

# Public Document Pack



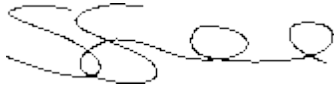
**Meeting:** Licensing Sub-Committee  
**Date:** Wednesday 25th September, 2024  
**Time:** 10.00 am  
**Venue:** via MS Teams

## To members of the Licensing Sub-Committee

Councillor Jennie Bone, Councillor Jonathan Ekins and Councillor Dorothy Maxwell

Agenda			
Item	Subject	Presenting Officer	Page no.
01	Appointment of Chair		
02	Apologies for non-attendance		
03	Members' Declarations of Interest		
04	Euro Market, 1 Church Street, Wellingborough, NN8 4PA - Summary Review of Premises Licence	Rita Groves - Licensing Enforcement Officer	3 - 28
05	Close of meeting		

Sanjit Sull, Monitoring Officer  
North Northamptonshire Council



**Proper Officer**  
**24 September 2024**

This agenda has been published by Democratic Services.

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## **Members' Declarations of Interest**

Members are reminded of their duty to ensure they abide by the approved Member Code of Conduct whilst undertaking their role as a Councillor. Where a matter arises at a meeting which **relates to** a Disclosable Pecuniary Interest, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless granted a dispensation.

Where a matter arises at a meeting which **relates to** other Registerable Interests, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but must not take part in any vote on the matter unless you have been granted a dispensation.

Where a matter arises at a meeting which **relates to** your own financial interest (and is not a Disclosable Pecuniary Interest) or **relates to** a financial interest of a relative, friend or close associate, you must disclose the interest and not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.

Members are reminded that they should continue to adhere to the Council's approved rules and protocols during the conduct of meetings. These are contained in the Council's approved Constitution.

If Members have any queries as to whether a Declaration of Interest should be made please contact the Monitoring Officer at – [monitoringofficer@northnorthants.gov.uk](mailto:monitoringofficer@northnorthants.gov.uk)

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Any press or media enquiries should be directed through the Council's Communications Team to [media@northnorthants.gov.uk](mailto:media@northnorthants.gov.uk)

## **Public Enquiries**

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## Licensing Sub-Committee 25 September 2024

<b>Report Title</b>	<b>Summary Review of the Premises Licence of Euro Market, 1 Church Street, Wellingborough, Northamptonshire NN8 4PA</b>
<b>Report Author</b>	<b>Iain Smith</b> <b>Assistant Director of Regulatory Services</b> <a href="mailto:Iain.Smith@northnorthants.gov.uk">Iain.Smith@northnorthants.gov.uk</a>

### List of Appendices

**Appendix 1 - Northamptonshire Police Certificate and Application for Review**

**Appendix 2 – Current Premises Licence**

#### **1. Purpose of Report**

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- 1.1 To consider application for a summary review of the Premises Licence under section 53a of the Licensing Act 2003, in relation to the premises known as Euro Market, 1 Church Street, Wellingborough NN8 4PA.

#### **2. Executive Summary**

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- 2.1 A certificate and application to review the premises licence for the premises known as Euro Market, 1 Church Street, Wellingborough was received from Northamptonshire Police on 24 September 2024.
- 2.2 The application allows a process for considering whether it is necessary to take action by way of interim steps, if those premises are deemed to be a cause for serious crime or disorder.
- 2.3 Northamptonshire Police within their application and certificate consider that the premises concerned are associated with serious crime. The application relates to the prevention of crime and disorder under the licensing objectives as detailed in the Licensing Act 2003.

#### **3. Recommendations**

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- 3.1 The Sub-Committee is asked to consider whether interim steps are necessary with regards to the Premises Licence.

## 4. Report Background

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- 4.1 A blue notice will be placed at the premises on 25 September 2024.
- 4.2 All statutory consultees have been advised of the summary review giving them the opportunity to make representation ahead of the full hearing, which will take place on 22 October 2024.

