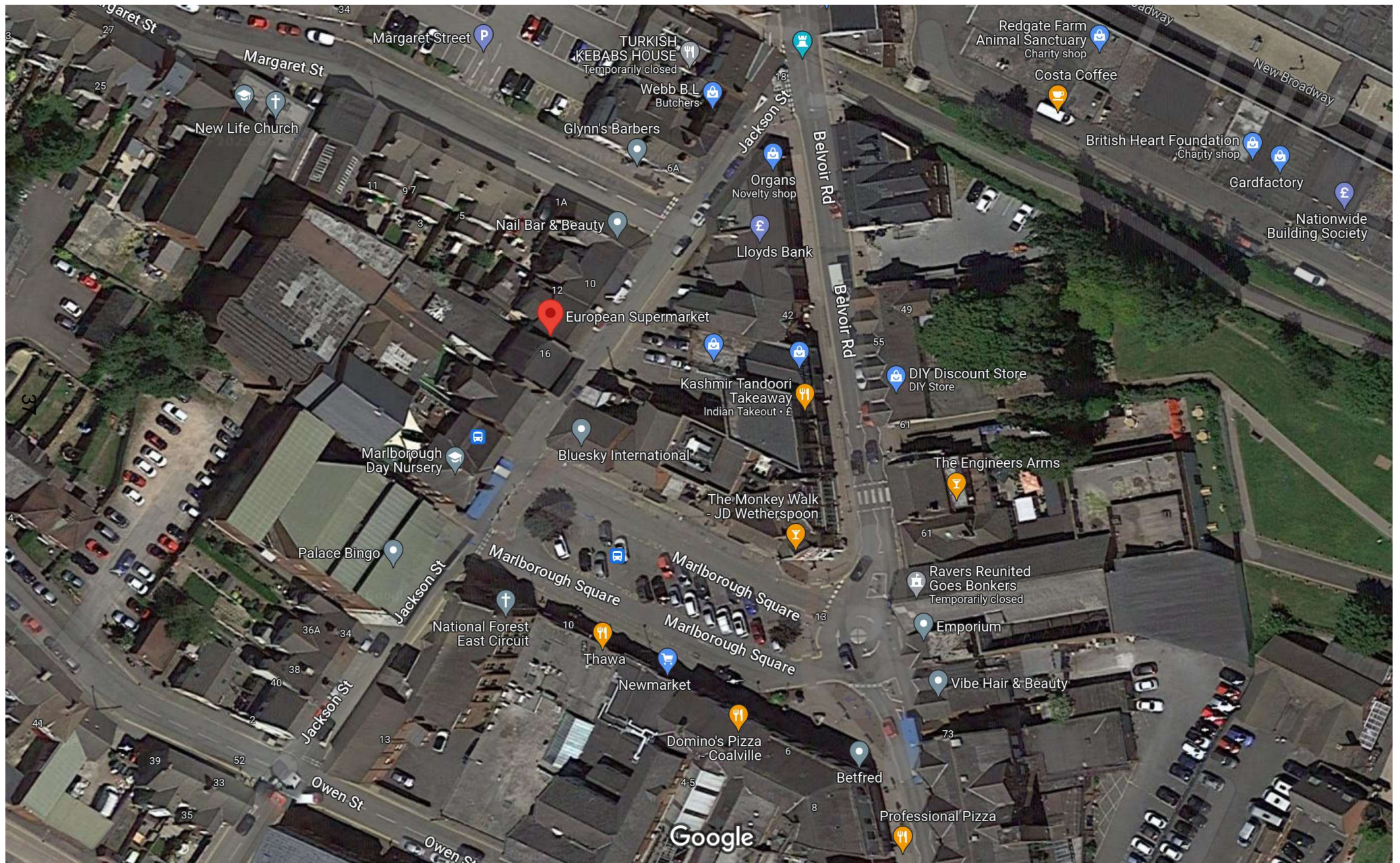


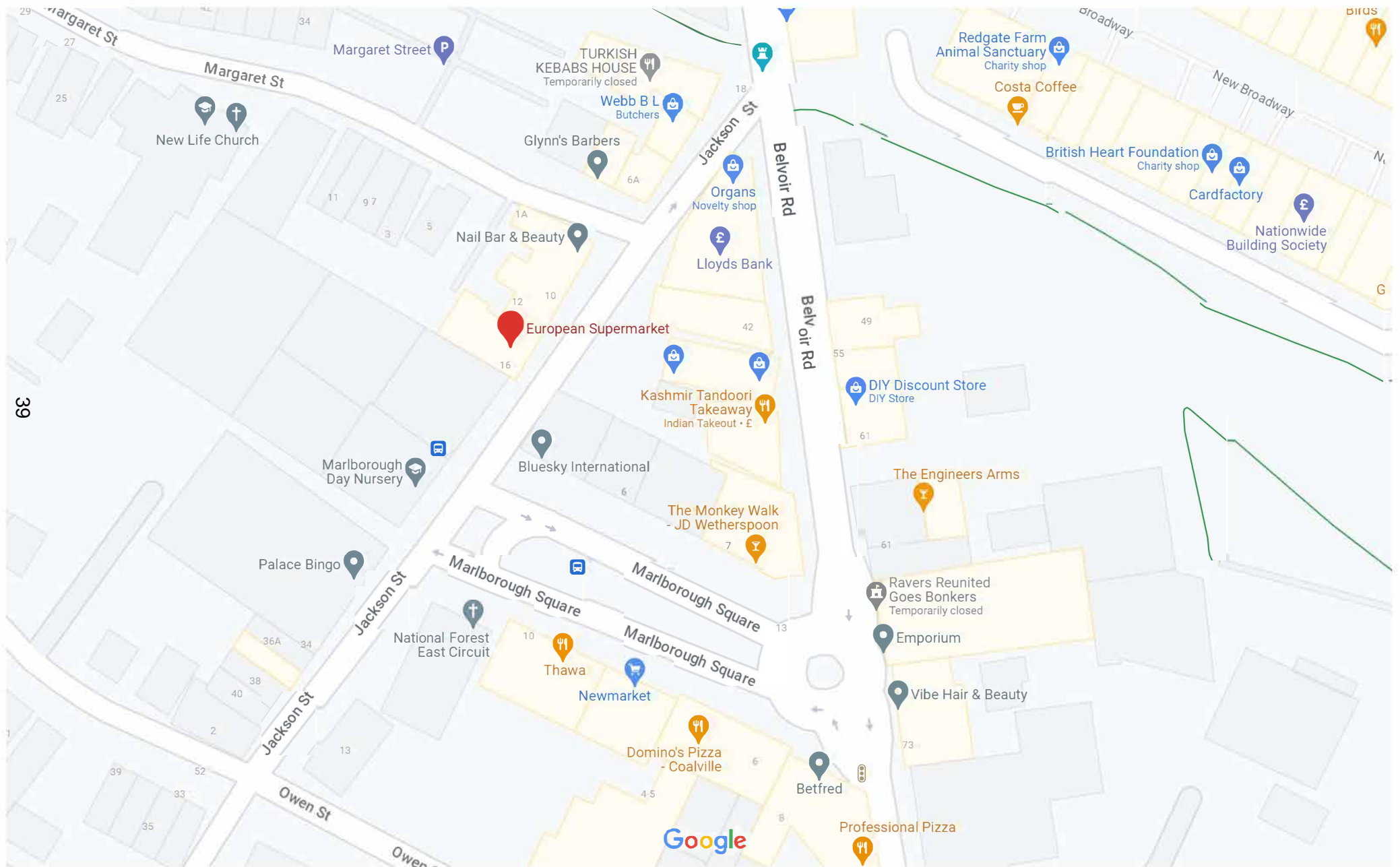
Post town		Post code	
Telephone number (if any)	8127097		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.







NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

PREMISES LICENCE

Premises Licence Number

NWL20455

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

European Supermarket
14 - 16 Jackson Street
Coalville
Leicestershire
LE67 3LT

Telephone number 01530 814713

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

Supply by retail of alcohol:	Monday to Saturday	08:00 - 23:00
	Sunday	08:00 – 21:00

The opening hours of the premises

	Monday to Saturday	08:00 - 23:00
	Sunday	08:00 – 21:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

The sale by retail of alcohol for consumption off the premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Fakheraddin Qazizadeh
69 Cherryleas Drive
Leicester
LE3 0LT

[REDACTED]
[REDACTED]

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 for the supply of alcohol

Mr Fakheraddin Qazizadeh
69 Cherryleas Drive
Leicester
LE3 0LT

[REDACTED]

Personal licence number and issuing Authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

PERSONAL LICENCE NUMBER OF DPS: LEIPRS 3585

ISSUING AUTHORITY: Leicester City Council

Dated: 30th April 2021

**Matthew Pickering
Licensing Enforcement Officer**

Annex 1 – Mandatory conditions

1. 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.
2. Every supply of alcohol must be made or authorised by a person who holds a personal licence.

Mandatory condition coming into force from 28th May 2014:

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
 4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Mandatory condition coming into force from 1st October 2014:

3.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) 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 either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

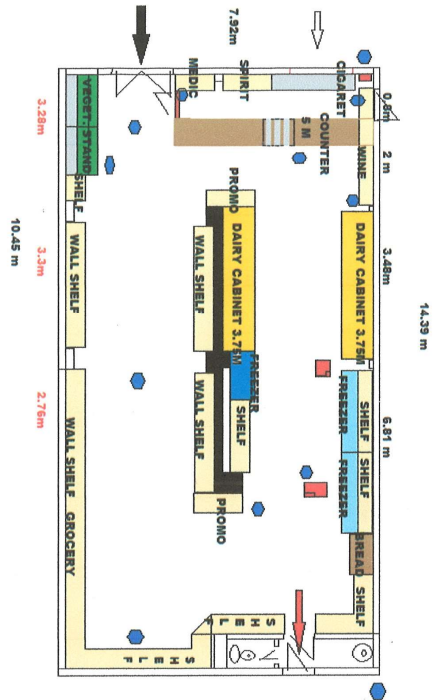
Annex 2 – Conditions consistent with the Operating Schedule

