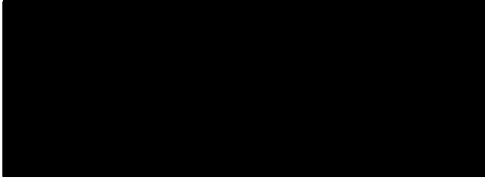


Our Reference: KMacN/gh/EN/L/PL/EL747

Your Reference:

Date: 11 September 2018

Private & Confidential



Dear Sir

**Licensing (Scotland) Act 2005 – Section 84a
Personal Licence Review Request
Personal Licence : Edinburgh 343427**

I enclose a copy of a letter of 5th September 2018, received from Police Scotland requesting East Lothian Licensing Board (as the 'relevant Board' in terms of S84A of the above Act) to consider whether there are grounds for finding that your recent behaviour has contravened the Licensing Objectives of Preventing Crime and Disorder and Securing Public Safety.

In terms of S84A of the above Act, the Board must hold a hearing into this matter. That hearing will take place at the Licensing Board Meeting on Thursday 27th September 2018 at 10am in the Council Chambers, Town House, Haddington.

You are hereby cited to attend and/or be represented at the above meeting where you will be given an opportunity to be heard regarding the matters raised in the letter from the police.

An agenda will follow in due course.

Yours faithfully

KIRSTIE MACNEILL
Clerk to the Licensing Board

c.c. Macdonald Licensing – A Macdonald

**Direct Dial: 01620 827867/827217/820114
Direct Fax: 01620 827253**

Date 5th September 2018

Your Ref: EL337

Our Ref: J/LIC/3705/HB



**POLICE
SCOTLAND**

Keeping people safe

The Clerk of the Licensing
Board
East Lothian Council
John Muir House
Haddington
East Lothian
EH41 3HA

Iain Livingstone QPM
Chief Constable

Local Area Commander
The Lothian and Scottish Borders Division
Haddington Police Station
39-41 Court Street
Haddington
EH41 3AE

Dear Madam,

**LICENSING (SCOTLAND) ACT 2005 - SECTION 84A
REPORT OF CONDUCT INCONSISTENT WITH LICENSING OBJECTIVES
PERSONAL LICENCE HOLDER: ZOHAI B ZULFIQAR MALIK**

LICENCE NO: EDINBURGH 343427

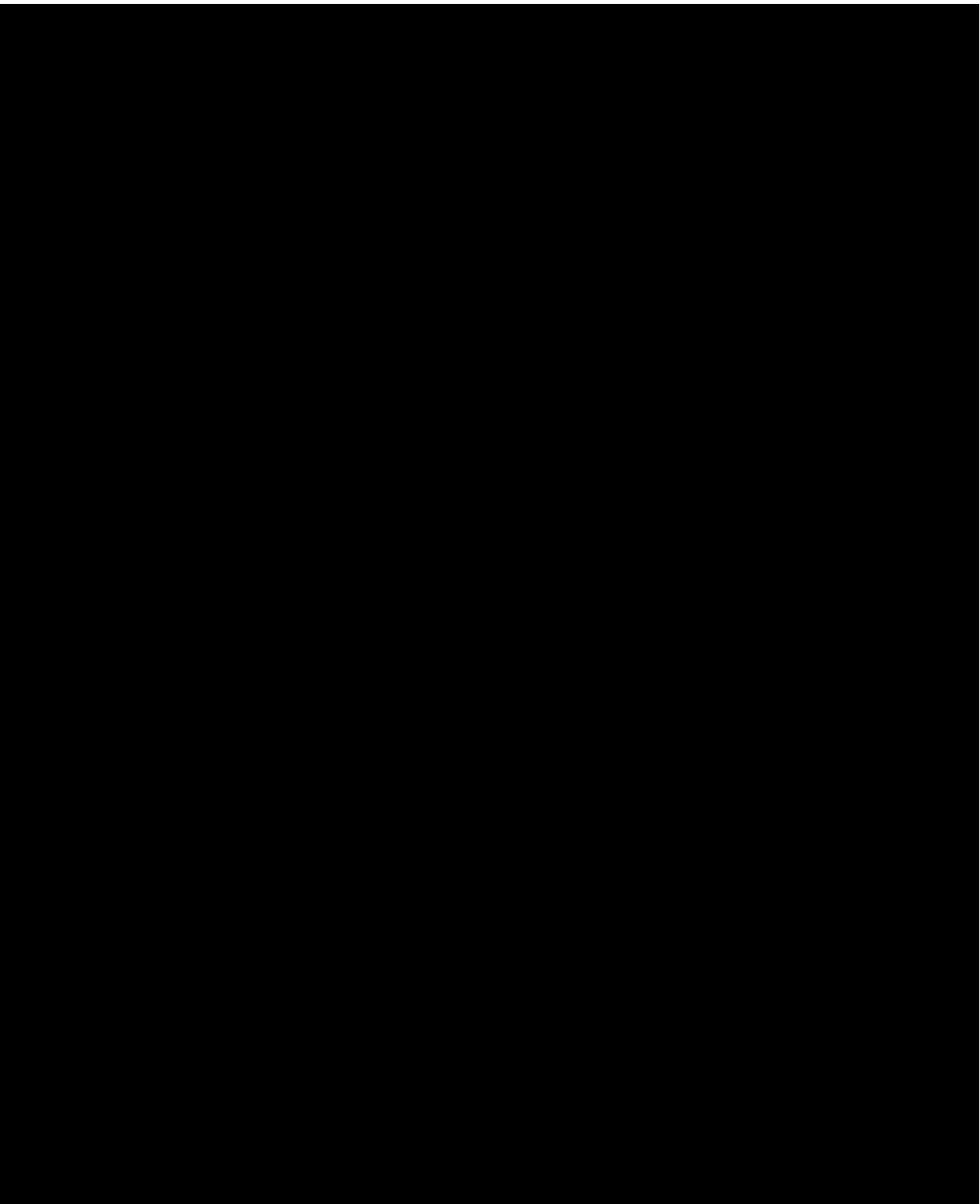
The Chief Constable hereby reports to the Licensing Board in terms of Section 84A of the Licensing (Scotland) Act 2005 that Zohaib Malik, has acted in a manner which is inconsistent with the licensing objectives articulated at Section 4(1) of Act, namely:

- Preventing Crime and Disorder
- Securing Public Safety

Mr Malik is a Personal Licence Holder, granted by the Edinburgh Board on 8th November 2016. He is currently the Premises Licence Holder and Designated Premises Manager of North News, 179 North High Street, Musselburgh.

The following information is provided for the Board's consideration.

On Friday 11th May 2018 at 1903 hours two calls were received by the police regarding a male causing a disturbance at the Lowcost Supermarket, 119-121 North High Street, Musselburgh. On police arrival, officers spoke with Mr Malik, who was pointed out to them as being responsible.



The licensing officer was not made aware of this incident at the time and it has only come to light in the last couple of weeks.

Following the licensing officer being made aware of this incident some checks were carried out and a further call to the Mr Malik's own shop at 179 North High Street, Musselburgh was discovered. This time, it was a call from a concerned member of the public stating that she had entered the shop around 2100 hours on Wednesday 18th July 2018 to purchase something and there was nobody within the shop. The shutters were up and the door open but there were no members of staff within the premises. She went to get a friend who was nearby and they both

re-entered the shop, shouting for the shop keeper. Whilst within the shop, 3 males entered the store, looked around, then, stole alcohol and money from the till. A short time later the caller informed the police that the shop keeper had returned.

The following morning police made a call to the shop premises and spoke to a member of staff who stated that he had opened the shop this morning and the shop was in a mess and that there was money missing from the till along with other things. He stated that he had tried to get in touch with Mr Malik (his boss)

[REDACTED]

[REDACTED] he had returned later that night and locked the shop up. He was aware that the police needed to speak to him about the theft of money which was eventually reported as being approx. £600.

The above two incidents are very concerning and not conduct which is expected of a Personal Licence Holder. There are serious concerns about the violence shown in the above incident and Mr Malik's threats to another and his overall ability to operate a licensed premises.

Whilst I appreciate that the first case is still 'pending' at court, it was felt that these two incidents be brought to the Board's attention, sooner rather than later, due to the concerns for the licensing objectives, namely preventing crime & disorder and securing public safety.

The Chief Constables view is that a revocation of Zohaib Malik's Personal Licence is appropriate in these circumstances.

In signing this report, I confirm that this report is made under the authority of the Chief Constable of Police Service of Scotland:

Signed:

[REDACTED]

Iain Livingstone QPM
Chief Constable

Date: 30/08/2018

For enquiries please contact the Licensing Department on 01620 826147.