

Agenda

Meeting name	Licensing Sub-Committee
Date	Wednesday, 13 October 2021
Start time	10.00 am
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leics, LE13 1GH
Other information	This meeting is open to the public

Members of the Licensing Sub-Committee are invited to attend the above meeting to consider the following items of business.

Edd de Coverly
Chief Executive

Membership

Councillors P. Cumbers
R. de Burle
J. Douglas
E. Holmes

Quorum: 3 Councillors

Meeting enquiries	Democratic Services
Email	democracy@melton.gov.uk
Agenda despatched	Tuesday, 5 October 2021

No.	Item	Page No.
	<p>YOU TUBE - LIVE STREAMING <u>Public access</u> The meeting will be available to view at the following link: View Licensing Sub Committee</p>	
1.	ELECTION OF CHAIR	
2.	APOLOGIES FOR ABSENCE	
3.	DECLARATIONS OF INTEREST	1 - 2
4.	<p>LICENSING ACT 2003 : NEW LICENCE APPLICATION - EUROPEAN SUPERMARKET To consider any evidence or representations made following receipt of a new licence application in respect of the European Supermarket, Melton Mowbray and to determine the application in accordance with the licensing objectives</p>	3 - 56

Advice on Members' Interests

PERSONAL AND NON-PECUNIARY INTERESTS

If the issue being discussed affects you, your family or a close associate more than other people in the area, you have a personal and non-pecuniary interest. You also have a personal interest if the issue relates to an interest you must register under paragraph 9 of the Members' Code of Conduct.

You must state that you have a personal and non-pecuniary interest and the nature of your interest. You may stay, take part and vote in the meeting.

PERSONAL AND PECUNIARY INTERESTS

If a member of the public, who knows all the relevant facts, would view your personal interest in the issue being discussed to be so great that it is likely to prejudice your judgement of the public interest and it affects your or the other person or bodies' financial position or relates to any approval, consent, licence, permission or registration then **you must state that you have a pecuniary interest, the nature of the interest and you must leave the room***. You must not seek improperly to influence a decision on that matter unless you have previously obtained a dispensation from the Authority's Audit and Standards Committee.

DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

If you are present at any meeting of the Council and you have a disclosable pecuniary interest in any matter to be considered or being considered at the meeting, if the interest is not already registered, you must disclose the interest to the meeting. You must not participate in the discussion or the vote and you must leave the room.

You may not attend a meeting or stay in the room as either an Observer Councillor or *Ward Councillor or as a member of the public if you have a pecuniary or disclosable pecuniary interest*.

BIAS

If you have been involved in an issue in such a manner or to such an extent that the public are likely to perceive you to be biased in your judgement of the public interest (bias) then you should not take part in the decision-making process; you should leave the room. **You should state that your position in this matter prohibits you from taking part.** You may request permission of the Chair to address the meeting prior to leaving the room. The Chair will need to assess whether you have a useful contribution to make or whether complying with this request would prejudice the proceedings. A personal, pecuniary or disclosable pecuniary interest will take precedence over bias.

In each case above, you should make your declaration at the beginning of the meeting or as soon as you are aware of the issue being discussed.*

*There are some exceptions – please refer to paragraphs 3.12(2) and 3.12(3) of the Code of Conduct

This page is intentionally left blank



European Supermarket new licence application

Corporate Priority:	Connected with and led by our community
Relevant Ward Member(s):	Craven Ward – Councillors Rob Bindloss and Jeanne Douglas
Date of consultation with Ward Member(s):	N/A
Exempt Information:	No

1 Summary

- 1.1 A new premises licence application has been received for the European Supermarket, Thorpe End, Melton from European Baz Limited. The previous licence for this premises was revoked in October 2019 by the Licensing Sub-Committee and subsequently an appeal lodged. At court in July 2020 the appeal was withdrawn and there has been no premises licence in place since then.
- 1.2 The director for the new company applying for the premises licence is Mr Sarbaz Razaie, who previously worked at European Supermarket when the licence was revoked. Concerns have been raised about suitability, due to Mr Razaie's previous involvement in the running of the business.
- 1.3 The application is attached as **Appendix A**. Members will be required to consider the information presented and determine the application by taking such steps it considers necessary for the promotion for the Licensing Objectives.

2 Recommendations

- 2.1 It is recommended that the Sub-Committee have regard to the application, all relevant representations, to the Melton Borough Council's Licensing Policy, all relevant statutory provisions and the options available as set out in this report in making a reasonable and proportionate determination which will promote the Licensing Objectives.

3 Key Factors

3.1 Reason for Committee Determination

The Licensing Act 2003 came in to force in November 2005. It passed the powers to the Local Authority to licence premises for any of the following licensable activities:

- The sale by retail of alcohol;
- The supply of alcohol by or on behalf of a club or to the order of a member of the club;
- The provision of regulated entertainment; and
- The provision of late night refreshment.

