

NOTICE OF MEETING

MEETING	LICENSING ACT 2003 SUB-COMMITTEE
DATE:	MONDAY 26 JULY 2010
TIME:	1.30 pm
VENUE:	BOURGES/VIERSEN ROOMS
CONTACT:	<i>Gemma George: Senior Governance Officer</i> <i>Telephone: 01733 452268</i> <i>e-mail address: gemma.george@peterborough.gov.uk</i>
<i>Despatch date:</i>	<i>16 July 2010</i>

AGENDA

PAGE NO

1. **Apologies**
2. **Declarations of Interest**
3. **Application for Expedited Summary Review of Premises Licence -
Shalimar Gardens, 34 New Road, Peterborough, PE1 1FH** 1 - 32



There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Gemma George on 01733 452268.

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LICENSING ACT 2003 SUB-COMMITTEE		AGENDA ITEM No. 3
26 JULY 2010		PUBLIC REPORT
Contact Officers:	Adrian Day, Licensing Manager Terri Martin, Regulatory Officer Licensing	Tel: 454437 Tel. 453561

APPLICATION: Expedited Summary Review of Premises Licence

PREMISES: Shalimar Gardens, 34 New Road, Peterborough, PE1 1FH

REFERENCE NUMBER: MAU 059597

GLOSSARY OF TERMS: Attached at **Appendix A – Page 5**

1. PURPOSE OF REPORT

1.1 To consider and determine an application made by Cambridgeshire Constabulary for an expedited summary review of a Premises Licence under Section 53A of the Licensing Act 2003 for the above premises. A summary review is applicable for premises experiencing serious crime or disorder.

2. BACKGROUND INFORMATION

2.1 On 2 February 2007 an application for a new premises licence was applied for by Mr Farooq, for the on sale of alcohol and late night refreshment from 17.00 to midnight. At that time the premises was called Maharanis. As no representations were received the licence was granted on 6 March 2007.

2.2 On 22 April 2009 a transfer application was received to transfer the premises licence to Mr Tariq Shaheen to be the premises licence holder. As no representations were received the new licence was issued 14 May 2009.

2.3 A variation application was submitted by Mr Shaheen on 26 May 2009 to extend the timings to 11am until 5am for the sale of alcohol and to include off sales, and late night refreshment. The application also requested regulated entertainment activities. As no objections were received the variation was granted on the 24 June 2009.

2.4 An application to vary the Designated Premises Supervisor (DPS) was received on 28 July 2009, this application made Mr Tariq Shaheen the current DPS. This licence was issued 12 August 2009.

2.5 A minor variation was submitted on the 12 February 2010 to include extra conditions (SIA door supervisors and CCTV) to the premises licence. This was recommended by the police to control recent incidents which had occurred at the venue. This new licence was granted on 15 February 2010. A copy of this current licence may be found at **Appendix B – Page 9**

3. APPLICATION

- 3.1 In accordance with section 53A of the Licensing Act 2003, following the submission of an application for a summary review of the premises licence and the certificate signed by a superintendant from Cambridgeshire Constabulary, the licensing authority must consider if it is necessary to take interim steps within 48 hours.
- 3.2 A consideration hearing took place on the 2 July 2010 where the Licensing Sub-Committee determined the interim steps to be applied as per section 53B of the Act. The Sub-Committee's decision was to restrict the hours of operation from 5am down to 2am and to add extra operating conditions to the premises licence. A copy of this decision is attached at **Appendix C – Page 21**
- 3.3 The holder of the premises licence did not appeal the interim steps.
- 3.4 A copy of the application for summary review and the accompanying certificate under section 53A, which was received at these offices on 30 June 2010 is attached at **Appendix D – Page 25**
- 3.5 A copy of the 'Notice' that was displayed on the premises in accordance with Part 5 no. 38 of Statutory Instruments 2005 No. 42 – The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 (as amended by the Violent Crime Act 2006 and Statutory Instruments 2007 No 2502) is attached at **Appendix E – Page 31**

4. Summary of issues raised by Cambridgeshire Constabulary

- 4.1 The summary review has regard to a serious crime which occurred on the 27 June 2010, details of which are restricted but known by the Sub-Committee. Cambridgeshire Constabulary also noted that there had been seven (7) crimes reported in 2010 including the one on the 27 June. Four of the offences were assaults and two were public order offences. The police were concerned about the level and increase of problems at the venue and the fact that the incidents were occurring late in the evening/early morning.

