

LICENSING ACT 2003 SUB-COMMITTEE

MONDAY 24 APRIL 2023

1.30 PM

Sand Martin House - Conference Room

AGENDA

Page No

1. **Apologies for Absence**
2. **Declarations of Interest**

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification" that has been disclosed to the Solicitor to the Council.

3. **Application for Review of Premises Licence - Shah Jehan – 18 Park Road, Peterborough, PE1 2TD** 3 - 34



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Committee Members:

Councillors: Warren, Ayres, Allen, Sabir, Bi, Wiggin (Chairman), Bond (Vice Chairman), C Harper, Hussain and Moyo

Substitutes: Councillors: Sainsbury, Hogg, Bond and Dowson

Further information about this meeting can be obtained from Karen Dunleavy on telephone 01733 452233 or by email – karen.dunleavy@peterborough.gov.uk

LICENSING ACT 2003 SUB COMMITTEE		AGENDA ITEM No 3
24 APRIL 2023		PUBLIC REPORT
Contact Officers:	Gareth Brighton, Licensing and Business Manager Darren Dolby, Licensing Regulatory Officer	Tel. 864103 Tel. 453540

APPLICATION: Review of Premises Licence

PREMISES: Shah Jehan – 18 Park Road, Peterborough, PE1 2TD

REFERENCE NUMBER: MAU: 121161

GLOSSARY OF TERMS: Attached at **Appendix A** on **Page 6**

1. PURPOSE OF REPORT

1.1 To consider and determine an application for the review of a Premises Licence under Section 51 of the Licensing Act 2003 served by Cambridgeshire Constabulary in relation to the above premises. The review was bought under the Prevention of Crime and Disorder objective.

2. BACKGROUND INFORMATION

2.1 A conversion application (Grandfather rights) of a Justices ‘Off Licence’ was made by Mr Mohammed Saghir and granted in August 2005. The licence was transferred to the current licence holder, Mr Mohammed Khawar, on 1 July 2020 and Mr Gulzar Ahmed was the Designated Premises Supervisor. On 23 February 2023 Mr Ahmed removed himself as the Designated Premises Supervisor.

2.2 A copy of the current licence is attached at **Appendix B Page 9**.

3. APPLICATION

3.1 In accordance with section 51 of the Licensing Act 2003 following the submission of an application to review the premises licence from Cambridgeshire Constabulary, a Responsible Authority, the licensing authority must hold a hearing.

3.2 A copy of the application to review was received on 14 March 2023, a copy of this application, together with the Police delegation, are attached at **Appendix C – Page 21**

3.3 A statutory ‘Notice’ 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.

3.4 No other representations have been received from any of the remaining Responsible Authorities nor from ‘other persons’.

4. SUMMARY OF ISSUES RAISED BY RESPONSIBLE AUTHORITIES

- On 20th February 2023, at approximately 5am, a serious incident occurred within the premises which resulted in two males suffering knife injuries.
- The premises licence holder, Mr Mohammed Khawar, is suspected of being involved in the incident and has not been contactable since the incident.
- Section 11.28 of Guidance (issued under section 182 of the Licensing Act 2003) recommends that revocation of the licence even in the first instance, should be seriously considered where reviews arise and the licensing authority determines, that the crime prevention objective is being undermined through the premises being used to further crimes.

5. POLICY & GUIDANCE IMPLICATIONS

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

5.2 Council's Statement of Licensing Policy

- Objectives: *section 4 on Pages 6 and 7*
- Other Legislation : *section 8 on Page 9*
- Reviews: *section 17 on Page 20*
- Delegation / Decision Making / Administration: *Section 18 page 20 and 21*

5.3 Guidance Issued under Section 182 of the Licensing Act 2003 (April 2018)

- Reviews: *Section 11 pages 94 to 98*
- Determining applications: *Section 9 pages 73 to 81*

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 review of a premises licence following the application by Trading Standards (Responsible Authority) to review the premises licence made under section 51 of the Licensing Act 2003.