1. A Challenge 21 policy shall be operated at the premises at all times. All staff shall require identification of all customers who appear to be less than 21 years old and wish to purchase alcohol. Acceptable proof of age will be a PASS approved proof of age card, UK passport or a UK photographic driving licence. No other form of identification shall be accepted unless agreed with the Licensing Authority or Leicestershire Constabulary.
2. Training will be provided for all staff before they are allowed to sell alcohol and will include Challenge 21, proof of age, management conflict and refusals and records. The training will be documented. The Premises Licence Holder or Designated Premises Supervisor will check that training has been understood. The training will be repeated at least every 6 months. Records of training will be provided to Responsible Authorities and the Licensing Authority on request.
3. The Premises Licence Holder shall operate and maintain an up-to-date record of refused alcohol, indicating the time, date, reason for refusal and the person refusing. The record shall be reviewed at least once a month by the Designated Premises or the premises licence holder. The person carrying out the review shall look for patterns and inconsistencies that may indicate that an individual is not complying with the system or that additional support is required at certain times of the day. The reviewer shall sign and date the record once checked and record any action taken as a result of the review. This information shall be made available upon request of the Licensing or Responsible Authorities.
4. Challenge 21 materials shall be displayed at the premises to inform customers of the operation Challenge 21 scheme.
5. A Personal Licence Holder will be on duty at the premises at all times the premises are open.
6. Every member of staff that does not hold a Personal Licence must have written authority to sell alcohol, provided by the Designated Premises Supervisor. Such written authority must be displayed at all times. Any person that does not have a personal license and is not named on such a written authority must not be involved in the sale of alcohol.
7. The refusals log will be kept on the premises, updated by the end of the day when a refusal has been made and it is to be retained for 6 months once completed and made available immediately for inspection by Police or Officers of any Responsible Authority.
8. Full staff records will be kept at the premises. The records will show the full name, date of birth and address of each staff member. No person will be permitted to work at the premises (for payment or otherwise) without such a record being completed. In the event that a number of staff ceases to work at the premises, the record will be kept for a minimum of 28 days after their last day at the premises. All staff to have knowledge of where the record is kept, to have access to this record and make available immediately for inspection by Police or Officers of any Responsible Authority upon request.
9. A CCTV system with recording equipment shall be installed, operated and maintained at the premises to the satisfaction of Leicestershire Constabulary and will record at all times. All public areas within the shop shall be covered by at least one camera including the till area. All recordings shall be of evidential quality, indicate the correct date and time, be retained for a minimum period of 28 days, be made available for inspection and copying upon request by an Authorised Officer of a Responsible Authority or the Licensing Authority in accordance with the principles of the Data

Protection Act 2018, as soon as reasonably practicable and in any case within 24 hours. There will be staff trained in the operation of the system, to ensure compliance with any such request.

Annex 3 – Conditions attached after a hearing by the licensing authority

Annex 4 – Plans



COALVILLE SHOP
14-16 JACKSON STREET LE67 3LT

12 CCTV CAMERAS WITH 31 DAYS RECORDING



**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 Karen Retallic

(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 14 – 16 Jackson Street Coalville	
Post town Leicestershire	Post code (if known) LE67 3LT

Name of premises licence holder or club holding club premises certificate (if known) Fakheraddin Qazizadeh
--

Number of premises licence or club premises certificate (if known) NWL20455

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)

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

I am 18 years old or over

Please tick ✓ yes

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 Karen Retallic Trading Standards Officer Leicestershire County Council Trading Standards Service Glenfield Leicestershire LE3 8RA
Telephone number (if any) 0116 305 6548
E-mail address (optional) Karen.retallic@leics.gov.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
 - 2) public safety
 - 3) the prevention of public nuisance
 - 4) the protection of children from harm

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

European Supermarket has a history of selling illegal tobacco, the previous owner Mr SHARIATI was successfully prosecuted by Leicestershire County Council Trading Standards Service (Trading Standards) in 2018.

In 2020 Trading Standards, with support from HMRC seized illegal tobacco and suspected non-duty paid alcohol from the premises and additional conditions were added to the Premises Licence.

A recent check with North-West Leicestershire District Council shows that Mr SHARIATI is still responsible for the Business Rates at the premises.

Since Mr QAZIZADEH became the owner/director of the business in January/February 2021 there have been numerous complaints that illegal tobacco is being sold from the premises. Advice has been provided both verbally and in writing to Mr QAZIZADEH.

Supporting evidence is provided showing that Mr QAZIZADEH and his business European Supermarket are not supporting the Licensing Objectives namely, The Prevention of Crime and Disorder and Public Safety.

In April and May 2021, and June July 2022 Trading Standards carried out test purchase operations, trying to buy illegal cigarettes from the premises. There was no sale on all 4 occasions.

Trading Standards continued to receive complaints that illegal tobacco was being sold from the premises.

In October 2022 a further test purchase attempt resulted in no sale, however, the premises was searched, and 381 packets of illegal tobacco were found in a vehicle that was registered to Mr QAZIZADEH. The vehicle was parked close to the premises. 43 non-compliant vapes were also seized from within the premises.

All test purchases that resulted in no sales were completed on weekdays.

A test purchase was then carried out at the premises on Saturday 11th February 2023 and resulted in the sale of 2 packets of illegal cigarettes for £5.00 each being sold to a Trading Standards test purchaser. A subsequent search resulted in 612 packets of illegal tobacco being found and seized from behind the counter.

In March 2023, Trading Standards visited the premises with a Licensing Officer from North-West Leicestershire District Council and found that numerous licence conditions were not being followed.

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

European Supermarket (Coalville) Ltd (the premises) is registered at 14-16 Jackson Street, Coalville, Leicestershire, LE67 3LT. The sole Director is Fakheraddin QAZIZADEH, and he was appointed on the 18th January 2021. The business trades as European Supermarket. Mr QAZIZADEH is the Premise Licence Holder and the Designated Premises Supervisor for the premises.

History of premises, owner Mr SHARIATI

Checks with North-West Leicestershire District Council have confirmed that a Mr Mansoor SHARIATI is currently liable for Business Rates at the premises. Trading Standards records show that Mr SHARIATI was the previous owner of the premises.

In 2016 Trading Standards prosecuted Mr SHARIATI for supply and possession of illegal tobacco. Records show that the offences relate to a test purchase and approximately 400 packets of illegal tobacco being found in the premises in 2015. The prosecution resulted in a Fine of £85 plus a £20 victim surcharge. Mr SHARIATI was also ordered to pay costs of £300 and the Court issued a Forfeiture Order for the illegal tobacco.

In 2018 Trading Standards prosecuted Mr SHARIATI for supply and possession of illegal tobacco. The offences occurred in 2017 and the prosecution resulted in a Fine of £207 plus costs of £5.00. The Court also ordered the forfeiture and destruction of the illegal tobacco.

In October 2019, HMRC contacted Trading Standards and invited them to attend a joint visit at the premises, due to intelligence that illicit alcohol was being sold. This joint visit took place on the 17th October. No illegal tobacco was found and no illicit alcohol seized. Having accessed the search record that was completed by Trading Standards Officers at the time of the visit, I can see that Mr QAZIZADEH was present.

In January 2020, a further joint visit took place at the premises with HMRC and Trading Standards. During the visit, 4 packets of illegal tobacco were seized from the premises, they had been concealed in a toilet. HMRC Officers also seized 7 bottles of vodka, which was non-UK duty paid. I note that Mr QAZIZADEH was also present at the time of the visit and received a Team Managers warning letter for this in June 2020.

See Team Managers warning letter – **appendix 1**

During the same visit, Trading Standards also found paperwork in the premises from a previous visit by HMRC in January 2019. The paperwork showed that during this visit 3,149 bottles/cans of illicit alcohol had been seized.

Following this, in June 2020 conditions were added to the premises licence after Mr SHARIATI agreed to make an application for a minor variation.

History of premises, owner Mr QAZIZADEH

In February 2021, Trading Standards received intelligence through Crime Stoppers that illegal tobacco was being sold from the premises. Following this information, Trading Standards wrote to Mr QAZIZADEH on the 19th March 2021 confirming the allegation and providing supporting advice on how to comply with the law and his legal responsibilities.

See advice letter **appendix 2**.

After receiving this letter, Mr QAZIZADEH telephoned Trading Standards to confirm he had taken over the shop at the beginning of February 2021. He stated that he always buys cigarettes and tobacco from Cash and Carry's with VAT receipts. The Trading Standards Officer advised him to only purchase from reputable supplies and to keep the receipts. He was also informed not to purchase from people who travel from shop to shop selling out of vans/bags or any other non-reputable suppliers.

In April 2021, Trading Standards received a complaint that illegal tobacco was being sold at the premises and kept in a nearby vehicle. The complaint also contained information that the premises was selling foreign labelled alcohol.

On the 18th April 2021 in response to this complaint, Trading Standards conducted a test purchase for illegal tobacco, but no sale was made.

On the 5th May 2021 a further test purchase for illegal tobacco was conducted by Trading Standards and again no sale was made.

In May 2021 a further complaint was received again stating the premises was selling illegal tobacco and it was being stored in a nearby car. No further action was taken in relation to this complaint.

In August 2021, a joint visit was completed at the premises with an Officer from Trading Standards and an Environmental Health Officer from North-West Leicestershire District Council. The purpose of the visit was to carry out an inspection in relation to food hygiene, along with it being an opportunity for the Trading Standards Officer to provide additional advice around underage sales and illegal tobacco.

A number of issues relating to food labelling were noted during this visit and this was passed to our Compliance Team at Trading Standards for further consideration.

In October 2021 a registered Food Officer from Trading Standards visited the premises. They noted issues in relation to out-of-date food and food not being labelled in English. An advice letter was sent to Mr QAZIZADEH on the 1st November 2021, which outlined the issues that were identified during the visit,

as well as providing advice on his legal responsibilities and how to comply with the law.

See advice letter **appendix 3**.

In March 2022, a complaint was received that the premises was continuing to sell illegal tobacco. Trading Standards dealt with this by informing Mr QAZIZADEH in writing of the allegation and reminding him of his legal responsibilities.

See advice letter **appendix 4**.

In June and July 2022, further test purchase attempts were made by Trading Standards and no sale was made.

On the 5th October 2022 a further test purchase attempt was made followed by a search of the premises with the support of Leicestershire Police, Immigration and a tobacco detection dog and handler. No illegal tobacco was found inside the premises; however, 381 packets of illegal tobacco were discovered in a car parked nearby. The vehicle was registered to Mr QAZIZADEH, the Director of the premises and the illegal tobacco found inside was seized.

See **appendix 5** – a photograph of the illegal tobacco that was found in Mr QAZIZADEH'S vehicle.

Having looked at a sample of the seized tobacco, I can confirm that there are breaches under the Tobacco Related Product Regulations 2016, as the packaging does not have the correct health warnings and being foreign labelled. There are also breaches under the Standardised Packaging of Tobacco Product Regulations 2015, as the packets are not the correct colour. Packets of illegal cigarettes typically sell for £5.00, which would give the illegal tobacco a value of £1,905. The legal retail price of 381 packets of cigarettes would be approximately £4,572.

Also seized on the day - 43 non-compliant e-cigarettes (vapes). All were in breach of the Tobacco Related Product Regulations 2016, as the tank size exceeded 2ml.