The licensing objectives are:

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

Each objective is of equal importance.

3.2 The promotion of the four objectives is the paramount consideration at all times.

3.3 The Licensing Act 2003, allows interested persons, and responsible authorities to make representations about any new application or any application to vary an existing licence. Where representations are received (and are valid representations), the application is determined by the Sub-Committee.

4 Report Details

4.1 The European Supermarket previously held a Premises Licence from 2015-2019.

4.2 This licence was reviewed by the Licensing Sub-Committee on 21st August 2018 due to concerns from Trading Standards about the sale and possession of illegal tobacco. At this time, conditions were placed on the licence to:

- 1) Remove the current DPS
- 2) To modify the conditions on the premises licence as follows:
 - a) That there be a Personal Licence holder present at all times when licensable activities are taking place.
 - b) That there be a refusal register kept at the premises and be produced on demand to Licensing Officers and Police and any other responsible body.

4.3 The licence was then revoked in October 2019 by the Licensing Sub-Committee due to further concerns, this time regarding seized smuggled alcohol and there being no DPS present as per the previously imposed conditions. The licence holder appealed the decision but at court on the 23rd July 2020 the appeal was withdrawn and there has been no premises licence in place since.

5 Summary of the Application:

5.1 A new premises licence application (**Appendix A**) was received by Melton Borough Council on 24th August 2021 for the European Supermarket, from a company called European Baz Limited. The Director of European Supermarket is Sarbaz Razaie as

documented on Companies House (**Appendix B**). He has also applied to be the DPS (**Appendix C**)

- 5.2 At the time of the last review of the European Supermarket's licence, Mr Razaie was an employee, concerns have therefore been raised about his connection to the previous running of the business when there were serious concerns

6 Relevant Policies

- 6.1 This application must be considered in accordance with the Melton Borough Council's 'Licensing Act 2003, Statement of Licensing Policy 2017'.

7 Representations

7.1 Police representation

On Monday 13th September 2021 a representation was received from David Braithwaite from Leicestershire Police (**Appendix D**) on the grounds of; the prevention of crime and disorder and public safety. This related to a local Police Officer PC Davey Rawlings also identifying the Sarbaz Razaie had connections to the previous company – he provided bodycam footage to support his statement.

7.2 Licensing representation

On Wednesday 15th September 2021 a representation was received from Simon Greensmith – Licensing & Compliance Officer at Melton Borough Council (**Appendix E**) on the grounds of; the prevention of crime and disorder, public safety, and the protection of children from harm. This raised concerns that Sarbaz Razaie had connections to the previous company who held the licence before it was revoked.

8 Policy & Guidance Considerations

- 8.1 Members must consider all evidence / representations offered at the Sub-Committee. Members are reminded that whenever they make a decision under the Licensing Act 2003, they have a duty to act with a view to promoting the licensing objectives.
- 8.2 When considering any representations, only those issues relating to the four licensing objectives should be considered and appropriate weight given to the importance and relevance of each representation.
- 8.3 The application should be considered on its merits and any decision should be reasonable and proportionate.
- 8.4 In making any decision, Members must also have regard to the Council's own Statement of Licensing Policy and the Home Office statutory guidance issued under section 182 of the Licensing Act 2003 both of which can be found online at:

Policy:

<https://www.melton.gov.uk/media/hbjawxhz/statement-of-licensing-policy-final-2017.pdf>

Guidance:

<https://www.gov.uk/government/publications/explanatory-memorandum-revisedguidance-issued-under-s-182-of-licensing-act-2003>

9 Other Relevant Considerations:

- 9.1 The Sub-Committee is reminded of its responsibilities under the Crime and Disorder Act 1998 (to co-operate in the reduction of crime and disorder in the Melton Borough) and the

Human Rights Act (which guarantees the right to a fair hearing for all parties in the determination of their civil rights, and also provides for the protection of property, which may include licences in existence, and the protection of private and family life) when considering the fair balance between the interests of the all parties to this Hearing. Any decision taken by the Sub-Committee must be necessary and proportionate to the objectives being pursued.

9.2 Members are reminded that whenever they make a decision under the Licensing Act 2003, they have a duty to act with a view to promoting the licensing objectives. When considering any representations, only those issues relating to the four licensing objectives should be considered and appropriate weight given to the importance and relevance of each representation.

9.3 Members should note that the applicant or persons making representations have the right of appeal against the decision made by the Sub-Committee.

10 Options available:

10.1 Members are required to have regard to the application and any relevant representations and determine which of the following steps they consider appropriate for the promotion of the licensing objectives. On considering the merits of the application before them, the options available to the Sub-Committee are:

- Grant the application as applied for
- Grant the application subject to such conditions as considered necessary to promote the licensing objectives
- Reject the application

11 Consultation & Feedback

11.1 The 28 days consultation period ran from 25th August 2021 – 21st September 2021. During this time, two representations were received from responsible authorities.