5. POLICY & GUIDANCE IMPLICATIONS

- 5.1 The following sections/paragraphs are applicable to this application:

5.2 Council's Statement of Licensing Policy

- Other legislation: *Section 10 on Page 14*
- Fundamental Principles: *section 6 on Page 9*
- Reviews: *section 15 on Page 18*
- Delegation / Decision Making / Administration: *Section 16 page 18*

5.3 Guidance Issued under Section 182 of the Licensing Act 2003 (March 2010)

- The licensing objectives: *Section 2 pages 16 to 23*
- Reviews: *Section 11 pages 97 to 100*
- Determining applications: *Section 9 pages 76 to 80*

6. LEGAL OFFICER'S COMMENTS

- 6.1 The Licensing Authority (hereafter referred to as "the Council) is charged with implementing the provisions of the Licensing Act 2003. This is an application for a summary review of a premises licence following the application by Cambridgeshire Constabulary (Responsible Authority) to review the premises licence made under section 53A of the Licensing Act 2003.
- 6.2 In this case, the application was received at these offices on 30 June 2010.

- 6.3 The application before this Sub-Committee will consider –
- (i) The application to review the licence,
 - (ii) Any relevant representations
- 6.4 The Sub-Committee will take such of the steps as it considers that action is necessary for the promotion of the licensing objectives. The steps are –
- (a) to modify the conditions of the premises licence
 - (b) to exclude a licensable activity from the scope of the licence
 - (c) to remove the designated premises supervisor from the licence
 - (d) to suspend the licence for a period not exceeding three months, or
 - (e) to revoke the licence
 - (f) to adhere to the decision of 2 July 2010 or amend that decision, and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added

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LICENSING ACT 2003 GLOSSARY OF TERMS

Note: In this document, the following definitions are included to provide an explanation of certain terms included in the Act. In some cases they are an abbreviation of what is stated in the Licensing Act 2003 or an interpretation of those terms. For a full definition of the terms used, the reader must refer to the Licensing Act 2003.

‘Child’

(a) means an individual aged under 16

(b) a child is unaccompanied if he is not in the company of an individual aged 18 years or over

DCMS: Department for Culture Media and Sport

‘Designated Premises Supervisor’ means the person (who must be a Personal Licence Holder), in the case of premises selling alcohol, who will normally have been given the day to day responsibility for running the premises by the holder of the Premises Licence or will be the Premises Licence holder.

‘Interested parties’:

- a person living in the vicinity of the premises in question;
- a body representing persons living in that vicinity, e.g. a residents association;
- a person involved in a business in the vicinity of the premises in question;
- a body representing persons involved in such a business e.g. a trade association.
- a member of the relevant licensing authority

‘Late Night Refreshment’ means the supply of hot food or hot drink to members of the public (whether for consumption on or off the premises) between the hours of 11.00 pm and 5.00 am.

‘Licensable Activities’ means: -

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of Regulated Entertainment
- The provision of Late Night Refreshment

‘Licensing Authority’: - is the licensing function of Peterborough City Council

‘Licensed Premises’ includes club premises and events unless the context otherwise requires.

‘Licensing Objectives’

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

‘Operating Schedule’ means a document containing a statement of the following matters (and any others that may be prescribed): -

- The relevant Licensable Activities
- The times at which the Licensable Activities are to take place and any other times when premises are open to the public
- Information regarding the person who will be specified in the Premises Licence as the Premises Supervisor

- Where the Licensable Activities involve the supply of alcohol, whether it is for the supply on and/or off the premises
- The steps being taken to promote the Licensing Objectives

‘Rateable Value’: as regards a premises, is the value for the time being in force for the premises entered in the local non-domestic rating list for the purposes of Part III of the Local Government Finance Act 1988(b).

‘Regulated Entertainment’ (Schedule 1 of the Act) means: -

- A performance of a play
- An exhibition of a film
- An indoor sporting event
- A boxing or wrestling entertainment
- A performance of live music
- Any playing of recorded music
- A performance of dance

Or entertainment of a similar description falling within the last three of the categories listed above, where the entertainment takes place in the presence of and for the purposes of entertaining that audience or spectators.

Or the provision of entertainment facilities:

Facilities for enabling persons to take part in entertainment of the following description for the purpose or purposes, which include the purpose of being entertained:

- making music
- dancing
- entertainment of a similar description

‘Relevant Licensing Authority’: is the Authority in the area the premises are situated.