Following this seizure from the premises, Mr QAZIZADEH received a warning letter from Trading Standards. He was invited into Leicestershire County Council for a meeting on the 24th November 2022 to receive the letter. The letter gave details of our seizure on the 5th October, whilst also providing him with clear advice regarding illegal tobacco and his legal responsibilities.

During the meeting with Mr QAZIZADEH, surrendered the seized illegal tobacco and non-compliant vapes to Trading Standards, so that they could be destroyed. Mr QAZIZADEH did however deny that the illegal tobacco was his or had anything to do with the premises, despite having been found in a vehicle that was registered to him. He confirmed that it was his vehicle but suggested that someone may have broken into his vehicle and placed the

illegal tobacco there.

See warning letter **appendix 6**.

Licence conditions

- During the search on the 5th October 2022, it was noted that the CCTV system at the premises was not working. It is a condition on the Premises Licence to have a CCTV system that is installed, operated and maintained to the satisfaction of Leicestershire Constabulary and will record at all times.
- This information was passed onto the Licensing Team at North-West Leicestershire District Council, and they subsequently visited the premises on the 11th October 2022 to check the CCTV. The Premise Licence Holder was not present. The employee stated that Mr QAZIZADEH was out of the country and that the CCTV had not been working for 'months'. He was advised that the CCTV needed to be in working order as a matter of urgency and that there was a risk that the premises would now longer be allowed to sell alcohol if this was not done.
- A Licensing Officer re-visited the premises on the 28th October to re-inspect the CCTV. They found it to be in working order but noted that the employee was not confident in operating it. No further action was taken by the Licensing Team.

On the 6th December 2022, a test purchase attempt was made resulting in no sale. The recording of the test purchase attempt confirms that, one employee did initially say 'yes' when cheap tobacco was requested. Another employee then approached and said 'no'.

On Saturday 11th February 2023 a further test purchase for illegal tobacco was attempted at the premises and two packets of Richmond King Size cigarettes for £5.00 each were sold. A legitimate packet of Richmond king size cigarettes now costs more than £14.00. This was followed by a search of the premises by Trading Standards supported by Leicestershire Police, Immigration and a tobacco detection dog and handler.

Mr QAZIZADEH was present on the day and 612 packets of illegal tobacco were located and seized in the shop from behind the counter. Mr QAZIZADEH confirmed that the illegal tobacco was his when an Officer was issuing him with paperwork for the visit. Foreign labelled alcohol was also seen on the premises

Having examined the cigarettes that were sold to the test purchaser I can confirm that they breach the Tobacco Related product Regulations 2016, through not having the correct health warnings. They also breach the Standardised Packaging of Tobacco Product Regulations 2015, as they are not the correct colour. I also suspect that both packets are counterfeit, as they

do not have the required track and trace codes.

Please see photographs taken on the 11th February 2023

Appendix 7 – photograph of illegal tobacco on a self behind the counter

Appendix 8 - photograph of illegal tobacco on a self behind the counter

Appendix 9 – photograph of a black bag behind the counter containing illegal tobacco

Appendix 10 – Photograph of the inside of the black bag containing illegal tobacco

Packets of illegal cigarettes typically sell for £5.00, which would give the illegal tobacco a value of £3,060. The legal retail price of 612 packets of cigarettes would be approximately £7,344.

Having examined the seized illegal tobacco I can confirm that 577 of the 612 packets were in breach of the Tobacco Related Product Regulations for not having the correct health warnings or being foreign labelled. 577 packets were also in breach of the Standardised Packaging of Tobacco Product Regulations 2015, as they were not the correct colour.

As I suspect offences under the Trade Marks Act 1994, I have also sent a sample of the seized illegal tobacco to their relevant brand holders to confirm whether they are counterfeit. I sent the following exhibits on the 30th March 2023:

Exhibit AW/1 – 2 packets of Lambert and Butler cigarettes

Exhibit AW/2 – 2 packets of Richmond King Size cigarettes

Exhibit AW/3 – 2 packets of Dunhill Fine Cut Master Blend cigarettes

Exhibit AW/4 – 2 packets of Rothmans Demi Blue cigarettes

On the 18th April I received a Witness Statement from Salvatore Loscalzo, a brand representative for Imperial Tobacco. He confirmed that exhibits **AW/1** and **AW/2** are both counterfeits.

On the 18th April I also received a Witness Statement from Nirmala Kandel, a brand representative for British American Tobacco. They confirmed that **exhibit AW/4** is counterfeit. In relation to **exhibit AW/3**, the cigarettes were not examined as they are suspected to be genuine but for the Bulgarian market. This means that they will not have paid UK duty.

Licence conditions

On the 8th March 2023, a joint visit was conducted at the premises by Trading Standards and a Licensing Officer from North West Leicestershire District Council. The purpose of the visit was to review the Premise Licence and confirm whether the conditions were being complied with.

Mr QAZIZADEH, the Premise Licence Holder and Designated Premises Supervisor was not present during the visit. However, his employee was able to contact him on the telephone. During the visit we found that a significant number of the premise licence conditions were being breached, namely:

- That there was no evidence of staff training having been completed or recorded to sell age restricted products
- The refusals log had not been maintained, with the last entry being in March 2022.
- There was no personal licence holder on duty
- There was no written authorisation displayed that would allow someone without a personal licence to sell alcohol
- There were no staff records on site for employees who were working at European Supermarket
- The CCTV appeared not to be in working order
- The employee present at the time of the visit was not able to work the CCTV system

Following the visit, Mr QAZIZADEH was written to by the Licensing Officer. The letter detailed the reasons for our visit, highlighted the licence conditions that are currently being breached and advised of the consequences of this.

See letter from North-West Leicestershire District Council **appendix 11**.

On the 29th March 2023 a joint visit was conducted at the premises by Trading Standards and Officers from Her Majesty's Revenue and Customs (HMRC). The purpose of the visit was to investigate further intelligence that had been received by Trading Standards in March 2023, which stated that the premises was continuing to be supplied with illegal tobacco. The Officers from HMRC were present to investigate the foreign label alcohol that had been seen in the premises during the enforcement visit on the 11th February.

Mr QAZIZADEH was not present during the visit, but we were able to speak with his employee. No illegal tobacco was discovered in European Supermarket and the employee was able to provide the HMRC Officers with invoices for most of the foreign label alcohol in the shop.

It is noted that invoices could not be provided for 16 cases of foreign label beer. HMRC intend to write to Mr QAZIZADEH to request these outstanding invoices. If they cannot be provided, I have been advised that he will be required to pay tax on the alcohol.

During the visit it was also noted that the premises still had some foreign label food products for sale, including products that appeared to contain mustard. Mustard is one of the 14 food allergens that food businesses are required to declare to their customers by law, due to the risk of having an allergic reaction

of intolerance.

This has been referred to the Compliance Team within Leicestershire Trading Standards.

On the 21st April 2023, Trading Standards received a complaint that illegal tobacco was being sold from the premises and that it had been sold to a child, aged 17. No action has yet been taken regarding this complaint.

Illegal tobacco that is counterfeit or smuggled into the country is not a victimless crime:

- It impacts legitimate businesses, who will lose money through the loss of legitimate tobacco sales. It also brings criminality to our high streets as experience has shown that organised crime gangs are often involved in the supply and distribution of illegal tobacco.
- Income tax is not paid on illegal tobacco, which has an adverse effect on vital public services, such as schools and hospitals.
- Illegal tobacco can be produced in less controlled environments, resulting in a lack of traceability or continuity of the tobacco
- The risk of fire is much higher with illegal cigarettes, as they often do not contain the reduced ignition propensity paper, which stops the cigarette from burning if it is left unattended
- Being cheaper makes illegal tobacco more accessible to children, whilst also making it more difficult for adults to stop smoking.
- In 2020 it was estimated smuggled tobacco costs the taxpayer an estimated £2.2 billion a year.

Checks with Companies House show that Mr QAZIZADEH is also the Director of another business in Leicester City, namely Tetry Europe Market Ltd. Companies House note that this is a retail business selling food, beverages and tobacco. Companies House also shows that there is an active proposal to strike off the company due to overdue accounts.

Trading Standards colleagues in Leicester City confirmed that they have provided the premises with no written advice in the last 5 years. They did however confirm that they have received intelligence about the shop selling illegal tobacco.

As evidenced, Trading Standards and other enforcement bodies have made efforts to work with Mr QAZIZADEH to ensure that he operates within the law and follows conditions on his licence. However, the evidence presented shows that advice and support has been ignored by Mr QAZIZADEH and as such, we have no confidence that Mr QAZIZADEH can or will promote the licencing objectives.

Guidance issued under section 182 of the Licencing Act 2003 makes

reference to the fact that *“there is certain criminal activity that may arise in connection with Licensed premises which should be treated particularly seriously”* and goes onto reference *“the sale and storage of smuggled tobacco and alcohol.”*

Section 183 of the Licencing Act 2003 states that, *“where reviews arise and the licencing authority determines that the crime and prevention objective is being undermined through the premises being used for further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.”*

Whilst not wishing to restrict the decision of the Committee, Trading Standards request that the premises licence is revoked, as there appears to be no conditions appropriate to promote the licencing objectives.

Sz\
yes

Please tick ✓

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

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

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

.....

Date

.....

Capacity

.....

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)	

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.



Private and Confidential
Mr Fakheraddin Qazizadeh
69 Cherryleas Drive
Leicester
LE3 0LT

24th June 2020
IF310437

Karen Retallic
0116 3056168
Karen.Retallic@leics.gov.uk

Dear Mr Qazizadeh,

I have received a report from Calluna O' Farrell, a Trading Standards Officer with this Service, regarding the seizure of illegal cigarettes from European Supermarket, 14-16 Jackson Street, Coalville, LE67 3LT.

On the 9th January 2020, Trading Standards and HMRC officers visited European Supermarket as part of a joint enforcement visit. Officers seized four packets of non- UK duty paid cigarettes; two packets of Rothmans Demi and two packets of L&M Link Forward. An officer has examined the tobacco products and have found the them to be non-UK duty paid products with incorrect labelling. The cigarettes were seized because they were not in the standardised packaging and the warnings were not in English.

Legal Requirements

**Tobacco and Related Product Regulations 2016
Standardised Packaging of Tobacco Products Regulations 2015**

There are specific legal labelling requirements for tobacco products including there being written and pictorial health warnings in English, and the packaging being a specific colour with the warnings in a particular format, which the cigarettes obtained from European Supermarket failed to comply with. It is a criminal offence if anyone sells tobacco products that do not comply with these labelling requirements and/or is in possession of such items with the intent to supply.

The maximum penalty for an offence under the Tobacco and Related Products Regulations 2016 is an unlimited fine or imprisonment for up to 2 years.