6.2 In this case, the application was received at these offices on 14 March 2023.

6.3 The application before this committee will consider –

- (i) The application to review the licence,
- (ii) Any relevant representations

6.4 The committee will take such of the steps as it considers that action is appropriate 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

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

6.5 In addition the guidance issued under section 182 of the Licensing Act 2003 states:

'The licensing authority may decide that the review does not require it to take any further steps appropriate to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing

objectives are effectively promoted and that warnings should be in issued in writing to the licence holder. However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to concerns, licensing authorities should not merely repeat that approach and should take this in to account when considering what further action is appropriate.’

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.

‘Other Persons’:

- persons who live, or are involved in a business, in the relevant licensing Authorities area and who are likely to be affected by the application and are not a Responsible 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

'Challenge 25' means that a retailer will ask for proof of identification if they have reason to believe that the person making a purchase of alcohol is under the age of 25.

'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

Except where there is an exemption under the Live Music Act 2012 or Statutory Instrument 2013 No. 1578 The Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013.

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.

'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
- Primary Care Trust or Local Health Board (Director of Public Health)
- The Relevant Licensing Authority, Peterborough City Council
- 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 168 hours (7 days);
- 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 21 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

**PART A****Premises Licence**

Peterborough City Council, Licensing, Sand Martin House, Bittern Way, Fletton Quays,
Peterborough, PE2 8TY

Premises Licence Number

111750

Part 1 - Premises Details**Postal address of premises, or if none, ordnance survey map reference or description**

Shah Jehan
18 Park Road

Post Town Peterborough**Post Code** PE1 2TD**Telephone Number** 01733 348941**Where the licence is time limited the dates**

Start Date N/A
End Date N/A

Licensable activities authorised by the licence**Recorded Music**

The recorded music will take place indoors

Provision of late night refreshment

The provision of late night refreshment will take place indoors

Sale by retail of alcohol

The supply of alcohol will be for consumption on the premises

The times the licence authorises the carrying out of licensable activities**Recorded Music**

Monday to Sunday During opening hours

Provision of late night refreshment

Monday to Saturday Between 23.00hrs and 00.00hrs
Sunday Between 23.00hrs and 23.30hrs

Sale by Retail of Alcohol

Monday to Saturday Between 10.00hrs and 00.00hrs
Sunday Between 12.00hrs and 23.30hrs
Non-standard timings As per attached embedded restrictions

The opening hours of the premises

Monday to Sunday Information not provided

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

The supply of alcohol will be for consumption on the premises

Part 2

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

Mr Mohammed Khawar
18 Park Road
Peterborough
PE1 2TD

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

Gulzar Ahmed
75 Percival Street
Peterborough
PE3 6AT

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
048621
Issuing Authority
Peterborough City 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.

Supply of alcohol (Premises Licence)

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

1. 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.

2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

3.
 - (a) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (b) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

Games or other activities which require or encourage, or are designed to require or encourage, individuals to—

- (i) Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) Drink as much alcohol as possible (whether within a time limit or otherwise);
- (c) Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective.
- (d) Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (e) Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be

considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

(f) Dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

4. The responsible person shall ensure that free potable water is provided on request to customers where it is reasonably available.
5. (a) 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.
(b) 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.
(c) 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—
 - (i) a holographic mark or
 - (ii) an ultraviolet feature.
6. The responsible person shall ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”
7.
 1. 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.
 2. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) “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;

(c) “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;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

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

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4.—(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Door Supervision (where supervisors are engaged this condition applies)

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

Annex 2 - Conditions consistent with the Operating Schedule

Annex 2A – Embedded Restrictions

Embedded Restrictions:

Licensees should note that the under enclosed embedded restrictions 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

Alcohol may be sold or supplied:

On Good Friday: 12 noon to 11.30 pm;

On Christmas Day: 12 noon to 11:30pm;

On New Year's Eve, except on a Sunday, 11 a.m. to midnight;

On New Year's Eve on a Sunday, 12 noon to 11.30 p.m.