## 5. Issues and Choices

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- 5.1 The Panel must carry out its functions to promote the licensing objectives having regard to:
- The North Northamptonshire Council Licensing Policy
  - S182 Guidance
  - S53a Licensing Act 2003 Summary Review Guidance
  - Section 53 Licensing Act 2003
- 5.2 The Act states that for a summary review, the licensing Sub Committee must consider whether interim steps are necessary / appropriate for the promotion of the licensing objectives, or whether to reject or modify the interim steps requested. If the Licensing Sub Committee decides to take steps at the Interim Stage, the decision takes effect immediately and there is no right of appeal to a magistrates' court at this stage.
- 5.3 When considering the case, the Licensing Sub Committee must take into account:
- The Senior Officer's Certificate that accompanied the application (**Appendix 1**)
  - The Chief Officer's Representations (**Appendix 1**)
  - Any representations made by the Premises Licence Holder
- 5.4 The options open to the Licensing Sub Committee at the interim steps stage include:
- Modification of the conditions of the premises licence
  - The exclusion of the sale of alcohol
  - Removal of the Designated Premises Supervisor from the licence
  - Suspension of the Licence
- 5.5 Following the full licence review, the Licensing Panel may do any of the above, or may revoke the Premises Licence.
- 5.6 A copy of the Premises Licence is attached within **Appendix 2**.

## 6. Next Steps

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- 6.1 Once the Sub Committee have determined whether to take any action regarding the Euro Market Premises Licence, a decision notice will be sent to the Premises Licence Holder confirming the decision.

## **7. Implications (including financial implications)**

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### **7.1 Resources and Financial**

7.1.1 There are no resource or financial implications arising from the proposals at this stage.

### **7.2 Legal and Governance**

7.2.1 The Licensing Act 2003 makes it a duty for the local authority to carry out its functions under the Act with a view to promoting the four licensing objectives:

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

In carrying out its licensing functions, a licensing authority must also have regard to—

- (a) its licensing statement published under section 5, and
- (b) any guidance issued by the Secretary of State under section 182.

### **7.3 Relevant Policies and Plans**

7.3.1 The North Northamptonshire Council Licensing Act 2003 Statement of Licensing Policy for regulated entertainment, late night refreshment and the sale of alcohol 2022 – 2027, assists the council in meeting stated commitments within the Corporate Plan.

7.3.2 Relevant section of the Corporate Plan is:

- Creating safe and thriving places

### **7.4 Risk**

7.4.1 There are no significant risks arising from the proposed recommendations in this report.

### **7.5 Consultation**

7.5.1 The consultation process has been carried out in accordance with the requirements of the Licensing Act 2003 and associated guidance.

### **7.6 Consideration by Executive Advisory Panel**

7.6.1 This report has not been considered by the Executive Advisory Panel

### **7.7 Consideration by Scrutiny**

7.7.1 This is not a matter for the Scrutiny Committee.

## **7.8 Equality Implications**

7.8.1 There are no equality implications arising from the proposed recommendations in this report.

## **7.9 Climate Impact**

7.9.1 There are no climate / environmental impacts that may arise regarding this report.

## **7.10 Community Impact**

7.10.1 There are no community impact implications.

## **7.11 Crime and Disorder Impact**

7.11.1 This report is being considered by the Sub Committee in order to reduce Crime and Disorder within the Council district.

## **8 Background Papers**

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Licensing Act 2003

[Licensing Act 2003 \(legislation.gov.uk\)](https://legislation.gov.uk)

Revised Guidance under Section 182 of Licensing Act 2003

[Revised guidance issued under section 182 of Licensing Act 2003 - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

Statement of Licensing Policy (2022 to 2027)

[Licensing policy | North Northamptonshire Council \(northnorthants.gov.uk\)](https://northnorthants.gov.uk)



## **CERTIFICATE** **Under section 53a(1)(b) of the** **Licensing Act 2003**

I **Steve FREEMAN** am a Superintendent (or above) in Northamptonshire Police and hereby certify that in my opinion the premises described below are associated with:

### **Serious crime**

#### **Premises Details:**

Euro Market  
1 Church Street  
Wellingborough

Post Code: NN8 4PA

**I am giving this certificate because I am of the opinion that other procedures under the Licensing Act 2003 are inappropriate in this case because:**

**Serious crime:** The tests to determine the kinds of conduct that amount to serious crime are set out in section 81(2) and (3) (a) and (b) of the Regulation of Investigatory Powers Act 2000. Those tests are that the conduct: (a) constitutes an offence for which a person who is 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 years or more; or (b) Involves the use of violence, **results in substantial financial gain** or is conduct by a large number of persons in pursuit of a common purpose.