Chief Executive's Department

Leicestershire County Council, County Hall, Glenfield, Leicestershire LE3 8RA
Telephone: 0116-232 3232 Fax: 0116 305 6161 Minicom: 0116 305 6870

John Sinnott CBE, MVO, MA, Dipl. PA, Chief Executive
Lauren Haslam, LLB(Hons), Dip.L.G. Director of Law & Governance

www.leicestershire.gov.uk

Trade Marks Act 1994

It is a criminal offence to sell, offer for sale, expose for sale, be in possession for supply or distribute goods which bear a sign identical to or likely to be mistaken for a registered trademark without the consent of the registered trademark holder.

The maximum penalty for a breach of this legislation is 10 years imprisonment and/or an unlimited fine.

General Product Safety Regulations 2005

Legitimately manufactured cigarettes are required by law to have Reduced Ignition Propensity (RIP) paper, which means the cigarettes will self-extinguish if left unattended.

Counterfeit and non-duty paid cigarettes do not usually have this RIP paper and are considered unsafe. It is an offence to be in possession of an unsafe product with the view to supply.

The maximum penalty for this is up to £20,000 and/or imprisonment for up to 12 months

Having reviewed all the facts of the case, I have decided on this occasion that no further enforcement action is to be taken against you.

However, I should inform you that if you are found in possession for supply of illegal tobacco in future, this warning will be taken into consideration when deciding on the appropriate enforcement action to be taken.

If you have any questions regarding this matter, please contact Calluna O' Farrell directly on 0116 305 4559.

Please respond by signing the acknowledgement copy and returning it in the prepaid self-addressed envelope enclosed.

Yours sincerely



Karen Retallic
Team Leader
Age Restricted Products and Illegal Tobacco Team
Leicestershire County Council Trading Standards Service

Acknowledgement of receipt of letter:

Signed:

Dated:

Print name:

Date of birth:

Witness:-

Signed:

Dated:

Print name:

Position:

Mr Fakheraddin Qazizadeh,
European Supermarket (Coalville) Ltd
14-16 Jackson Street
Coalville
Leicestershire
LE67 3LT

Date: 19th March 2021
My Ref: IF317762
Your Ref:
Contact: Tom Newton
Phone: 01163057360
Fax:
Email: tom.newton@leics.gov.uk

Dear Mr Qazizadeh,

Leicestershire County Council Trading Standards Service has received a complaint alleging that illegal tobacco is being sold from European Supermarket (Coalville) Ltd at the address above.

There are number potential criminal offences being committed if you are selling such products.

Legal Requirements:-

Trademarks Act 1994

It is a criminal offence to sell, or offer for sale, or distribute good which bear registered trademarks without the authorisation of the registered trademark holder.

The maximum penalty for a breach of this legislation is 10 years imprisonment and/or an unlimited fine.

**Tobacco and Related Product Regulations 2016
Standardised Packaging of Tobacco Products Regulations 2015**

There are specific legal labelling requirements for tobacco products including written and pictorial health warnings in English and the packaging being a specific colour with the warnings in particular format.

It is a criminal offence if anyone sells tobacco products without complying with these labelling requirements. Non-duty paid tobacco products imported from outside the United Kingdom do not comply with these requirements.

Chief Executive's Department

Leicestershire County Council, County Hall, Glenfield, Leicestershire LE3 8RA
Telephone: 0116 232 3232 Fax: 0116 305 6161 Minicom: 0116 305 6870

John Sinnott CBE, MVO, MA, Dipl. PA, Chief Executive
Lauren Haslam, LLB(Hons), Dip.L.G. Director of Law & Governance

www.leicestershire.gov.uk

The maximum penalty for an offence under the Tobacco and Related Products Regulations 2016 is an unlimited fine or imprisonment for up to 2 years.

General Product Safety Regulations 2005

Legitimately manufactured cigarettes are required by law to have Reduced Ignition Propensity (RIP) paper, which means the cigarettes will self-extinguish if left unattended.

Counterfeit and non-duty paid cigarettes do not usually have this RIP paper and are considered unsafe.

This legislation also requires those who distribute and/or place products on the market to keep documentation necessary for tracing the origin of the product. Upon request this must be produced to an enforcement authority.

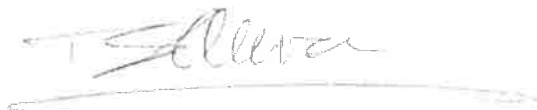
The maximum penalty for this is up to £20,000 and/or imprisonment for up to 12 months.

It is your responsibility to ensure that all goods you sell are genuine and have had their UK duty paid. They must also comply with all of the above legislation regarding labelling and safety. Please find enclosed a Business Companion information sheet that gives you guidance on all of the above matters which I strongly advise you to read.

On this occasion this Service does not intend to take this matter any further. However if we become aware of further incidents they will be investigated further and could lead to legal proceedings being instigated. A copy of this letter will be kept on file.

If you have any queries in relation to the contents of this letter, please contact me directly on 0116 305 7360

Yours sincerely



Tom Newton
Trading Standards Officer
Leicestershire Trading Standards Service



Mr Qazizadeh
European Supermarket (Coalville) Ltd,
14 -16 Jackson Street
Coalville
Leicestershire
LE67 3LT

Date 1st November 2021

My Ref: V156313
Your Ref:
Contact: Bryan Scatchard
Phone: 01163052018
Fax:
Email: bryan.scatchard@leics.gov.uk

Dear Mr Qazizadeh

**Food Safety Act 1990
Food Information Regulations 2014
Food Safety & Hygiene (England) Regulation 2013
Regulation (EC) 178/2002
Company, Limited Liability Partnership and Business (Names and Trading
Disclosures) Regulations 2015**

I am writing to you in your capacity as the director of European Supermarket (Coalville) Ltd and the following issues that were identified as a result of my visit to the store on Wednesday 20th October 2021.

Food on offer for sale past the Use By date.

During the inspection it was noted that there was a quantity of chilled Use By dated foods that were on the main sales counter. These were checked and 12 were found to be past their Use By date. A further two items were found on offer for sale in the chiller cabinet that were past their Use By date.

Food which is past its Use By date is deemed to be unsafe by Regulation EC 178/2002

It is an offence to place unsafe food on the market under The Food Safety & Hygiene (England) Regulation 2013, Regulation 19.

During my visit, a document titled "Date and Lot Marking of Prepacked Food" was left with your staff. Your attention is drawn to the section on Conditions of Sale. A copy is enclosed.

Chief Executive's Department

Leicestershire County Council, County Hall, Glenfield, Leicestershire LE3 8RA
Telephone: 0116 232 3232 Fax: 0116 305 6161 Minicom: 0116 305 6870

John Sinnott CBE, MVO, MA, Dipl. PA, Chief Executive
Lauren Haslam, LLB(Hons), Dip.L.G. Director of Law & Governance

www.leicestershire.gov.uk

Advice.

To ensure that you do not sell food past the use by date you are strongly advised to carry out regular date checks and keep a record of these checks. Staff training should also be completed and recorded. This may contribute to your defence under the Food Safety and Hygiene Regulations 2013 of having exercised all due diligence and taken all reasonable precautions

Food Labelling.

It was noted that there are English language labels attached to the shelf edges giving food information for the products immediately above the label. When checked, some of the products bore mandatory food information in English and were compliant.

However, a number were found to only have the shelf edge label as the English labelling information.

It is a legal requirement under the Food Information Regulations 2014 that food labelling is given in a language easily understood by the consumer where the food is marketed.

Therefore, the food label must have mandatory food information in English although other languages may appear in addition.

If a wholesaler is supplying you with labels, they must be used. It is not acceptable to solely use shelf edge labels. If you are not being supplied with labels by the wholesaler, you are advised to request them.

Please note that food without English labelling may be deemed to be unsafe if a consumer has an allergic reaction to the food because of omitted English labelling on the ingredients.

During my visit, a document titled "Food labelled in a foreign language" was left with your staff. A copy is enclosed.

Business Names Disclosure.

The Company, Limited Liability Partnership and Business (Names and Trading Disclosures) Regulations 2015 make it a requirement that the legal entity that is behind the European Supermarket is identified to consumers. In this case it is the full name of the limited company and a disclosure template was left with your staff. A copy of the guidance document "Company and business names" is enclosed with this letter and the template should be completed and displayed.

Conclusion.

In view of the issues identified above, it is my intention to carry out another inspection to ensure compliance. **Please note that a failure to comply may result in formal enforcement action being taken against the business.**

Please do not hesitate to contact me if you have any questions.

I would be grateful if you could sign and return the copy letter using the envelope provided.

Yours faithfully



Bryan Scatchard

Trading Standards Officer

Encs. **Date and Lot Marking of Prepacked Food
Food Labelled in a Foreign Language
Company and Business Names (template included).**

PLEASE COMPLETE AND RETURN IN THE ENVELOPE PROVIDED

I acknowledge receipt and the contents of the letter referenced V156313.

Signed.....

Print.....

Position.....

Date.....

4

Private and Confidential

Fakheraddin Qazizadeh
European Supermarket
14-16 Jackson Street,
Coalville
Leicestershire
LE67 3LT

11/04/2022

My Ref:
Your Ref: IF326377
Contact:
Phone: 0116 305 0169
Fax:
Email: jerry.vellaringattu@leics.gov.uk

Dear Mr Qazizadeh,

Leicestershire County Council Trading Standards Service has received a complaint that you are selling illegal tobacco at European Supermarket, 14-16 Jackson Street, Coalville, England, LE67 3LT. This letter is sent to advise you of your legal responsibilities.

There are number of potential criminal offences that could be committed if you are selling such products. This Service has not investigated the allegation any further and this letter is sent to advise you of your legal responsibilities.

Legal Requirement:

Trademarks Act 1994

It is a criminal offence to sell, or offer for sale, or distribute good which bear registered trademarks without the authorisation of the registered trademark holder.

The maximum penalty for a breach of this legislation is 10 years imprisonment and/or an unlimited fine.

**Tobacco and Related Product Regulations 2016
Standardised Packaging of Tobacco Products Regulations 2015**

There are specific legal labelling requirements for tobacco products including written and pictorial health warnings in English and the packaging being a specific colour with the warnings in a particular format.

It is a criminal offence if anyone sells tobacco products without complying with these labelling requirements. Non-duty paid tobacco products imported from outside the United Kingdom do not comply with these requirements.

Chief Executive's Department

Leicestershire County Council, County Hall, Glenfield, Leicestershire LE3 8RA
Telephone: 0116 232 3232 Fax: 0116 305 6161 Minicom: 0116 305 6870

John Sinnott CBE, MVO, MA, Dipl. PA, Chief Executive
Lauren Haslam, LLB(Hons), Dip.L.G. Director of Law & Governance

www.leicestershire.gov.uk

Please refer to the illustration attached showing a cigarette pack which is fully compliant with both regulations.