On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions do not prohibit:

(a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;

(b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;

(c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;

(d) consumption of the alcohol on the premises or taking of sale or supply of alcohol to any person residing in the premises. Suitable non-alcoholic beverages, including drinking water, shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.

The premises must be bona fide used for the purpose of habitually providing the customary main meal at midday or in the evening, or both, for the accommodation of persons frequenting 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, Sand Martin House, Bittern Way, Fletton Quays,
 Peterborough, PE2 8TY**

Premises Licence Number 111750

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description Shah Jehan 18 Park Road	
Post Town Peterborough	Post Code PE1 2TD
Telephone Number 01733 348941	

Where the licence is time limited the dates Start Date N/A End Date N/A
--

Licensable activities authorised by the licence Recorded Music The recorded music will take place indoors Provision of late night refreshment The provision of late night refreshment will take place indoors Sale by retail of alcohol The supply of alcohol will be for consumption on the premises

The times the licence authorises the carrying out of licensable activities Recorded Music Monday to Sunday During opening hours
--

Provision of late night refreshment Monday to Saturday Between 23.00hrs and 00.00hrs Sunday Between 23.00hrs and 23.30hrs
--

Sale by Retail of Alcohol

Monday to Saturday Between 10.00hrs and 00.00hrs
Sunday Between 12.00hrs and 23.30hrs
Non-standard timings As per embedded restrictions

The opening hours of the premises

Monday to Sunday Information not provided

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

The supply of alcohol will be for consumption on the premises

Name, (registered) address of holder of premises licence

Mr Mohammed Khawar
18 Park Road
Peterborough
PE1 2TD

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

Gulzar Ahmed

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

Restricted

**APPLICATION FOR THE REVIEW OF Shah Jehan Restaurant, 18 Park Road PE1 2TD
PREMISES LICENCE**

LC1



**Peterborough City Council, Licensing Section, Sand Martin House, Bittern
Way, Fletton Quays, Peterborough, PE2 8TY**

**Application for the review of a premises licence or club premises certificate 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, PC 2094 Paul HAWKINS acting on behalf of The Chief Constable Nick DEAN of Cambridgeshire Constabulary apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description Shah Jehan Restaurant 18 Park Road	
Post town Peterborough	Post code (if known) Ali's Kebab House PE1 2TD

**APPLICATION FOR THE REVIEW OF Shah Jehan Restaurant, 18 Park Road PE1 2TD
PREMISES LICENCE**

Name of premises licence holder or club holding club premises certificate (if known)

Mr Mohammed Nadeem Khawar

Number of premises licence or club premises certificate (if known)

111750

Part 2 - Applicant details

Please tick yes

I am

1) an interested party (please complete (A) or (B) below)

a) a person living in the vicinity of the premises

b) a body representing persons living in the vicinity of the premises

c) a person involved in business in the vicinity of the premises

d) a body representing persons involved in business in the vicinity of the premises

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other
 title

(for example, Rev)

Surname

First names

**APPLICATION FOR THE REVIEW OF Shah Jehan Restaurant, 18 Park Road PE1 2TD
PREMISES LICENCE**

I am 18 years old or over

Please tick yes

Current address

Post Town

Postcode

Daytime contact telephone
number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

**APPLICATION FOR THE REVIEW OF Shah Jehan Restaurant, 18 Park Road PE1 2TD
PREMISES LICENCE**

E-mail (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Cambridgeshire Constabulary Hinchingsbrooke Park Huntingdon Cambridgeshire PE29 6NP
Telephone number (if any)
E-mail (optional) LicensingNorth@cambs.pnn.police.uk

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder

**APPLICATION FOR THE REVIEW OF Shah Jehan Restaurant, 18 Park Road PE1 2TD
PREMISES LICENCE**

Please state the ground(s) for review (please read guidance note1)

This application to review the premises licence

Shah Jehan

18 Park Road

Peterborough

Cambridgeshire

PE1 2TD

On Monday 20th February 2023, at approximately 05:00 hours there was a serious violent incident within the premises which continued onto the Street. Two males received injuries caused by a knife which required hospital treatment.