On the 16<sup>th</sup> September 2024 officers from Northamptonshire Police attended the Euro Shop on information received from the Modern Slavery and Exploitation

Helpline. In addition there is previous intelligence linked to the shop regarding the sale and storage of smuggled tobacco.

On conducting a search at the Euro Shop officers located a large quantity of Hand Rolling Tobacco and cigarettes that were being kept in a store room at the rear of the premises. A smaller quantity was discovered under the counter near to the till.

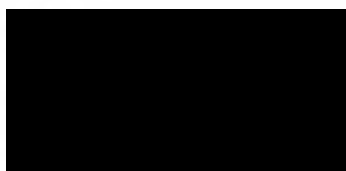
All the tobacco did not have the relevant UK tax paid markings and were not in the regulation packaging as required by the standardised packaging of tobacco products regulations and the tobacco and related products regulations 2016.

The value of the HRT and cigarettes if sold at UK market prices came to £56,500.  
50,380 sticks ( 2519 packs) 3.2 kilos (624 pouches) of HRT

Section 144 of the Licensing Act 2003 A person commits an offence if he knowingly keeps or allows to be kept, on any relevant premises, any goods which have been imported without payment of duty or which have otherwise been unlawfully imported.

In addition point 11:27 of the Statutory section 182 guidance that accompanies the Licensing Act 2003 details certain criminal activity that may arise in connection with licensed premises which should be treated as particularly serious, one of the activities listed is the sale or storage of smuggled tobacco and alcohol.

Signed:



Supr Steve Freeman

Date: 19/09/2024



## FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

[Insert name and address of relevant licensing authority and its reference number (optional)]

North Northamptonshire

**Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)**

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 the 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.**

I Constable 575 Leanne Laren [on behalf of] the chief officer of police for the Northamptonshire police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

**1. Premises details:**

Postal address of premises, or if none or not known, ordnance survey map reference or description:

**Euro Market  
1 Church Street**

Post town: Wellingborough

Post code (if known): **NN8 4PA**

**2. Premises licence details:**

Name of premises licence holder (if known): Mr Dilshad Mohammad Kadir

Number of premises licence holder (if known): 23/0239/LAVDPS

**3. Certificate under section 53A(1)(b) of the Licensing Act 2003** [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with

serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

**4. Details of association of the above premises with serious crime, serious disorder or both:**

[Please read guidance note 2]

**Please see attached certificate.**

Signature of applicant:

Date: 19/09/2024

Capacity: Northamptonshire Police Licensing Officer

**Contact details for matters concerning this application:**

Address:

**Wellingborough Police Station  
Midland Road  
Wellingborough  
NN8 1HF**

Telephone number(s): 101 EXT 344688

Email: leanne.laren@northants.police.uk

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

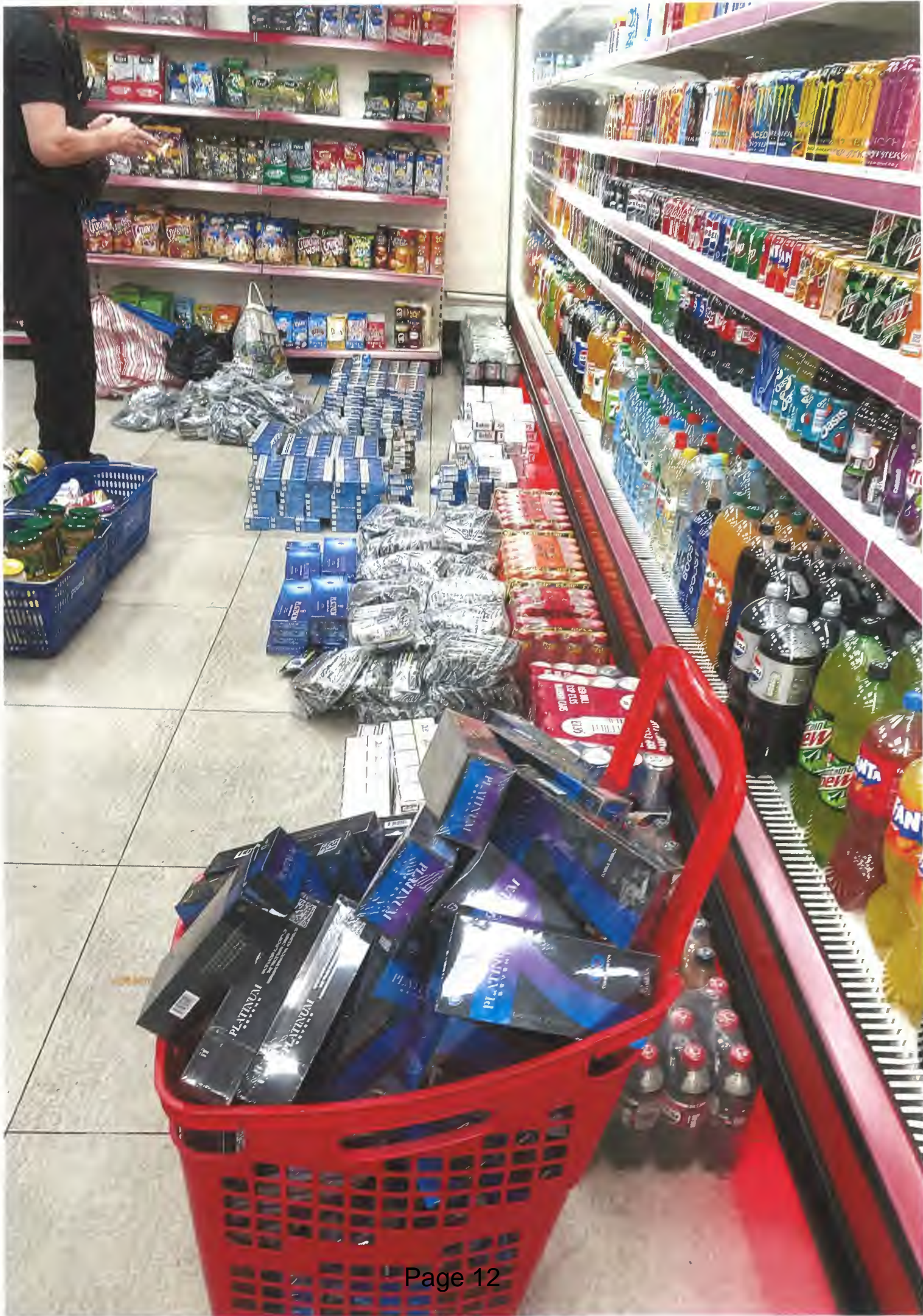
Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

































## Part A: Premises Licence

<b>Premises Licence Number</b>	14/03520/LAPNEW
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### Part 1 – Premises Details

**Postal address of premises, or if none, ordnance survey map reference or description:**

Euro Market  
1 Church Street  
Wellingborough  
Northamptonshire  
NN8 4PA

**Telephone Number:**

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

**Sale of Alcohol**

**Alcohol consumed off premises**

Monday to Sunday 08:00 - 23:00

**Non Standard Timings**

Christmas Eve and New Years Eve 08:00 - 01:00

**Non-standard Openings**

-

**The opening hours of the premises**

Monday to Sunday 08:00 - 23:00

**Non Standard Timings**

Christmas Eve and New Years Eve 08:00 - 01:00

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

Alcohol is supplied for consumption off the premises

Part 2

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

Dilshad MohammadKadir

[REDACTED]