The maximum penalty for an offence under the Tobacco and Related Products Regulations 2016 is an unlimited fine or imprisonment for up to 2 years.

General Product Safety Regulations 2005

Legitimately manufactured cigarettes are required by law to have Reduced Ignition Propensity (RIP) paper, which means the cigarettes will self-extinguish if left unattended.

Counterfeit and non-duty paid cigarettes do not usually have this RIP paper and are considered unsafe.

Chief Executive's Department

Leicestershire County Council, County Hall, Glenfield, Leicestershire LE3 8RA
Telephone: 0116 232 3232 Fax: 0116 305 6161 Minicom: 0116 305 6870

John Sinnott CBE, MVO, MA, Dipl. PA, Chief Executive
Lauren Haslam, LLB(Hons), Dip.L.G. Director of Law & Governance

www.leicestershire.gov.uk

This legislation also requires those who distribute and/or place products on the market to keep documentation necessary for tracing the origin of the product. Upon on request this must be produced to an enforcement authority.

The maximum penalty for this is up to £20,000 and/or imprisonment for up to 12 months.

It is your responsibility to ensure that all goods you sell are genuine and have had their UK duty paid. They must also comply with all of the above legislation regarding labelling and safety.

If you have any queries in relation to the contents of this letter, please contact me directly on 0116 305 0169.

Yours sincerely



Jerry Vellaringattu
Trading Standards Officer
Leicestershire County Council

Chief Executive's Department

**Leicestershire County Council, County Hall, Glenfield, Leicestershire LE3 8RA
Telephone: 0116 232 3232 Fax: 0116 305 6161 Minicom: 0116 305 6870**

**John Sinnott CBE, MVO, MA, Dipl. PA, Chief Executive
Lauren Haslam, LLB(Hons), Dip.L.G. Director of Law & Governance**

www.leicestershire.gov.uk

5



6



Private and Confidential
European Supermarket (Coalville) Ltd
Mr Fakheraddin Qazizadeh (Director)
14-16 Jackson Street
Coalville
Leicestershire
LE67 3LT

Date: 16/11/2022
Your Ref: IF328777
Contact: Ali Walker
Phone: 0116 3050177
Fax:
Email: alison.walker@leics.gov.uk

Dear Mr Qazizadeh,

On the 5 October 2022, Officers from Leicestershire Trading Standards, supported by Leicestershire Police, Immigration Officers and a tobacco detection dog visited European Supermarket (Coalville) Ltd to investigate allegations that illegal tobacco was being supplied from the premises. You were not present, and Officers liaised with your employee, Mr Aziza.

With the aid of the detection dog, a search was then conducted for illegal tobacco. No illegal tobacco was found at the premises, however Officers were able to locate a small number of non-compliant vapes, which were seized.

Following a further search close to the premises, Officers were able to locate a vehicle that is registered in your name. Namely, a Silver Vauxhall Corsa, registration PL08 SWN. The tobacco detection dog was walked around this vehicle and gave a positive indication that tobacco may be inside.

A locksmith was used to open the vehicle and following a search, 381 packets of illegal tobacco were found inside the boot. I note that the vehicle was then re-secured by the locksmith with no damage caused.

2 Seized Property Records were left with Mr Aziza identifying the tobacco and vapes that were seized.

A subsequent inspection of the seized illegal tobacco highlights the committal of offences under the Tobacco and Related Products Regulations 2016, namely that it does not contain the correct health warning and information and the Standardised Packaging of Tobacco Product Regulations 2015 as the packets do not have the correct colour packaging.

It is very likely that offences have also been committed under the Trade Marks Act 1994, namely that some of the packets have an unauthorised use of a Trade Mark, namely, Amber Leaf, Richmond, Marlboro Gold, Lambert and Butler (silver) and Benson and Hedges (silver) however, the respective brand holders have not been contacted for confirmation.

Chief Executive's Department

Leicestershire County Council, County Hall, Glenfield, Leicestershire LE3 8RA
Telephone: 0116 232 3232 Fax: 0116 305 6161 Minicom: 0116 305 6870

John Sinnott CBE, MVO, MA, Dipl. PA, Chief Executive
Lauren Haslam, LLB(Hons), Dip.L.G. Director of Law & Governance

www.leicestershire.gov.uk

Although I am satisfied that if the facts were put before a court a prosecution would be successful, on this occasion, I am warning you of the seriousness of selling illegal tobacco and I strongly recommend that you take steps to prevent any illegal tobacco sales taking place. If this Service becomes aware of any further breaches these will be investigated further and the matter may be put before the Magistrates' Court.

Below is advice regarding your legal responsibilities

Legal requirements

Trade Marks Act 1994

It is an offence to expose for sale, supply and or possess goods with an unauthorised use of a trade mark in the course of a business. The unauthorised use of a Trade Mark in relation to 'goods' can result in a custodial sentence not exceeding 6 months or a Fine, if the matter is dealt with in Magistrates Court. If the matter goes to Crown Court a person found guilty can face up to 10 years imprisonment, a fine or both.

Tobacco and Related Product Regulations 2016 Standardised Packaging of Tobacco Products Regulations 2015

There are specific legal labelling requirements for tobacco products including written and pictorial health warnings in English and the packaging being a specific colour with the warnings in a particular format.

It is a criminal offence if anyone sells tobacco products without complying with these labelling requirements. Non-duty paid tobacco products imported from outside the United Kingdom do not comply with these requirements.

Please refer to the illustration attached showing a cigarette pack which is fully compliant with both regulations.



The maximum penalty for an offence under the Tobacco and Related Products Regulations 2016 is an unlimited fine or imprisonment for up to 2 years

Tobacco and Related Products Regulations 2016

The Tobacco and Related Products Regulations 2016 also sets out rules covering e-cigarettes (Vapes). No one must produce or supply an e-cigarette or refill container unless they meet the following requirements:

- nicotine-containing liquid for retail sale must be in a dedicated refill container in a maximum volume of 10 ml; in a disposable e-cigarette, single-use cartridge or a tank the maximum volume is 2 ml
- the capacity of the tank of a refillable e-cigarette must not be more than 2 ml
- there is a nicotine limit of 20 mg per ml that applies to nicotine-containing liquids in an e-cigarette or refill container

Disposable e-cigarettes sometimes display a typical number of puffs on the packaging. Typically, a disposable e-cigarette would provide 600 puffs or the equivalent of 20 cigarettes.

There is no charge for this advice. We recognise that consumer law can be daunting to even the most experienced businesses.

Trading Standards experts can also offer complex legal advice about Trading Standards and consumer protection legislation, tailored to suit a particular query you have. This complex tailored advice can help you get it right first time and prevent costly mistakes. There may be a charge for this to cover our costs in providing this further advice. You can telephone us on 0116 3058000 or email tradingstandards@leics.gov.uk to discuss your trading standards law queries and any advice fees that may be applicable.

For further information regarding our business advice service please see our Business Advice policy on the business pages of Leicestershire County Council website, or use the link <https://www.leicestershire.gov.uk/business-and-consumers/trading-standards/business-advice>

If you have any queries in relation to the contents of this letter, please do not hesitate to contact me. My contact details are at the top of this letter.

Yours sincerely

Ali Walker
Trading Standards Officer
Leicestershire Trading Standards Service

Acknowledgement of receipt of letter:

Signed:

Dated:

Print name:

Date of birth:

Witness:-

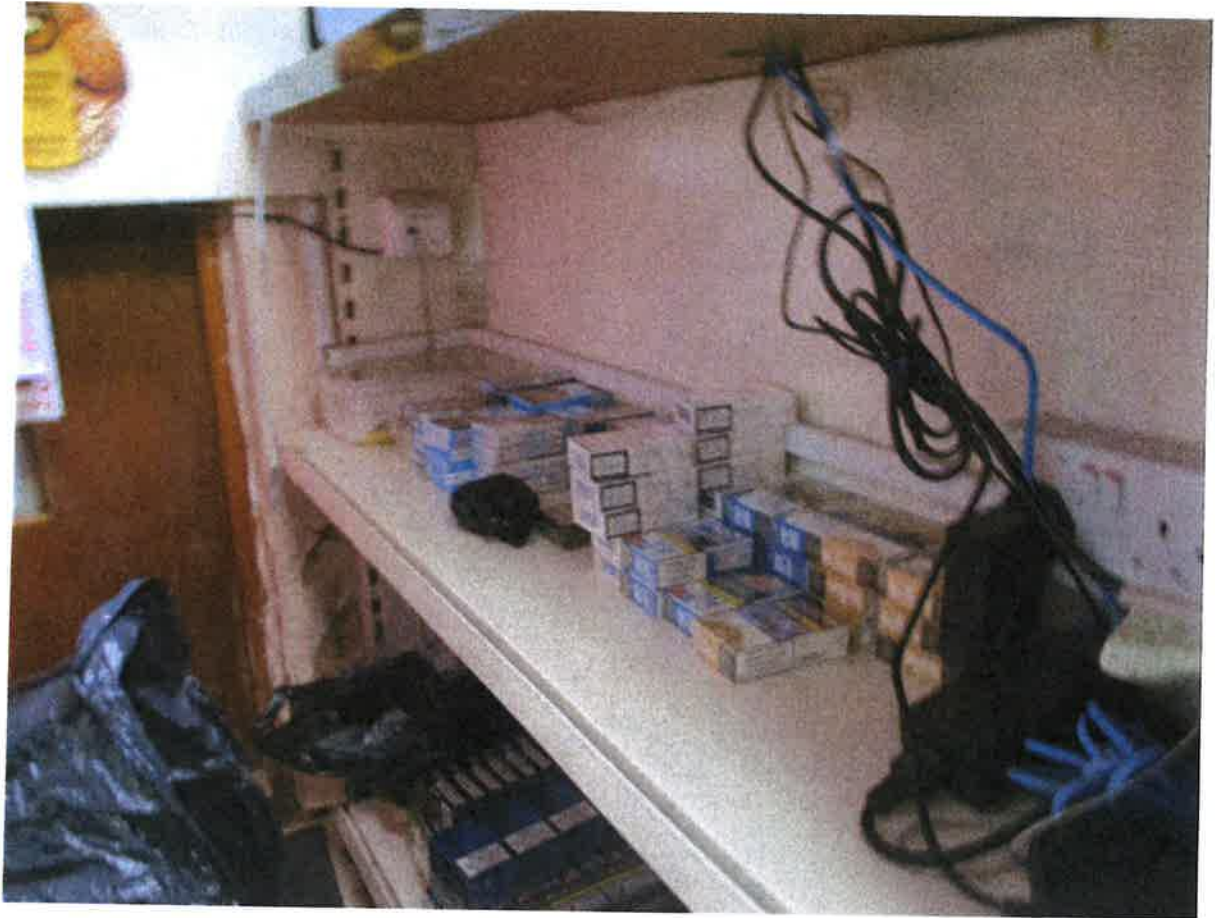
Signed:

Dated:

Print name:

Position:

7



8



9



10



AW/1

Kingslake
Security Tags



N13918312

EVIDENCE

PLEASE ENSURE THAT ALL BOXES IN BULK ARE

Organization: <u>ABC</u>	Name:	Signed:	Date:
Evid. No.: <u>1183</u>	Name:	Date:	
Date Rec'd:	Name:	Date:	
Quantity:	Name:	Date:	
Description of EVIDENCE:	Name:	Date:	
<u>Strimber's Butte Original</u>	Name:	Date:	
<u>Stude Concoct</u>	Name:	Date:	
Received/Obtained From:	Name:	Date:	
<u>European Supermarket (Central)</u>	Name:	Date:	
<u>ABC - 14 - W. Mohren St.</u>	Name:	Date:	
Received/Obtained From:	Name:	Date:	
<u>ABC</u>	Name:	Date:	
<u>10/27/03</u>	Name:	Date:	
Quantity:	Name:	Date:	
<u>10/27/03</u>	Name:	Date:	
Signature/Reference No.:	Name:	Date:	
<u>CP 1183</u>	Name:	Date:	
Signature/Reference No.:	Name:	Date:	
<u>CP 1183</u>	Name:	Date:	
Quantity:	Name:	Date:	
<u>10/27/03</u>	Name:	Date:	

Smoking may reduce the blood flow and causes impotence

Lambert & Butler
Original Sweet

Smoking may reduce the blood flow and causes impotence

DUTY FREE

Received By:	Date:
Signature:	Date:
Received By:	Date:
Signature:	Date:



AW/2

AW/3

KeepSafe®
EVIDENCE BAGS



N13918084

EVIDENCE BAG

PLEASE PRINT OR TYPE ALL DATA IN BOLD FACE

Case No.	Case Name	Description of Evidence	Quantity/Volume/Weight	Quantity/Volume/Weight	Quantity/Volume/Weight	Quantity/Volume/Weight	Quantity/Volume/Weight
6575		2x Bechtel Fax out Machine					
		Bechtel Supermarket (Cash)					
		201 - N. - H. Parkway St					
		2x Bechtel Fax out Machine					
		Bechtel Supermarket (Cash)					
		201 - N. - H. Parkway St					
		2x Bechtel Fax out Machine					
		Bechtel Supermarket (Cash)					
		201 - N. - H. Parkway St					
		2x Bechtel Fax out Machine					
		Bechtel Supermarket (Cash)					
		201 - N. - H. Parkway St					
		2x Bechtel Fax out Machine					
		Bechtel Supermarket (Cash)					
		201 - N. - H. Parkway St					



Signature	Date
Signature	Date

WRITE IN BOLD FACE IN BOLD FACES

AW/4



EVIDENCE BAG

KeepSafe® Security Bag

M13918065

PLEASE PRINT (FOR ALL PARTS) IN BLOCK LETTERS

Item No.	Description	Quantity	Unit	Brand/Model	Manufacturer	Serial No.	Date
1	Arduans Cigarettes	1	pack	Arduans	Arduans		
2	100's Cigarettes	1	pack	100's	100's		

Witness By: _____ Date: _____

Signature: _____

11



Environmental Health
Licensing
Please ask for: Tonya Cooper
Telephone: 01530 454528
Our Ref: NWL20455
Date: 15 March 2023

Mr Fakheraddin Qazizadeh
European Supermarket
14 - 16 Jackson Street
Coalville
Leicestershire
LE67 3LT

Dear Mr Qazizadeh

**LICENSING ACT 2003
EUROPEAN SUPERMARKET, COALVILLE, LE67 3LT**

I write regarding the European Supermarket premises licence and conditions following a visit by Licensing and Trading Standard officers on 8 March 2023.

As the premises licence holder, I must draw your attention to the following premises licence conditions which were breached upon inspection of the premises:

Annex 2 – Conditions consistent with the Operating Schedule

- 2. Training will be provided for all staff before they are allowed to sell alcohol and will include Challenge 21, proof of age, management conflict and refusals and records. The training will be documented. The Premises Licence Holder or Designated Premises Supervisor will check that training has been understood. The training will be repeated at least every 6 months. Records of training will be provided to Responsible Authorities and the Licensing Authority on request.

It was noted that there was a staff training log at the premises, however no training was recorded apart from one signature. There was no date next to the signature to indicate when the training took place nor was there a signature from the person who provided the training. No updated training has ever been completed.

- 3. The Premises Licence Holder shall operate and maintain an up-to-date record of refused alcohol, indicating the time, date, reason for refusal and the person refusing. The record shall be reviewed at least once a month by the Designated Premises or the premises licence holder. The person carrying out the review shall look for patterns and inconsistencies that may indicate that an individual is not complying with the system or that additional support is required at certain times of the day. The reviewer shall sign and date the record once checked and record any action taken as a result of the review. This information shall be made available upon request of the Licensing or Responsible Authorities.

When asked to see the refusals log, a log (issued by TS) was provided. It was noted that the last refusal logged in the book was from March 2022. It was queried as to why there had not been a refusal logged over the past year. You stated via telephone that sometimes you forget to log refusals in the book. In fact, you stated that you refused a sale 2 to 3 weeks ago and forgot to write it down. It was reiterated

that as part of the conditions on the licence that it needed to be updated by the end of the day when a refusal had been made.

5. A Personal Licence Holder will be on duty at the premises at all times the premises are open.

Upon entering the premises, we asked Yousef (cousin of the Premises Licence Holder) if he held a personal licence to which he replied that he did not. When we asked you if you employed any other employees, he stated that Yousef was not an employee and that he was just helping as he was unable to be at the store that day. You also stated that you employ one other person by the name of Awareh Azazi who also does not hold a personal licence. We advised you that as part of the conditions of the licence that no alcohol should be sold unless the premises licence holder himself is on site as neither Yousef or Awareh hold a personal licence.

6. Every member of staff that does not hold a Personal Licence must have written authority to sell alcohol, provided by the Designated Premises Supervisor. Such written authority must be displayed at all times. Any person that does not have a personal licence and is not named on such a written authority must not be involved in the sale of alcohol.

No written authorisations were displayed nor were they produced as part of the inspection.

7. The refusals log will be kept on the premises, updated by the end of the day when a refusal has been made and it is to be retained for 6 months once completed and made available immediately for inspection by Police or Officers of any Responsible Authority.

As above, it was noted that the refusals log was not updated on a regular basis and the last recorded refusal was from March 2022.

8. Full staff records will be kept at the premises. The records will show the full name, date of birth and address of each staff member. No person will be permitted to work at the premises (for payment or otherwise) without such a record being completed. In the event that a number of staff ceases to work at the premises, the record will be kept for a minimum of 28 days after their last day at the premises. All staff to have knowledge of where the record is kept, to have access to this record and make available immediately for inspection by Police or Officers of any Responsible Authority upon request.

There were no staff records on site. The records should show the full name, date of birth and address for each staff member. No person should be permitted to work without such a record being completed. It was again reiterated that there should be a record for anyone who works at the premises, including both Awareh and Yousef who work behind the till and serve customers. Again, at the time of inspection, staff were unable to produce such records.

9. A CCTV system with recording equipment shall be installed, operated and maintained at the premises to the satisfaction of Leicestershire Constabulary and will record at all times. All public areas within the shop shall be covered by at least one camera including the till area. All recordings shall be of evidential quality, indicate the correct date and time, be retained for a minimum period of 28 days, be made available on inspection and copying upon request by an Authorised Officer of a Responsible Authority or the Licensing Authority in accordance with the principles of the Data Protection Act 2018, as soon as reasonably practicable and in any case within 24 hours. There will be staff trained in the operation of the system, to ensure compliance with any such request.

CCTV appeared not to be in working order. I previously visited the premises in October 2022 with regards to the CCTV not working and have seen first-hand what it looks like when your CCTV is not working. I counted 9 cameras and not one of them appeared to be working. There are also 2 screens that when working properly as noted in my follow up visit last year show the various areas of the store. The screens were not on. Yousef was unable to get it working and unable to turn the screens on to show that it was currently in operation. CCTV must be installed, maintained and operated at the premises and record at all times. Recordings shall be kept for 28 days. The staff must also be trained in the operation of the system. Yousef did not know how to operate the CCTV and asked me if I could get the screens to turn on.

Breaching any of the conditions listed on a premises licence is a serious offence. It can lead to an unlimited fine, six months imprisonment, or both in respect of each offence.

A responsible authority or interested party can also apply to review a premises licence if they can provide evidence that the licensing objectives are not being addressed by breaches of conditions.

You should know that this could end in revocation, suspension or loss of hours or licensable activities.

Should you wish to discuss the contents of this letter further, please do not hesitate to contact me direct on 01530 454528 or alternatively via email at tonya.cooper@nwleicestershire.gov.uk

Yours sincerely



Tonya Cooper
Licensing Enforcement Officer

This page is intentionally left blank

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL
LICENSING ACT 2003**

REPRESENTATION FORM

Your name/organisation name/name of body you represent	Tonya Cooper, Licensing Enforcement Officer
Organisation name/name of body you represent (if appropriate)	Licensing, North West Leicestershire District Council
Your Postal address	PO Box 11051, Coalville, LE67 0FW
Name of the premises you are making a representation about	European Supermarket
Address of the premises you are making a representation about	14 - 16 Jackson Street, Coalville, Leicestershire, LE67 3LT

What are you making a representation about?
Please indicate which part of the licence/certificate application you are making a representation about (i.e. Terminal hours, and music and dancing on Friday and Saturday night)
As a responsible authority, we are submitting a representation on the grounds that the licensing objective of Prevention of Crime and Disorder is being undermined.