12 Next Steps

12.1 Once a decision is made by the Sub-Committee, all parties will be notified of the decision within 5 working days.

12.2 The Sub-Committee should note that the applicant does have the right of appeal within 21 days of being notified of the decision

13 Financial Implications

13.1 There are no financial or other resource implications.

**Financial Implications reviewed by: David Scott, Corporate Services Manager
Deputy 151 officer**

14 Legal and Governance Implications

14.1 The Council is responsible for carrying out the licensing function under the Licensing Act 2003. The Act regulates the sale of alcohol, the provision of entertainment, the showing of film and late night refreshment

14.2 The Council has delegated its licensing function to its Licensing Committee, Sub Committees and Licensing Officers referred collectively to as the “Licensing Authority”.

- 14.3 Any decision must be taken following consideration of the representations received with a view to promoting the licensing objectives which are:
- Prevention of crime and disorder
 - Public Safety
 - Prevention of Public Nuisance
 - Protection of Children from Harm

14.4 Any of the parties involved may, if they are unhappy with the outcome of this hearing, appeal to the Magistrates’ Court within 21 days of being notified of the decision.

Legal Implications reviewed by: Louise Arnold – Snr Solicitor, 30.9.21

15 Equality and Safeguarding Implications:

15.1 There are no equality implications arising from this report.

15.2 There are no safeguarding implications arising from this report

16 Community Safety Implications:

16.1 The Community Safety implications are detailed in the body of the report and associated appendices.

17 Other Implications

17.1 The Statement of Licensing Policy was prepared in accordance with the provisions of the Licensing Act 2003 and the Guidance issued by the Secretary of State under section 182 of the Act. The Council’s Policy was adopted by Council on the 12th December 2017. The Statement of the Licensing Policy is a live document, subject to review to meet the changing needs of the community, business circumstances and legislation.

18 Background Papers

18.1 None

19 Appendices

Appendix A – Application for premises licence

Appendix B – Companies House record

Appendix C – DPS application

Appendix D – Police’s representation

Appendix E – Licensing Officer’s representation

Appendix F – Response documents – European Market BAZ LTD

Report Author:	Sarah Flower , Licensing and Compliance Officer
Report Author Contact Details:	01664 502328 sflower@melton.gov.uk
Chief Officer Responsible:	Pranali Parikh , Director for Growth and Regeneration
Chief Officer Contact Details:	01664 504321 PParikh@melton.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 European Market Baz Limited
(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 European Supermarket 36-42 Thorpe End Melton Mowbray Leics			
Post town	Melton Mowbray	Postcode	LE13 1RB

Telephone number at premises (if any)	██████████
Non-domestic rateable value of premises	£7, 900

Part 2 - Applicant details

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

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability yes please complete section (B)
 partnership
 - ii as a partnership (other than limited liability) 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 (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or yes

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)

		Other Title (for example, Rev)	
Surname		First names	
Date of birth	I am 18 years old or over		Please tick yes
Nationality			
Current residential address if different from premises address			
Post town	Leicester	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		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
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 European Market Baz Limited
Address 36-42 Thorpe End Melton Mowbray Leics LE13 1RB
Registered number (where applicable) 12602206
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY		
2	2	0	9	2	0	2

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

DD		MM		YYYY		

Please give a general description of the premises (please read guidance note 1)
Main road premises trading as a Convenience Store catering for family shopping.
There will be 2 full time (both with Personal Licences) and 3 part time staff. All members of staff are trained and are aware of their personal responsibilities with regards to sales of alcohol. Challenge 21 Notices are to be displayed with "valid proof of age required" message and a refusal of service book will be in operation.
Security is provided by 9 high resolution cctv cameras, visible monitor and recording system.

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 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

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)

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

Y
ES

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	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 4)		
Mon					
			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Tue					
			<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 6)		
Wed					
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Wed					
Thur			<u>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</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>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</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
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 6)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur								
Fri						<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 6)		
Sat								
Sun								

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Wed					
Thur			<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 6)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
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 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			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 3)	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 4)		
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 5)		
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 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	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 4)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
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 6)		
Sat								
Sun								

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>			
				Off the premises	yes			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)					
Mon	0800	2300						
Tue	0800	2300						
Wed	0800	2300						
Thur	0800	2300						
Fri	0800	2300						
Sat	0800	2300						
Sun	0800	2300						
						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 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Sarbaz Razaie
Date of birth [REDACTED]
[REDACTED]
[REDACTED]
Personal licence number (if known) [REDACTED]
Issuing licensing authority (if known) [REDACTED]