‘Responsible Authority’ means any of the following: -

- Cambridgeshire Constabulary (The Chief Officer of Police)
- Cambridgeshire Fire and Rescue (The Fire Authority)
- Health and Safety Team, Peterborough City Council
- Planning authority, Peterborough City Council
- Trading Standards, Peterborough City Council
- Environmental Health – Pollution, Peterborough City Council
- Children’s Services – Child Protection & Review Manager
- Maritime & Coastguard Agency, Walton on Naze. (For vessels carrying more than 12 passengers.)
- Environment Agency, Peterborough (For vessels carrying 12 or less passengers).

‘Supply of alcohol’:

- the sale by retail of alcohol, or
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.

‘Temporary Event Notice’ means a Permitted Temporary Activity involving one or more Licensable Activities subject to the following various conditions and limitations: -

- Duration – they are limited to events lasting for up to 96 hours;
- Scale – they cannot involve the presence of more than 499 people at any one time;

- Use of the same premises – the same premises cannot be used on more than 12 occasions in a calendar year, but are subject to the overall aggregate of 15 days irrespective of the number of occasions on which they have been used; and
- The number of notices given by an individual within a given period of time – a Personal Licence Holder is limited to 50 notices in one year, and another person to 5 notices in a similar period.

(In any other circumstances, a full Premises Licence or Club Premises Certificate will be required for the period of the event).

‘the Act’: means the Licensing Act 2003

‘Vicinity’: Given the normal everyday meaning of being ‘near to’ when considering the relevance of representations received from individual’s residence or business.

Licensing Act 2003\glossary of terms 13 March 2007

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PART A

Premises Licence

**Peterborough City Council, Environmental Services,
 Bridge House, Town Bridge, Peterborough, PE1 1HU**

Premises Licence Number

058655

Part 1 - Premises Details

Postal address of premises, or if none, ordnance survey map reference or description Shalimar Gardens 34 New Road	
Post Town Peterborough	Post Code PE1 1FH
Telephone Number 01733 346666	

Where the licence is time limited the dates Start Date N/A End Date N/A
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<p>Licensable activities authorised by the licence</p> <p>Provision of regulated entertainment</p> <p>Films The exhibition will take place indoors.</p> <p>Live Music The live music will take place indoors.</p> <p>Recorded Music The recorded music will take place indoors.</p> <p>Performances of Dance The performance of dance will take place indoors.</p> <p>Anything of a similar description to that of live music, recorded music or performances of dance The entertainment will take place indoors.</p> <p>Provision of entertainment facilities</p> <p>Making Music The activity will take place indoors.</p> <p>Dancing The activity will take place indoors.</p> <p>Entertainment of a similar description to that of making music or dancing The activity will take place indoor.</p> <p>Provision of late night refreshment The provision of late night refreshment will take place both indoors and outdoors.</p>
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Sale by retail of alcohol

The supply of alcohol will be for consumption both on and off the premises.

The times the licence authorises the carrying out of licensable activities**Films**

Monday to Sunday Between 11.00hrs and 05.00hrs

Live Music

Monday to Sunday Between 11.00hrs and 05.00hrs

Recorded Music

Monday to Sunday Between 11.00hrs and 05.00hrs

Performances of Dance

Monday to Sunday Between 11.00hrs and 05.00hrs

Anything of a similar description to that of live music, recorded music or performances of dance

Monday to Sunday Between 11.00hrs and 05.00hrs

Making Music

Monday to Sunday Between 11.00hrs and 05.00hrs

Dancing

Monday to Sunday Between 11.00hrs and 05.00hrs

Entertainment of a similar description to that of making music or dancing

Monday to Sunday Between 11.00hrs and 05.00hrs

Provision of late night refreshment

Monday to Sunday Between 23.00hrs and 05.00hrs

Sale by Retail of Alcohol

Monday to Sunday Between 11.00hrs and 05.00hrs

The opening hours of the premises

Monday to Sunday Between 11.00hrs and 05.00hrs

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

The supply of alcohol will be for consumption both on and off the premises.

Part 2

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

Mr Tariq Shaheen

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

N/A

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

Mr Tariq Shaheen

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

Licence Number

BBC/PERN/709/09

Issuing Authority

Bedford Borough Council

Annex 1 - Mandatory conditions

Licensees should note that the under enclosed Mandatory conditions should be read in conjunction with the granted licence and these conditions shall be enforceable where relevant to the operation of the premise and its activities.

