

**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>
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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

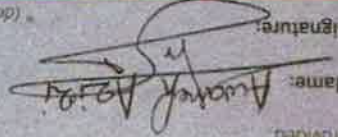


Business Name and Address:

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>
	<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>

AGE-RESTRICTED PRODUCTS



refusal log

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driving license. No other form of
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before they are allowed to
management of alcohol and
and. The premises License
that training has been imple
with Records of Training
ing Authority on refuse.
I shall observe a
time, take to
at least one
all be ov
License holder
assistance that the
on that additional support
sign and date the record
the review. This informati
Responsible Authorities
Challenge 21 nat
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 bossing 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 mantrasse	NO ID	
7/8/20	Cigaret	August Aziz	I ask for identify age the bossing got	NO	August
13/10/20	Tamboo	August Aziz	ask for cigarette I ask to iden the reason got	NO	August
19/10/20	ask for Raw cigaret	August Aziz	ask for tobacco I ask for iden the help for shop	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 16 years old I refused		
			ask for iden city	He hasn't got iden	

Monthly Check: Actions/Comments/Incidents

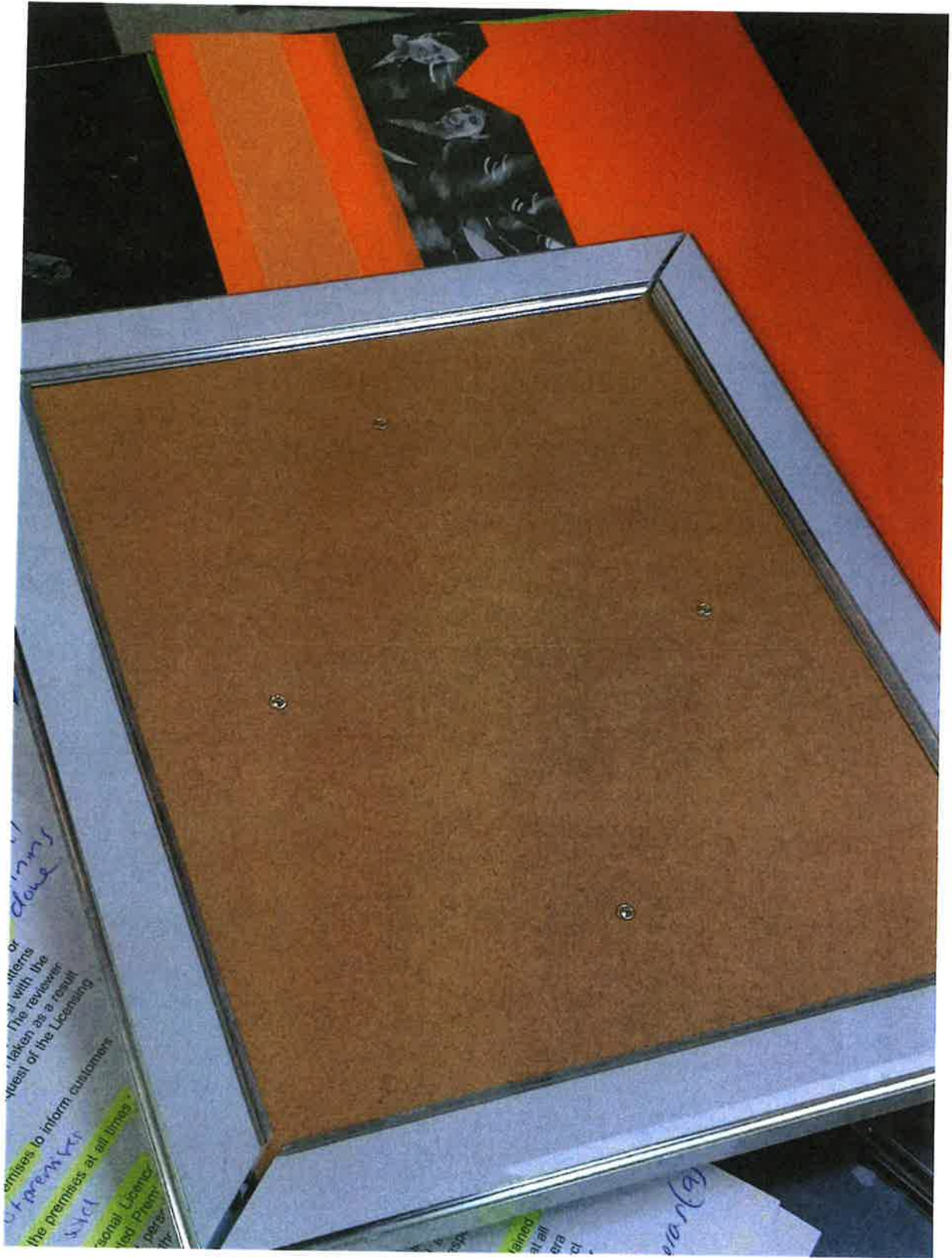
the
Image
Authority

Date & Time	Product	Staff Name	Description	Reason for Refusal	Monthly C
4/21/22	Sigs	Fletcher	a boy on a w/ the shirt and back on	No ID	
19/3/22	Cigaret	Aunak 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.







or
with the
The reviewer
taken as a result
of the Licensing
to inform customers
at all times
Personal Librarian
at all times
the premises

010/9)



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

Licenseable activities authorised by the licence and the times the licence authorises the carrying out of licenseable 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

Me
Chris



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".

Tonya Cooper
Licensing Enforcement Officer