□□□□

K

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 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	0800	2300	<p><u>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</u> (please read guidance note 6)</p>
Tue	0800	2300	
Wed	0800	2300	
Thur	0800	2300	
Fri	0800	2300	
Sat	0800	2300	
Sun	0800	2300	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

Nothing beyond existing Health and Safety/Fire Safety requirements and the existing rules, regulations and responsibilities of a Licensee. The premises will promote the licensing objectives in accordance with Section 182 guidance.
All members of staff will be formally trained in their roles and responsibilities

b) The prevention of crime and disorder

A 9 camera multiplex CCTV system will be in operation with visible monitor and due warning signs displayed to the public of it's use within the premises. One interior camera is positioned to focus on the entrance and exit doorways to help with the prevention and detection of crime and help with the protection of customers' and staff safety. Recording data will be timed, dated and have a minimum 31 days records. The Police and Local Authority Officers may have access to the system at any reasonable time and downloadable recordings on request. A refusal register is to be kept to record any incidents.

c) Public safety

Fire safety equipment includes alarms, 2 fire extinguishers which are regularly maintained. All electrical equipment is safety checked (pat tested). Fire exit signs are displayed and the staff instructed in emergency evacuation procedures.

d) The prevention of public nuisance

A waste bin is provided. The front pavement is swept daily or more frequently if littered. Trade waste is collected weekly by contract
Notices displayed requesting customers to leave the premises as quietly as possible.

e) The protection of children from harm

A maximum of 3 unaccompanied children are allowed in the shop at any one time. Challenge 21 and "Pass" approved Notices displayed requesting valid proof of age for any age restricted products. "No I.D - No Sale". All staff are trained to serve alcohol and age sensitive products under the guidance of the DPS.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. y
- I have enclosed the plan of the premises. y
- I have sent copies of this application and the plan to responsible authorities and others where applicable. y
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. y
- I understand that I must now advertise my application. y
- I understand that if I do not comply with the above requirements my application will be rejected. y
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). y

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	20-08-2021
Capacity	Agent for applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	20-08-2021
Capacity	Agent for applicant

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)	
Post town	Postcode
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	

Notes for Guidance

- 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.
- In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.

- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
- 3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- 4. For example the 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.
- 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 7. 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.
- 8. 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'.
- 9. 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.
- 10. Please list here steps you will take to promote all four licensing objectives together.
- 11. The application form must be signed.
- 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
- 14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a

licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;

- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	[Redacted]
Date	20-08-2021
Capacity	Agent for applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	[Redacted]
Date	20-08-2021
Capacity	Agent for applicant

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

[Redacted]

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

Notes for Guidance

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. In terms of specific regulated entertainments please note that:

This page is intentionally left blank

Companies House

Companies House does not verify the accuracy of the information filed
(<http://resources.companieshouse.gov.uk/serviceInformation.shtml#compInfo>)

EUROPEAN MARKET BAZ LTD

Company number **12602206**

- [Officers](#)
- [Persons with significant control \(https://beta.companieshouse.gov.uk/company/12602206/persons-with-significant-control\)](https://beta.companieshouse.gov.uk/company/12602206/persons-with-significant-control)

Filter officers

Current officers

Apply filter

1 officer / 0 resignations

RAZAIE, Sarbaz

Correspondence address **36-42, Thorpe End, Melton Mowbray, United Kingdom, LE13 1RB**

Role Active **Director**

Date of birth **June 1991**

Appointed on **14 May 2020**

Nationality **Iranian**

Country of residence **England**

Occupation **Manager**

[Tell us what you think of this service\(link opens a new window\)\(https://www.research.net/r/S78XJMV\)](https://www.research.net/r/S78XJMV) [Is there anything wrong with this page?\(link opens a new window\)\(https://beta.companieshouse.gov.uk/help/feedback?sourceurl=https://find-and-update.company-information.service.gov.uk/company/12602206/officers\)](https://beta.companieshouse.gov.uk/help/feedback?sourceurl=https://find-and-update.company-information.service.gov.uk/company/12602206/officers)

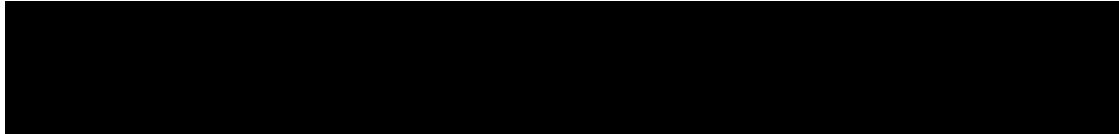
This page is intentionally left blank

Consent of individual to being specified as premises supervisor

Sarbaz Razaie

I
[full name of prospective premises supervisor]

of



[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

New Premises Licence

[type of application]

by

European Market Baz Limited

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for European Supermarket

36-42 Thorpe End

Melton Mowbray, Leics

LE13 1RB

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

European Market Baz Limited

[name of applicant]

concerning the supply of alcohol at

European Supermarket. 36-42 Thorpe End
, Melton Mowbray, Leics
LE13 1RB

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

[insert personal licence number, if any]