Your representation must relate to one of the four Licensing Objectives

Licensing Objective	<i>Please provide full details of your concerns regarding the application and include any evidence you may have in support of it. Please use separate sheets if necessary</i>
To prevent crime and disorder	<p>I write in my capacity as a Licensing Enforcement Officer for North West Leicestershire District Council.</p> <p>This is in response to a review application from Leicestershire County Council Trading Standards, County Hall, Glenfield, Leicestershire, LE3 8RA.</p> <p>The application for review of Premises Licence NWL20455 is made on the grounds that the licensing objectives of Prevention of Crime and Disorder and Public Safety are being undermined.</p> <p>As a responsible authority, the Licensing Department concurs that the licensing objective of Prevention of Crime and Disorder are being undermined. The reasons for this are a direct result from previous licensing inspections taken place at the premises by the Licensing team and Trading Standards.</p> <p>On 11 October 2022, Andy Cooper (Licensing Team Leader) and myself undertook a licensing visit to inspect the CCTV having received intel from Trading Standards on 7 October 2022 that the CCTV was not working and had not been working for over 2 months.</p> <p>Upon inspection, the premises licence holder was not on site, he was in Iran according to the employee working at the time. He stated that the premises licence holder was trying to get back to the UK, but he was having to wait for his passport to be renewed.</p>

Due to the current internet shutdown by government at the time, the employee was unable to reach the premises licence holder.

We advised the employee on that day that under Annex 2 on the premises licence that there is a condition which states CCTV must be in working order and recordings must be held for a minimum of 28 days.

According to him the CCTV has not worked for months. He did not know how to fix it and stated that he must wait until the premises licence holder gets back.

We advised that this was an urgent matter and that we would return to check if the CCTV had been complied with. We also advised at the time that the premises were in breach of their conditions on their licence.

A revisit to European Supermarket was conducted on 28 October 2022 to re-inspect the CCTV.

The premises licence holder was not on site as he was still in Iran. The employee working was the same employee that we spoke with previously.

Upon inspection, it appeared that the CCTV was now working. The employee was not confident in showing us how to operate it, but he did say that the premises licence holder would be back within the next week should we wish to revisit.

We advised that we would report back to Trading Standards that the CCTV was now up and running.

It was reiterated to the employee that as part of their conditions (Annex 2 (9) that a CCTV system with recording equipment shall be installed, operated and maintained at the premises to the satisfaction of Police and will record at all times.

A joint inspection by Licensing and Trading Standards was undertaken on 8 March 2023.

Upon arrival, the premises licence holder and DPS (Fakheraddin Qazizadeh) was not on site. His cousin Yousef Qazizadeh was behind the till and the only person working in the store. Yousef stated that the premises licence holder was accompanying his wife at an appointment to translate as his wife doesn't speak very good English. Yousef called the DPS on his mobile to advise that we were at the store to perform an inspection. He was put on loud speaker so that we could discuss concerns directly with him throughout the inspection.

We began by going through the conditions under Annex 2 of the premises licence.

Immediate breaches were noted as condition 5 states that a personal licence holder will be on duty at the premises at all times the premises are open. When we asked Yousef if he held a personal licence, he replied that he did not. When we asked the premises licence holder if he employed any other employees, he stated that Yousef was not an employee and that he was simply helping out as he was unable to be at the store that day.

The premises licence holder employs one other person by the name of Awareh Azazi who also does not hold a personal licence. We advised the premises licence holder that as part of the conditions of his licence that no alcohol should be sold unless the premises licence holder himself is on site as neither Yousef or Awareh hold a personal licence.

It should be noted that during the inspection, alcohol was sold by Yousef to a customer at 14:37 hours.

He was also asked if there were any written authorisations to sell alcohol as per condition 6 of the licence. He stated that Awareh was authorised to sell alcohol, however there were no authorisations displayed nor were there any located in the store.

When asked to see the refusals log as per condition 7, a log (issued by Trading Standards) was provided, and it was noted that the last refusal logged in the book was from March 2022. It was queried as to why there had not been a refusal logged in a year. The premises licence holder stated that he sometimes forgets to log it in the book. In fact, he refused a sale 2 to 3 weeks ago and forgot to write it down. It was reiterated that as part of his conditions, it needed to be updated by the end of the day when a refusal had been made.

There were no staff records on site as per condition 8. The records should show the full name, DOB and address for each staff member. It states that no person should be permitted to work without such a record being completed. It was again reiterated that there should be a record for anyone who works at the premises, including both Awareh and Yousef who work behind the till and serve customers. Again, they were unable to produce such records.

With regards to training records, there was a staff training log on site, however no training was recorded apart from one signature. There was no date next to the signature to indicate when the training took place nor was there a signature from the person who was supposed to be leading the training. No updated training record has ever been completed.

CCTV appeared NOT to be working. As previously stated above, we visited the premises in October 2022 with regards to their CCTV not working and have seen first-hand what it looks like when their CCTV is not working. I counted 9 cameras and not one of them appeared to be working. They also have 2 screens that when working properly as noted in my follow up visit last year are turned on, it shows the various areas of the store. This was not on. Yousef was unable to get it working and unable to turn the screens on to show that it was currently in operation. As part of condition 9, CCTV must be installed, maintained and operated at the premises and record at all times. Recordings shall be kept for 28 days. The staff must also be trained in the operation of the system.

Finally, only one page of the premises licence summary was displayed. It was displayed in a frame hidden away on a side wall. I took both pages out of the frame and advised Yousef to display both pages behind the counter. This was actioned while I was there.

	<p>In summary, nearly all the conditions listed under Annex 2 of the premises licence had been breached including: 2, 3, 5, 6, 7, 8 and 9.</p> <p>It was evident that there was no regard to the conditions on their premises licence and from what was witnessed while on site, they have never looked at their licence despite me taking a copy to them while visiting in October last year.</p> <p>Attached to our representation are photos from the joint visit with Trading Standards and a letter sent directly to the premises with our findings following our inspection.</p>
Public safety	N/A
To prevent public nuisance	N/A
To protect children from harm	N/A

<p>Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account.</p>	<p>The Licensing Authority would recommend that the premises licence be suspended for a period of time (not exceeding 3 months) or to revoke the licence.</p>
--	---

Signed: Tonya Cooper

Date: 17 May 2023

Capacity: Licensing Enforcement Officer, North West Leicestershire District Council

NOT FOR PUBLICATION

Your e-mail address	Tonya.cooper@nwleicestershire.gov.uk
Your contact telephone number	01530 454528

SUPPORTING NOTES

If you do make a representation you will be invited to attend a meeting of the Licensing sub Committee and any subsequent appeal proceeding. If you do not attend, the Committee will consider any representations that you have made.

This form must be returned within the Statutory Period, which is 28 days from the date the notice was displayed on the premises or the date specified in the Public Notice in the newspaper. Please contact the Licensing Section on 01530 454556 if you are in doubt about the date.

They can only relate to the four licensing objectives.

Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will be published in the report available to the Licensing Sub-Committee, which will be publicly available. Names and addresses will only be withheld from the Sub-Committee report at your request. Email addresses and contact telephone numbers will not be publicly available.

Please return this form when completed along with any additional sheets to:

Community Services
Licensing
North West Leicestershire District Council
Council Offices
Coalville
Leicestershire
LE67 3FJ

email to licensing@nwleicestershire.gov.uk

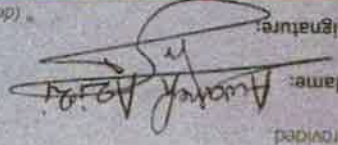
Tel: 01530 454545
Fax: 01530 454574

Staff training log



Business Name and Address:

Europeam Supermarket
14-16 Jackson Street Colville
LE67 3LT

Date	Person receiving training	Person providing training
	<p>I confirm that I have received and understand my training in respect of the sale of age-restricted products and how to deal with conflict as it arises.</p> <p>I understand that I should require ID from anyone who appears under 21/25* that wants to buy an age-restricted product and refuse to sell unless satisfactory ID is provided.</p> <p>Name: </p> <p>Signature: _____</p> <p><small>* (delete as appropriate)</small></p>	<p>I confirm that I have trained this person in respect of the sale of age-restricted products and how to deal with conflict as it arises.</p> <p>I have checked their understanding that should they require ID from anyone who appears under 21/25* that wants to buy an age-restricted product that they will refuse to sell unless satisfactory ID is provided.</p> <p>I have also confirmed that every refusal should be entered in to the refusal log immediately after the refusal has been made.</p> <p>Name: _____</p> <p>Signature: _____</p> <p><small>* (delete as appropriate)</small></p>
Comments:	<p>I confirm that I have received and understand my training in respect of the sale of age-restricted products and how to deal with conflict as it arises.</p> <p>I understand that I should require ID from anyone who appears under 21/25* that wants to buy an age-restricted product and refuse to sell unless satisfactory ID is provided.</p> <p>Name: _____</p> <p>Signature: _____</p> <p><small>* (delete as appropriate)</small></p>	<p>I confirm that I have trained this person in respect of the sale of age-restricted products and how to deal with conflict as it arises.</p> <p>I have checked their understanding that should they require ID from anyone who appears under 21/25* that wants to buy an age-restricted product that they will refuse to sell unless satisfactory ID is provided.</p> <p>I have also confirmed that every refusal should be entered in to the refusal log immediately after the refusal has been made.</p> <p>Name: _____</p> <p>Signature: _____</p> <p><small>* (delete as appropriate)</small></p>



Leicestershire
County Council

AGE-RESTRICTED PRODUCTS

refusal log

all at times. All sta
no less than 21 years, sh
self as a PASS approved prof
driving licence. No other form of
with the Licensing Authority or
before they are allowed to
management (public and
and. The premises License
the training has been imple
Records of Training
shall operate a
time, take to
least one
licen
all be cov
Licence holder
assistance that the
on that additional support
sign and date the record
the review. This informati
Responsible Authorities
Challenge 21 mat
operation Chal
5. A Personal
are ob
B. Ex