Exhibition of films

This registration authorises the exhibition of films subject to the following conditions:

1. I will not exhibit any film unless –
 - (a) it has received a "U", "PG", "12", "12A", "15" or "18" certificate from the British Board of Film Classification; or
 - (b) it is a current newsreel which has not been submitted to the British Board of Film Classification.
2. Where films are classified by the film classification body, (British Board of Film Classification) I will make sure that children (persons under 18) are only admitted in accordance with the classification of the film:

U – Universal – suitable for audiences aged 4 years and over;
PG – Parental Guidance – some scenes may be unsuitable for young children;
12 – viewing by persons aged 12 years and over;
12A – viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult;
15 – viewing by persons aged 15 years and over;
18 – viewing by persons aged 18 years and over.
3. Where the Licensing Authority has made a recommendation on the restriction of admission of children to a film, I will make sure that notices are displayed both inside and outside the premises so that persons are aware of the classification.

Supply of alcohol (Premises Licence)

This registration authorises the supply of alcohol subject to the following conditions:

4. No supply of alcohol may be made at a time when
 - (a) there is no designated premises supervisor in respect of the premises licence, or
 - (b) when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
5. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Door Supervision (where supervisors are engaged this condition applies)

6. All door supervisors will be Security Industry Authority registered.

Annex 2 - Conditions consistent with the Operating Schedule

Crime and Disorder

7. Alcohol will only be supplied off the premises with a take-away meal or if the patron has previously had a meal at the restaurant in a container that is sealed
8. Food Deliveries: If an employee has reason to suspect that the person accepting a meal that contains alcohol is under the age of 21 then photographic ID will be requested.
9. Video/CCTV equipment shall be installed inside/outside the premises and maintained in working order.
10. Video/CCTV equipment will be set to record all licensed areas from the time that the premises open to the public until the premises closes and all members of the public have left.
11. Digital images shall be retained for at least one month and shall be produced to an authorised officer on demand.
12. Notices advising that CCTV has been installed on the premises shall be posted up so that they are clearly visible to the public within the licensed premises.
13. An authorised person will be available at all times on the premises to show CCTV images immediately or to an authorised officer on demand.
14. CCTV images will be clear and comprehensible.
15. Any new/existing CCTV system in place will be cleared for use by the Police/Licensing Authority.
16. Facilities will be in place for the immediate copying of CCTV images to a recognised media. These copied images will be made immediately available to an authorised officer on request.
17. Two SIA registered doors staff will be employed at the premises on Fridays and Saturdays (Saturday will include Sunday morning) from 02.00 to the time that all members of the public have left and the restaurant is closed for business. Door Staff will start at 00.00 if requested by the Police.

Public Safety

18. The premises will comply with the appropriate Fire, Health & Safety regulations

Public Nuisance

19. Music will be kept to an incidental background level.
20. Waste will be collected and deliveries will be made during reasonable hours.

21. The premises license holder shall take all necessary steps to ensure that noise or vibration is not noticeable at the façade of any noise sensitive premises / nearest residential property.
22. The placing of bottles into receptacles outside the premises shall take place at times that will minimise disturbance to nearby properties.
23. The premises licence holder shall implement a system to ensure that offensive smells from the licensed premises are not permitted so as to cause a nuisance to nearby properties and the premises are properly vented.

Protection of Children from Harm

24. Children under the age of 16 will not be allowed on the premises unless accompanied by a responsible adult (over 18). Anyone suspected of being under 18 will be asked to provide photo identification before being supplied alcohol.
25. Staff will be trained in appropriate ID procedures
26. The 'Challenge 21' initiative to prevent sales of alcohol to persons under 18 years of age will be implemented at the premises.

Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 – Plans

PART B

Premises licence summary

**Peterborough City Council, Licensing Section,
 Bridge House, Town Bridge, Peterborough, PE1 1HU**

Premises Licence Number

058655

Premises Details

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

Shalimar Gardens
 34 New Road

Post Town Peterborough

Post Code PE1 1FH

Telephone Number 01733 346666

Where the licence is time limited the dates

Start Date N/A
 End Date N/A

Licensable activities authorised by the licence

Provision of regulated entertainment

Films

The exhibition will take place indoors.

Live Music

The live music will take place indoors.

Recorded Music

The recorded music will take place indoors.

Performances of Dance

The performance of dance will take place indoors.

Anything of a similar description to that of live music, recorded music or performances of dance

The entertainment will take place indoors.

Provision of entertainment facilities

Making Music

The activity will take place indoors.