Personal licence issuing authority

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

Sarbaz Razaie

Name (please print)

19-08-2021

Date

and any premises licence to be granted or varied in respect of this application made by

European Market Baz Limited

[name of applicant]

concerning the supply of alcohol at

European Supermarket, 36-42 Thorpe End

, Melton Mowbray, Leics

LE13 1RB

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

[insert personal licence number, if any]

Personal licence issuing authority

Leicester City Council, 115 Charles Street, Leicester

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

Sarbaz Razaie

Name (please print)

19-08-2021

Date

This page is intentionally left blank



Leicestershire Police

Licensing Act 2003 – Representation in respect of New Premises Licence Application

Details of person or body making representation	
Your Name:	[REDACTED]
Your Address:	Force Licensing Department Mansfield House 74 Belgrave Gate LEICESTER LE1 3GG

Details of premises representation is about	
	European Supermarket
Address of premises:	36-42 Thorpe End, Melton Mowbray, Leics LE13 1RB
Application No. (if known)	

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input checked="" type="checkbox"/>
Public Safety	<input checked="" type="checkbox"/>
Prevention of public nuisance	<input type="checkbox"/>
Protection of children from harm	<input type="checkbox"/>

Please summarise your concerns about this application:
<p>I write in my capacity as Deputy Licensing Manager for Leicestershire Police on the authority delegated to me by the Chief Constable.</p> <p>This is an application from European Market Baz Limited who want a new Premises Licence for the European Supermarket at 36-42 Thorpe End, Melton Mowbray.</p> <p>This business is being ran by a Mr Sarbaz RAZAIE.</p> <p>The proposed DPS for this new license is also Mr RAZAIE.</p>

The new application intends to mirror the old opening hours that were in place on the previous revoked licence.

Mon to Sun – 08:00 x 23:00 hours

The supply of alcohol also mirrors these timings.

The premises itself is situated as stated on Thorpe End which is one of the main roads for both pedestrians and vehicles both going to and from the town centre, this includes both the hours of day and night time economy periods.

The store is nestled in amongst a row of other shops / businesses. There are also residential flats on the opposite side of the road and dwelling houses directly behind it.

At present there is a no current licence for the said address, this is due to the fact that the previous one was revoked by the Local Authority following a 'Review Hearing' due to various licence breaches which were discovered by Trading Standards Officers.

At the time of the review hearing when the offences were discovered, the following people were listed as being responsible for the premises.

1. Premises Licence Holder (PLH) was shown as European Market Melton LTD. This company was ran by a Mr Jasim Abdulla AMIN. He took control of the premises on 12/12/2018.
2. Designated Premises Supervisor (DPS) was also Mr Jasim Abdulla AMIN. He was assigned to the role on 23/05/2019.

The police are concerned that the current applicant Mr RAZAIE is linked to the above person and may be working with him in an attempt to get the premises licence back by means of a new grant in his name.

The grounds for these concerns are as follows.

On 13/12/2019 the witness PC [REDACTED] carried out a licensing check at the said premises (European Supermarket) and upon entering the store he spoke to Mr Sarbaz RAZAIE (the current applicant)

Mr RAZAIE informed PC [REDACTED] that he worked there and also that he was a Personal Licence holder, however he was unable to produce it at this time.

Due to this the police need to address the following issues.

1. We need to be 100% sure that Mr RAZAIE has no connections what so ever to the previous PLH & DPS for whom he worked for.
2. We also need to be certain that Mr Jasim Abdulla AMIN will have nothing to do with the current business and is not involved with the running of the store in any capacity.
3. We also need to establish if he (Mr RAZAIE) had any role in the sale of the illegal cigarettes / alcohol that were discovered by Trading Standards when they carried out the licensing visit at the store.

Leicestershire police are concerned that the present application fails to promote the following licensing objectives, Prevention Of Crime And Disorder and Public Safety.

For the reasons outlined above we (the police) cannot support this application.

A statement from the witness PC [REDACTED] will be provided in due course (Annex A) and he will also attend any subsequent hearing.

The police would also like to request that if the licence is granted, then the following additional condition is added to their licence.

1. Mr Jasim Abdulla AMIN will have nothing to do with the current business and is not involved with the running of the store in any capacity.

[REDACTED]
**Deputy Licensing Manager
Leicestershire Police**

13th September 2021

This page is intentionally left blank

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

--	--	--	--

Statement of [REDACTED]

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Police Constable

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: [REDACTED]

Date: 10/09/2021

I am [REDACTED] of the Leicestershire Police currently a Dedicated Neighbourhood Officer based out of Melton Mowbray Police Station. I have responsibility for the Melton Town Centre beat. The European Supermarket, 36-42 Thorpe End, Melton Mowbray, LE13 1RB falls within my beat. Due to my beat having the majority of the licensed premises within the borough I have been delegated licensing responsibilities. This involves conducting license checks on properties that are undertaking licensing activities. These visits are conducted to ensure that the licensing objectives are being supported and that the premises and staff are working within their licensing conditions.