Nottingham  
Nottinghamshire  
NG8 6GT

Work Phone: [REDACTED]

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

Not Applicable

**Name, address, and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Dilshad Mohammad Kadir

[REDACTED]

Nottingham  
Nottinghamshire  
NG8 6GT

Mobile Phone: [REDACTED]

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

Personal Licence Number: 117871  
Licensing Authority: Nottingham City Council

**If this premises licence authorises the supply of alcohol, the following conditions must be complied with:**

1. No supply of alcohol may be made under the premises licence—
  - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence
3. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
  - (b) an ultraviolet feature.
4. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

**If this premises licence requires the use of door supervisors.**

5. Where the premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must
  - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
  - (b) be entitled to carry out that activity by virtue of section 4 of that Act.

## **Explanatory Notes and Definitions for Mandatory Condition 8.**

### Definitions

“duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

“permitted price” is the price found by applying the formula—

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

where—

- (i) P is the permitted price,
- (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

“relevant person” means, in relation to premises in respect of which there is in force a premises licence—

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

“valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

Where the permitted price calculated would not be a whole number of pennies, it shall be taken to be the price calculated rounded **up** to the nearest penny.

NOTE: This note is provided to give assistance in calculating prices, it is not a legal document. If you are unsure on any issue related to permitted prices, seek advice. Further information can be found about mandatory conditions can be found at <https://www.gov.uk/alcohol-licensing#mandatory-licensing-conditions>.

## **Annex 2 – Conditions consistent with the Operating Schedule**

CCTV cameras and recording system will be provided and used to record the premises 24 hours per day and will be used to avoid youths and children hanging around the premises.

Spirits will be placed behind the counter

Staff will be informed about requirements over sales to under age persons

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

None



## **Annex 4 – Plans**

Plan Ref. 14/03520/LAPNEW (P1) - approved 19/12/2012



## Part B Premises Licence Summary

<b>Premises Licence Number</b>	14/03520/LAPNEW
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### Part 1 – Premises Details

**Postal address of premises, or if none, ordnance survey map reference or description:**

Euro Market  
1 Church Street  
Wellingborough  
Northamptonshire  
NN8 4PA

**Telephone Number:**

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

**Sale of Alcohol**

**Alcohol consumed off premises**

Monday to Sunday 08:00 - 23:00

**Non Standard Timings**

Christmas Eve and New Years Eve 08:00 - 01:00

**Non-standard Openings**

-

**The opening hours of the premises**

Monday to Sunday 08:00 - 23:00

**Non Standard Timings**

Christmas Eve and New Years Eve 08:00 - 01:00

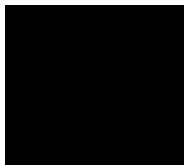
**Where the licence authorises supplies of alcohol whether these are on and / or off supplies**

Alcohol is supplied for consumption off the premises

Part 2

<b>Name, (registered) address of holder of premises licence</b>  Mr Dilshad Mohammad Kadir [REDACTED] Nottingham Nottinghamshire NG8 6GT
<b>Registered number of holder, for example company number, charity number (where applicable)</b>  Not Applicable
<b>Name of designated premises supervisor where the premises licence authorises for the supply of alcohol</b>  Dilshad Mohammad Kadir
<b>State whether access to the premises by children is restricted or prohibited</b>  YES

Signed:



Date: 2 February 2024

Name: Russ Howell

Position: Licensing Manager - Regulatory Services

For and on behalf of the Licensing Authority of North Northamptonshire Council

T: 0300 126 3000 | DD: 01832 742102 | Web: [www.northnorthants.gov.uk](http://www.northnorthants.gov.uk)

Premises licence **14/03520/LAPNEW**

Our Issue Reference No: 23/02239/LAVDPS

**Important Note: All hours stated on this licence relate only to permissions under the Licensing Act 2003 these may conflict with those permitted in the planning permission for the premises. Please check your current planning permissions before trading. Where licensing hours exceed planning restrictions, failure to abide by planning permissions may lead to legal action under planning legislation.**

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