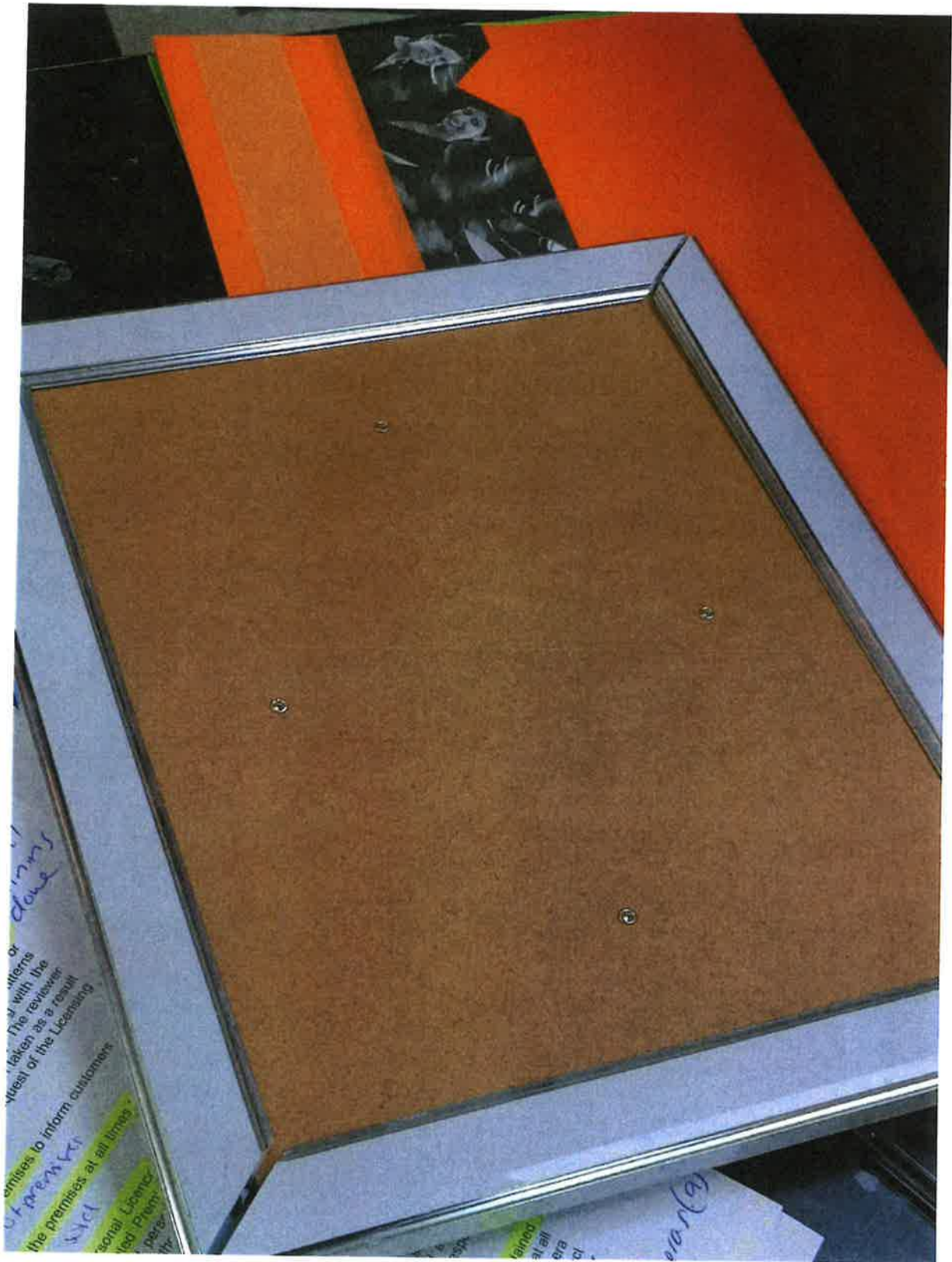
Date & Time	Product	Staff Name	Description	Reason for Refusal	Monthly Check
10 Jun 2020 4-50	Beer	August Aziz	I ask to provide identify age but the boss got		
17 Jun 2020 20-55	Vodka	August Aziz	dry lady not buy because she would for Sam one else		
21/6/20 16-18	Beer	August Aziz	with young and tall see will for ID but he didn't	NO ID	
27/10/20 12-4	Lighter	August Aziz	ask for lighter on man's face	NO ID	
7/8/20 3-50	Cigaret	August Aziz	I ask for identify age the boss got	NO	August
13/10/20	Tanbaco	August Aziz	ask for tanbaco I ask for id	NO	August
19/10/20	ask for Raw cigaret	August Aziz	I ask for provide identify to get	NO ID	August 20
20/10/21	checked by	Ryan	checked by Ryan		
16/10/22	AlFBAR	August	He ask for AlFBAR He is 16 years old		
17/10/22	EIFBAR	August	He ask for EIFBAR He is 17 years old		
			ask for identify	He hasn't got id	

Monthly Check: Actions/Comments/Incidents

Date & Time	Product	Staff Name	Description	Reason for Refusal	Monthly C
4/2/22	Sigs	Fletcher	a boy on a w/ the shirt and back on	No ID	
19/3/22	Cigaret	Awarak A 216	The young boy ask for cig ask for Idi He has dit	No ID	
H. Walker - Kicechuro Trading Standarde					
Monthly Check: Actions/Comments/Incidents.					









North West Leicestershire District Council
Premises Licence Summary

Premises Licence Number

NW/20436

Premises Details

Postal address of premises, or if none, Ordnance Survey map reference or description, including Post Town, Post Code

European Supermarket
14-16 Jackson Street
Coalville
Leicestershire
LE67 2LT

Telephone number 01530 814713

Where the licence is time limited the dates

Not applicable

Licenable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

Supply by retail of alcohol	Monday to Saturday	09:00 - 23:00
	Sunday	09:00 - 21:00

The opening hours of the premises	Monday to Saturday	09:00 - 23:00
	Sunday	09:00 - 21:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

The sale by retail of alcohol for consumption off the premises

Name, (registered) address of holder of premises licence

Mr F Asherson Coalville
79 Charnock Drive
Leicester
LE3 0LT


Registered number of holder, for example company number, charity number (where applicable)

Name, designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr F Asherson Coalville

State whether access to the premises by children is restricted or prohibited

Dated: 30th April 2021


Matthew Pickering
Licensing Enforcement Officer



Mr Fakheraddin Qazizadeh
European Supermarket
14 - 16 Jackson Street
Coalville
Leicestershire
LE67 3LT

Dear Mr Qazizadeh

**LICENSING ACT 2003
EUROPEAN SUPERMARKET, COALVILLE, LE67 3LT**

I write regarding the European Supermarket premises licence and conditions following a visit by Licensing and Trading Standard officers on 8 March 2023.

As the premises licence holder, I must draw your attention to the following premises licence conditions which were breached upon inspection of the premises:

Annex 2 – Conditions consistent with the Operating Schedule

2. Training will be provided for all staff before they are allowed to sell alcohol and will include Challenge 21, proof of age, management conflict and refusals and records. The training will be documented. The Premises Licence Holder or Designated Premises Supervisor will check that training has been understood. The training will be repeated at least every 6 months. Records of training will be provided to Responsible Authorities and the Licensing Authority on request.

It was noted that there was a staff training log at the premises, however no training was recorded apart from one signature. There was no date next to the signature to indicate when the training took place nor was there a signature from the person who provided the training. No updated training has ever been completed.

3. The Premises Licence Holder shall operate and maintain an up-to-date record of refused alcohol, indicating the time, date, reason for refusal and the person refusing. The record shall be reviewed at least once a month by the Designated Premises or the premises licence holder. The person carrying out the review shall look for patterns and inconsistencies that may indicate that an individual is not complying with the system or that additional support is required at certain times of the day. The reviewer shall sign and date the record once checked and record any action taken as a result of the review. This information shall be made available upon request of the Licensing or Responsible Authorities.

When asked to see the refusals log, a log (issued by TS) was provided. It was noted that the last refusal logged in the book was from March 2022. It was queried as to why there had not been a refusal logged over the past year. You stated via telephone that sometimes you forget to log refusals in the book. In fact, you stated that you refused a sale 2 to 3 weeks ago and forgot to write it down. It was reiterated

that as part of the conditions on the licence that it needed to be updated by the end of the day when a refusal had been made.

5. A Personal Licence Holder will be on duty at the premises at all times the premises are open.

Upon entering the premises, we asked Yousef (cousin of the Premises Licence Holder) if he held a personal licence to which he replied that he did not. When we asked you if you employed any other employees, he stated that Yousef was not an employee and that he was just helping as he was unable to be at the store that day. You also stated that you employ one other person by the name of Awareh Azazi who also does not hold a personal licence. We advised you that as part of the conditions of the licence that no alcohol should be sold unless the premises licence holder himself is on site as neither Yousef or Awareh hold a personal licence.

6. Every member of staff that does not hold a Personal Licence must have written authority to sell alcohol, provided by the Designated Premises Supervisor. Such written authority must be displayed at all times. Any person that does not have a personal licence and is not named on such a written authority must not be involved in the sale of alcohol.

No written authorisations were displayed nor were they produced as part of the inspection.

7. The refusals log will be kept on the premises, updated by the end of the day when a refusal has been made and it is to be retained for 6 months once completed and made available immediately for inspection by Police or Officers of any Responsible Authority.

As above, it was noted that the refusals log was not updated on a regular basis and the last recorded refusal was from March 2022.

8. Full staff records will be kept at the premises. The records will show the full name, date of birth and address of each staff member. No person will be permitted to work at the premises (for payment or otherwise) without such a record being completed. In the event that a number of staff ceases to work at the premises, the record will be kept for a minimum of 28 days after their last day at the premises. All staff to have knowledge of where the record is kept, to have access to this record and make available immediately for inspection by Police or Officers of any Responsible Authority upon request.

There were no staff records on site. The records should show the full name, date of birth and address for each staff member. No person should be permitted to work without such a record being completed. It was again reiterated that there should be a record for anyone who works at the premises, including both Awareh and Yousef who work behind the till and serve customers. Again, at the time of inspection, staff were unable to produce such records.

9. A CCTV system with recording equipment shall be installed, operated and maintained at the premises to the satisfaction of Leicestershire Constabulary and will record at all times. All public areas within the shop shall be covered by at least one camera including the till area. All recordings shall be of evidential quality, indicate the correct date and time, be retained for a minimum period of 28 days, be made available on inspection and copying upon request by an Authorised Officer of a Responsible Authority or the Licensing Authority in accordance with the principles of the Data Protection Act 2018, as soon as reasonably practicable and in any case within 24 hours. There will be staff trained in the operation of the system, to ensure compliance with any such request.

CCTV appeared not to be in working order. I previously visited the premises in October 2022 with regards to the CCTV not working and have seen first-hand what it looks like when your CCTV is not working. I counted 9 cameras and not one of them appeared to be working. There are also 2 screens that when working properly as noted in my follow up visit last year show the various areas of the store. The screens were not on. Yousef was unable to get it working and unable to turn the screens on to show that it was currently in operation. CCTV must be installed, maintained and operated at the premises and record at all times. Recordings shall be kept for 28 days. The staff must also be trained in the operation of the system. Yousef did not know how to operate the CCTV and asked me if I could get the screens to turn on.

Breaching any of the conditions listed on a premises licence is a serious offence. It can lead to an unlimited fine, six months imprisonment, or both in respect of each offence.

A responsible authority or interested party can also apply to review a premises licence if they can provide evidence that the licensing objectives are not being addressed by breaches of conditions.

You should know that this could end in revocation, suspension or loss of hours or licensable activities.

Should you wish to discuss the contents of this letter further, please do not hesitate to contact me direct on 01530 454528 or alternatively via email at tonya.cooper@nwleicestershire.gov.uk

Yours sincerely

A handwritten signature in cursive script that reads "Tonya Cooper". The signature is written in black ink and is positioned above the printed name and title.

Tonya Cooper
Licensing Enforcement Officer

This page is intentionally left blank