On Monday 30th December 2019 at around 1645hrs I attended The European Supermarket, 36-42 Thorpe End, Melton Mowbray. A decision had been made that the properties license would be revoked, I attended to ensure that no further selling of alcohol was taking place. At the time the store were disputing the decision and they had appealed. I recall that the store had received advice that they could sell alcohol during the appeal process.

On entering the property I activated my personal issue bodycam and commenced recording. A male was at the till who I later confirmed as Sarbaz RAZAIE (12/06/91). I discussed the situation with Sarbaz, I explained that I was under the impression that they could not serve or display alcohol. Sarbaz said 'I HAVE LICENCE RIGHT NOW'. When I asked if there had been a meeting recently, Sarbaz said 'THERE WAS A MEETING WITH COUNCIL, IT'S GOING TO COURT, (inaudible) APPLIES MY SOLICITOR AND ITS WAITING FOR COURT'. I asked Sarbaz if he has appealed it, he confirmed he has. Sarbaz also confirmed that his solicitors are saying that he could continue serving and that he was taking legal advice. Sarbaz confirmed that he was a Personal Licence Holder. I ceased recording and left the premises. There was another male present he was amongst the aisles and not at the till, from previous visits I know him not to have a Personal Licence. Whilst at the location Sarbaz served alcohol to a male. I exhibit the footage as DR1.

Signature: [REDACTED]

Signature witnessed by:

This page is intentionally left blank



Melton
Borough
Council

Licensing Act 2003 REPRESENTATION FORM

Your name/organisation name/ name of body you represent	Melton Borough Council - Licensing
Address	Melton Borough Council - Licensing, Parkside, Melton Mowbray LE13 1GH
Email address:	licensing@melton.gov.uk
Contact Telephone number:	01664 502502

Name of the premises you are making a representation about	European Market Baz Ltd T/A European Supermarket
Address of the premises you are making a representation about.	36 - 42 Thorpe End Melton Mowbray LE13 1RB

Your representation must relate to one of the four Licensing Objectives

(See note 2)

Licensing Objective	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder	Y	<p>This premises has been used to sell smuggled alcohol and has had the licence reviewed in 2018 and again in 2019 after joint trading standards and HMRC warrants were executed, resulting in seizure of large quantities of alcohol and tobacco.</p> <p>On 30th October 2019 the Licensing sub-committee on the second review of the premises licence decided to revoke the premises licence.</p> <p>Not paying the duty on alcohol is a serious offence and also enables the vendor to undercut established businesses who operate within the legal framework.</p> <p>The applicant Sarbaz Razaie was part of the business in October 2019 when it was visited by Police and also a separate visit by Licensing & compliance officers who recorded him as being a personal licence holder on duty.</p>

		<p>Whilst he was working at the premises smuggled alcohol was being sold.</p> <p>It is of grave concern that the applicant will continue to sell smuggled goods if this licence is granted.</p>
Public safety	Y	The sale of smuggled alcohol and tobacco poses a risk to the public in that its source is unknown and may have been adulterated.
To prevent public nuisance	N	
To protect children from harm	Y	<i>The applicant has in their application under e) the Protection of children from harm - that they will allow a maximum of 3 unaccompanied children and operate challenge 21 with No ID no Sale I think this should be strengthened to 'Challenge 25' with only approved forms of photo ID only accepted.</i>

<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 (see note 2).</p>	<p>Should this licence be granted I would request stringent conditions be imposed.</p> <ol style="list-style-type: none"> 1. That a personal licence holder be on site at all times alcohol is sold. 2. All staff engaged in licensable activities at the premises will receive training and information from management on the following: <ol style="list-style-type: none"> a) The Challenge 25 scheme in operation at the premises including acceptable forms of identification. b) The hours and activities permitted by the premises licence. c) How to complete and maintain the refusals register in operation at the premises. d) Recognising the signs of drunkenness.
---	--