Dancing

The activity will take place indoors.

Entertainment of a similar description to that of making music or dancing

The activity will take place indoor.

Provision of late night refreshment

The provision of late night refreshment will take place both indoors and outdoors.

Sale by retail of alcohol

The supply of alcohol will be for consumption both on and off the premises.

The times the licence authorises the carrying out of licensable activities**Films**

Monday to Sunday Between 11.00hrs and 05.00hrs

Live Music

Monday to Sunday Between 11.00hrs and 05.00hrs

Recorded Music

Monday to Sunday Between 11.00hrs and 05.00hrs

Performances of Dance

Monday to Sunday Between 11.00hrs and 05.00hrs

Anything of a similar description to that of live music, recorded music or performances of dance

Monday to Sunday Between 11.00hrs and 05.00hrs

Making Music

Monday to Sunday Between 11.00hrs and 05.00hrs

Dancing

Monday to Sunday Between 11.00hrs and 05.00hrs

Entertainment of a similar description to that of making music or dancing

Monday to Sunday Between 11.00hrs and 05.00hrs

Provision of late night refreshment

Monday to Sunday Between 23.00hrs and 05.00hrs

Sale by Retail of Alcohol

Monday to Sunday Between 11.00hrs and 05.00hrs

The opening hours of the premises

Monday to Sunday Between 11.00hrs and 05.00hrs

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

The supply of alcohol will be for consumption both on and off the premises.

Name, (registered) address of holder of premises licence

Mr Tariq Shaheen

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

N/A

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Tariq Shaheen

State whether access to the premises by children is restricted or prohibited

Restricted

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APPENDIX C

NOTIFICATION OF DECISION OF LICENSING SUB-COMMITTEE

APPLICATION FOR SUMMARY REVIEW OF PREMISES LICENCE UNDER SECTION 53(A) OF THE LICENSING ACT 2003

- Date of Review:** 2 July 2010
- Premises:** Shalimar Gardens, 34 New Road, Peterborough, PE1 1FJ
- Applicants:** Cambridgeshire Constabulary (Northern Division)
- Decision:** The sale of alcohol only to be ancillary to the sale of a substantial meal.
Additional conditions attached to the licence as detailed in the schedule.
Licensable activities only to take place between the hours of 11.00 hrs and 02.00 hrs.
The premises to close by 02.30 hrs.

OUTLINE OF FINDINGS OF FACT

1. The Sub-Committee considered representations made by the police contained within the application and certificate in support of summary review. These representations detailed incidents which took place between 7 February 2010 and 27 June 2010.
2. The Sub-Committee contacted by telephone the Police Licensing Officer, PC Maddox, and asked whether there had been any further incidents reported after 27 June 2010, there had not been. Also, the Committee asked how many of the agreed further steps had been implemented by the licensee. The police were aware that a number of steps had been complied with but were unable to confirm if all steps had been complied with.

3. The Sub-Committee attempted to contact Mr Tariq Shaheen to confirm how many steps had been complied with but for some reason the Committee was unable to contact Mr Shaheen on the numbers given.
4. The Sub-Committee were satisfied that they had sufficient information to make a decision.

CONSIDERATIONS BY THE SUB-COMMITTEE

5. The Sub-Committee considered:
 - The licensing objectives of public safety, the prevention of crime and disorder, and the prevention of public nuisance
 - The Government Guidance on Expedited/Summary Reviews
 - The Council's own Statement of Licensing Policy
 - The Human Rights Act
 - The interim steps available
 - The senior officer's certificate
 - The chief officer's representations
6. The Sub-Committee considered it necessary for the promotion of the three licensing objectives as listed above, that the hours of operation for licensable activities should be curtailed and that further conditions should be attached to the licence.

REPRESENTATIONS BY THE PREMISES LICENCE HOLDER UNDER SECTION 53(B)(6) OF THE ACT

7. The premises licence holder is entitled to make representations on the interim steps taken. If representations are made, the licensing authority must hold a hearing within 48 hours of receipt (excluding non-working days). At the hearing the licensing authority must consider if the interim

steps taken are necessary for the promotion of the licensing objectives
and determine whether to withdraw or modify the steps taken.

