

Minutes

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

Present:

Chair J. Douglas

Councillors E. Holmes R. de Burle

Observers P. Cumbers (as substitute)

Officers Senior Solicitor
Trainee Solicitor
Licensing Officer (SF)
Licensing Officer (SG)
Senior Democratic Services and Scrutiny Officer
Democratic Services Officer (CR)

Participants David Braithwaite, Deputy Licensing Manager at Leicestershire Police
Davey Rawlings, Police Officer
Tony Close, Applicant's Representative
Sarbaz Razaie, Applicant

Minute No.	Minute
LSC1	<p>Election of Chair Councillor Douglas was elected as the Chair for this Licensing Sub Committee meeting.</p>
LSC2	<p>Apologies for absence There were no apologies for absence.</p>
LSC3	<p>Declarations of Interest Councillor Douglas declared she had an interest as the relevant Ward Councillor for the premises.</p>
LSC4	<p>LICENSING ACT 2003 : NEW LICENCE APPLICATION - EUROPEAN SUPERMARKET</p> <p>Prior to the introduction of the report, it was decided that all parties would be given a maximum of 10 minutes to speak. Also, the applicant requested that two additional documents be considered, to which all parties unanimously agreed for the documents to be allowed as evidence.</p> <p>The Licensing Officer introduced the report and outlined that the purpose of the meeting was to decide whether a licence should be issued to European Baz Limited for the European Supermarket, Thorpe End, Melton Mowbray. It was explained to the Sub Committee that the reason the application has been presented to them is because concerns have been raised by both the Licensing Authority and Leicestershire Police.</p> <p>Tony Close, the applicant's representative outlined his client's application to the Sub Committee and confirmed that all the relevant paperwork had been submitted and the notices had been displayed for the required amount of time. Mr Close also confirmed that there had been no issues since the previous licence had been revoked.</p> <p>In response to a query, the applicant confirmed that he had previously worked at the store for the previous licence holder and that he had found work at the store via a friend.</p> <p>David Braithwaite, Deputy Licensing Manager at Leicestershire Police outlined his representation to the Sub Committee. Before doing so, Mr Braithwaite stated that there had been an error in the paperwork, as it stated that PC Rawlings visited the premises on 13 December 2019, when in fact it was 30 December 2019. In outlining his presentation, Mr Braithwaite stated that the new application mirrors the previously revoked licence and that the previous licence was revoked because Trading Standards had discovered smuggled goods in the store.</p> <p>A video of PC Rawlings visit to the store was then shown to the Sub Committee. The video showed the applicant working at the store. Following a question from</p>

the Sub Committee, it was confirmed that at the time of the video, an appeal against the revoking of the licence had been lodged and therefore the premises retained the licence until the appeal could be decided upon.

In response to the question on whether Trading Standards carried out regular checks since 2019, Mr Braithwaite stated that he does not know as Trading Standards only inform the Police when a breach is found. Mr Braithwaite did state that they (Leicestershire Police) have carried out three checks since 2019 and that no breaches had been found.

Following a question, Mr Braithwaite confirmed that Leicestershire Police made representations in order to be certain that the applicant is not linked to the previous licence holder. Mr Braithwaite also confirmed that Leicestershire Police had no objection to the hours of the licence.

In responding to the representation from Leicestershire Police, Mr Close stated that the applicant was not working at the premises when the breaches were discovered by Trading Standards but had started working there on 1 December 2019. In supporting this claim Mr Close, with the agreement of all parties, produced a wage slip and accountant's letter. Mr Close stated that his client currently has no link with the previous licensee.

The Licensing Authority outlined their representation and in doing so provided a timeline of the business. Mr Greensmith, Licensing Officer at Melton Borough Council, stated that there was a pattern of selling goods without having paid duty and then transferring the license to dissociate themselves from the previous licenses and the breaches associated with those licenses.

The applicant was asked a number of questions and he responded accordingly. The applicant confirmed that he has no connection with the previous licence holder and that he owns the business.

Each party made a closing statement.

At 11:18am, the meeting was adjourned to allow the Sub Committee to consider their decision.

(PC Rawlings left the meeting and did not return.)

At 12:12pm, the meeting was reconvened.

RESOLVED

The Licensing Sub Committee granted the application subject to the conditions outlined on pages 43, 48, 49, 50 and 51 of the agenda pack.

The meeting closed at: 12.13 pm

Chair