	<p>e) The operating procedure for refusing service to any person who is drunk, under-age or appears to be under-age, or appears to be making a proxy purchase.</p> <p>f) Action to be taken in the event of an emergency, including reporting an incident to the emergency services</p> <p>3. That detailed records of regular staff training be kept and made available on request to and responsible authority.</p> <p>4. A staff member from the premises, who is conversant with the operation of the CCTV system, shall be on the premises at all times when the premises are open to the public. This staff member must be able to show the Police or Licensing Officer recent data or footage with the absolute minimum of delay when requested to do so.</p> <p>5. An incident log shall be kept on the premises, and made available immediately on request to the Police or Licensing Officer, which will record the following:</p> <ul style="list-style-type: none"> (a) All crimes reported to the premises. (b) All ejections of patrons. (c) Any complaints received. (d) Any incidents of disorder. (e) All seizures of drugs or offensive weapons. (f) Any faults in the CCTV system; (g) Any refusal of the sale of alcohol. (h) Any visit by a responsible authority or emergency service. <p>All incidents will be recorded by the end of the day the incident took place.</p> <p>6. The premises will operate a "Challenge 25" policy such that any person attempting to buy alcohol who appears to be under 25 will be asked for photographic</p>
--	--

	<p>ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licences with a photograph, photographic military ID or proof of age cards bearing the 'PASS' mark hologram.</p> <ol style="list-style-type: none">7. Suitable and sufficient signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises, and shall include the point of sale and the area where the alcohol is displayed8. All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regard age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed prior to engaging in any sale of alcohol. Refresher training shall be conducted thereafter at intervals of no more than eight weeks (8 weeks). All restricted sales training undertaken by staff members shall be fully documented and signed by the employee and the DPS. All training records shall be made immediately available upon request to officers of any responsible authority.9. The premises shall at all times maintain and operate a sales refusals log and an incident log will be kept to record all refusals and incidents of crime or disorder. These shall be reviewed and signed by the Designated Premises Supervisor at intervals of no more than four (4) weeks. Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises. These records shall be
--	--

	kept for a minimum of twenty four (24) months, and made immediately available upon request to officers of any responsible authority
--	---

Signed: REACTED	Date: 15 th September 2021	Name: REDACTED Melton Borough Council Licensing & Compliance officer
--------------------	--	--

Please see notes overleaf:

NOTES

1. This form must be returned within the statutory period of 28 days from the date the application was displayed on the premises of the date given in the public notice in a local newspaper or other local publication.

2. These can only relate to the four licensing objectives.

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

4. Please return this form when completed to:

The Licensing Officer
Melton Borough Council
Parkside
Station Approach
Melton Mowbray
LE13 1GH

Tel: 01664 502502
Email: licensing@melton.gov.uk

This page is intentionally left blank

RESPONSE DOCUMENTS – European Market BAZ LTD

Hearing Notes for Wednesday 13th October 2021

The Application: Copies were submitted to all relevant authorities, notices displayed on the premises for 28 days until the final day of September 22nd. A public notice was placed in the September 2nd edition of The Melton Times.

The premises will promote the licensing objectives in accordance with Section 182 guidance. The criteria for the four licensing objectives have been met and there are 2 representations from responsible authorities.

Objections: With regards to The Police objection,

1. We need to be 100% sure that Mr RAZAIE has no connections what so ever to the previous PLH & DPS for whom he worked for. **Mr Razaie (the applicant) states that he has no connection at all with Mr Jasim Abdulla Amin having bought the business from him in May 2020 (see attached a copy of the lease for the property)**

2. We also need to be certain that Mr Jasim Abdulla AMIN will have nothing to do with the current business and is not involved with the running of the store in any capacity. **Mr Razaie states that he has no current ongoing business or personal involvement with Mr Jasim Abdulla Amin .**

3. We also need to establish if he (Mr RAZAIE) had any role in the sale of the illegal cigarettes / alcohol that were discovered by Trading Standards when they carried out the licensing visit at the store. **Mr Razaie states that the offences were committed before he started working at the shop from 3rd December 2019 onwards.**

Regards The police witness statement after a visit was made on 30th December, is accepted as a true record. However, it is noted that the information provided to the Officer at the time was correct and an appeal was waiting to be heard.