Colin Miles

2 July 2010

On behalf of the Solicitor to the Council

SCHEDULE

ADDITIONAL CONDITIONS ATTACHED TO THE PREMISES LICENCE

1. That all bar staff are aware of their responsibilities under the Licensing Act 2003 and training on the Act to be evidenced in writing.
2. Security door staff to be employed during the hours of 23.00 hrs and closing time when licensable activities take place.
3. City Link to be in place and operational during licensable activities.
4. Challenge 21 posters to be displayed within the premises.
5. A refusals register to be kept and available for inspection by the police and authorised officers of the local authority.
6. The Travel Lodge located near the premises has a direct telephone number to the premises in order to speak with the DPS or premises licence holder in case of noise nuisance

The above conditions to be in place and operational by 11.00 hrs, on 9 July 2010 apart from the requirement for security door staff which will take effect on Saturday 3rd Jul 2010.

The change in operating hours for licensable activities are to have effect on Saturday 3rd July 2010 at 11.00hrs.

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

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

Peterborough City Council Bridge House Bridge street Peterborough

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 Supt Paul Fullwood [on behalf of] the chief
officer of police for the Cambridgeshire Constabulary 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:

**Shalimar Gardens
34, New Road,
Peterborough**

Post town: Peterborough

Post code (if known): PE1 1FJ

2. Premises licence details:

Name of premises licence holder (if known): Tariq Shaheen

Number of premises licence holder (if known):

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]

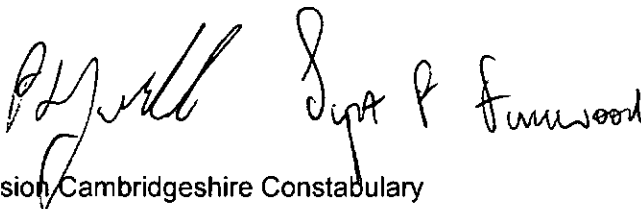
On Friday 27 June 2010 a serious assault occurred in the above premises.

The conduct of the management and staff related to this serious offence has generated enough concern that we feel this premises is not being run to a sufficient standard to ensure public safety.

Signature of applicant:

Date: 30/06/2010

Capacity: Supt Northern Division, Cambridgeshire Constabulary



Contact details for matters concerning this application:

Address: Thorpewood Police Station, Peterborough

Telephone number(s): 0345 456 456 4

Email:

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.

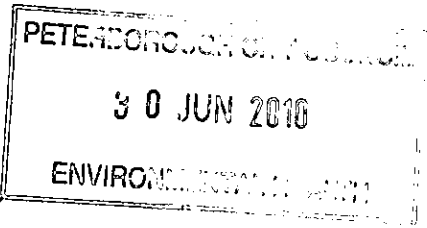
Serious crime is defined by reference to section 81 of the Regulation of Investigatory

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.



ANNEX B

Cambridgeshire CONSTABULARY

CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003

I hereby certify that in my opinion the premises described below are associated with serious crime / serious disorder / both serious crime and serious disorder¹.

Premises²:
Shalimar Gardens,
34, New Road
Peterborough

Premises licence number (if known):

Name of premises supervisor (if known): Tariq Shaheen

I am a Superintendent *Paul Holloway*³ in the Cambridgeshire police force.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because⁴:

Conduct of the management + staff related to a recent revision (27/6/10) and ongoing concerns of disorder + impact to local community.

¹ Delete as applicable.
² Include business name and address and any other relevant identifying details.
³ Insert rank of officer giving the certificate, which must be superintendent or above.
⁴ Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned.

[Signature]
(Signed)

Sept 16th 8 fulltime
(Date)

30/06/19
[Signature]

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LICENSING ACT 2003

NOTICE OF APPLICATION FOR THE REVIEW OF A PREMISES LICENCE UNDER SECTION 53A

Notice is given that Peterborough City Council, as the Licensing Authority, has on the 30TH of June 2010 (16.20hrs) been asked to review the Premises Licence for the following licensed premises:

Shalimar Gardens, 34 New Road, Peterborough PE1 1FJ

Anyone wishing to make representations concerning this review should do so in writing to:

Peterborough City Council, Licensing Section, Bridge House, Town Bridge, Peterborough, PE1 1HU

Representations in respect to this review must reach the Licensing Authority by 7th July 2010.

Persons wishing to inspect the review application may do so by attending the office of the licensing section during office hours, Monday to Friday. Alternatively the review application may be viewed on the public register section of the Licensing Authorities website,

http://www.peterborough.gov.uk/business/licensing_and_permits/licensing_act_2003/public_register.aspx

It is an offence knowingly or recklessly to make a false statement in connection with an application, the maximum fine for which on summary conviction is £5000