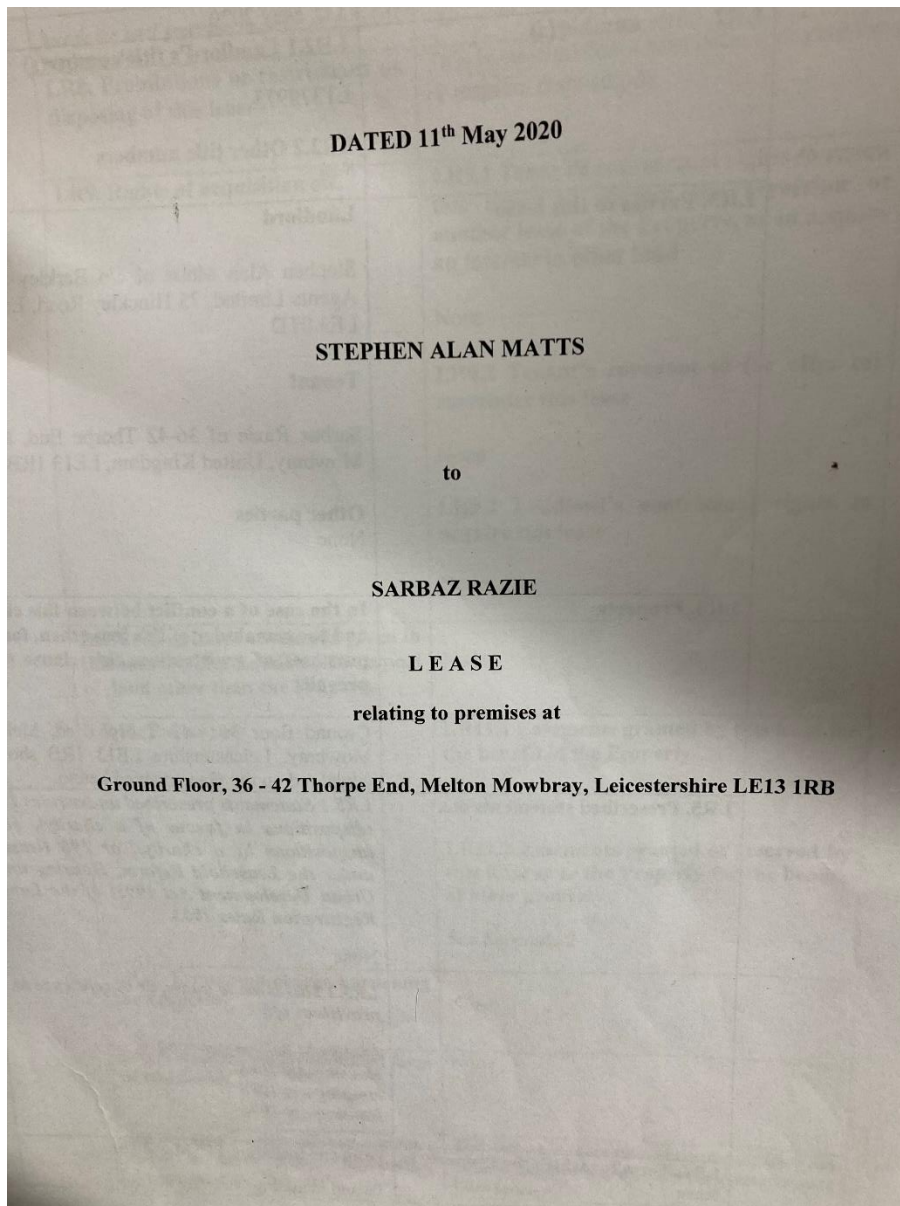
Regards Melton Borough Council objection. As previously stated, Mr Razaie did work at the shop from December 2019 onwards but was not part of the business before then. The proposed conditions are regarded as fair and proportionate as most are already offered in the Operating Schedule.

Conclusion: The application meets all statutory requirements. The Operating Schedule details how it will promote the Licensing Objectives.

Previous loss of the licence has lost some customer relationships. However, with a new ownership over the past 16 months the shop has maintained a supportive clientele. The business is independently run to offer a wide range of food and drink with best practices in management to encourage people to shop locally. All stock is purchased from authorised Suppliers.

With your consent these premises will offer a fair alternative choice to shoppers in Melton Mowbray and become a welcome partner in the community.

I commend this application to you today. Thank you for your time and considerations.



LAND REGISTRY PARTICULARS	
LR1. Date of lease	11 th May 2020
LR2. Title number(s)	<p>LR2.1 Landlord's title number(s) LT378973</p> <p>LR2.2 Other title numbers None</p>
LR3. Parties to this lease	<p>Landlord Stephen Alan Matts of c/o Berkley Letting Agents Limited, 75 Hinckley Road, Leicester LE3 0TD</p> <p>Tenant Sarbaz Razie of 36-42 Thorpe End, Melton Mowbray, United Kingdom, LE13 1RB</p> <p>Other parties None</p>
LR4. Property	<p>In the case of a conflict between this clause and the remainder of this lease then, for the purposes of registration, this clause shall prevail.</p> <p>Ground floor 36 - 42 Thorpe End, Melton Mowbray, Leicestershire LE13 1RB shown edged red on the plan annexed hereto.</p>
LR5. Prescribed statements etc.	<p><i>LR5.1 Statements prescribed under rules 179 (dispositions in favour of a charity), 180 (dispositions by a charity), or 196 (leases under the Leasehold Reform, Housing and Urban Development Act 1993) of the Land Registration Rules 2003.</i></p> <p>None</p> <p><i>LR5.2 This is made under, or by reference to, provisions of:</i></p> <p><i>Leasehold Reform Act 1967</i> <i>Housing Act 1985</i> <i>Housing Act 1988</i> <i>Housing Act 1996</i></p>
LR6. Term for which the Property is lease	<p>From and including 11th May 2020</p> <p>To and including 10th May 2030</p>