The Premises Licence Holder Mr Khawar is suspected of being involved and has not been contactable since the incident.

Consideration has been given to the Licensing Objectives:

- The prevention of crime and disorder;

**APPLICATION FOR THE REVIEW OF Shah Jehan Restaurant, 18 Park Road PE1 2TD
PREMISES LICENCE**

Please provide as much information as possible to support the application (please read Guidance

Shah Jehan Restaurant, 18 Park Rd, Peterborough PE1 2TD

The premises is operating as a restaurant with an alcohol licence for consumption on the premises and the provision of Late-Night Refreshments premises licence (PL No: 111750) issued by Peterborough City Council (PCC) (copy listed in Appendix A). The premises licence holder is listed as Mr Mohammed Nadeem Khawar.

The premises licence allows the following:

Provision of Late Night Refreshment

Monday to Saturday Between 23:00hrs and 00:00hrs

Sunday 23:00hrs to 23:30hrs

Sale by Retail of Alcohol

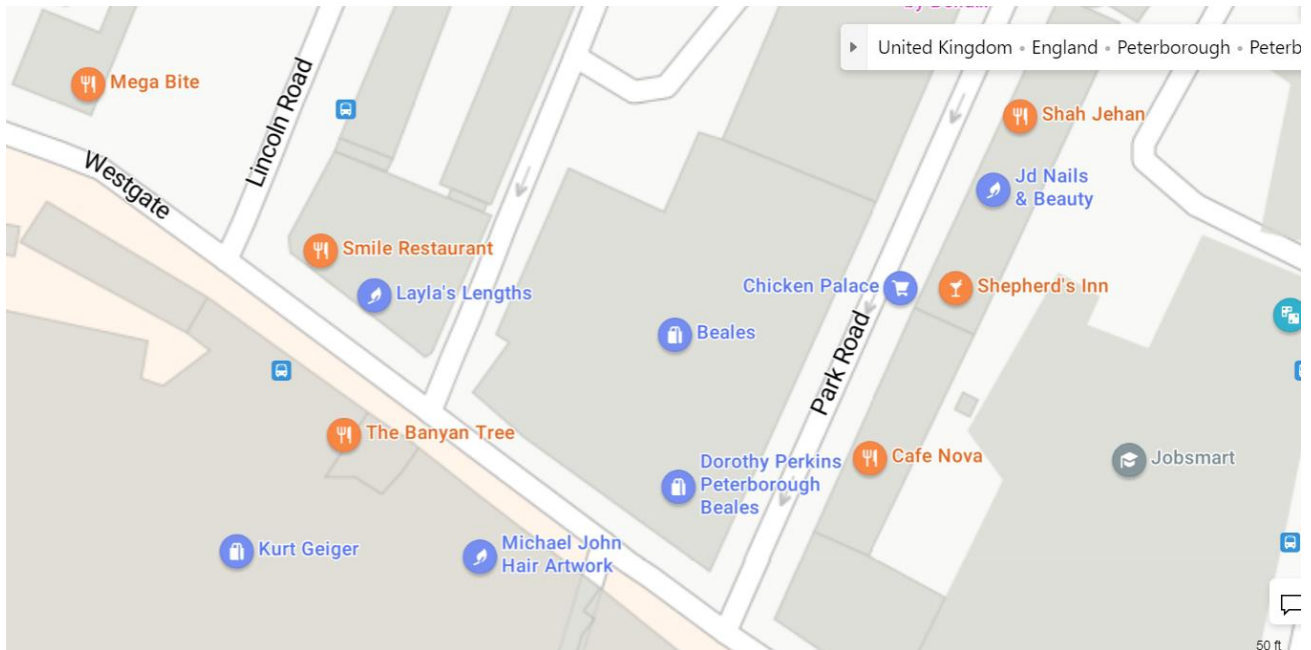
Monday to Saturday Between 10:00hrs and 00:00hrs

Sunday 12:00hrs to 23:30hrs

The premise is situated within an area of commercial properties.



APPLICATION FOR THE REVIEW OF Shah Jehan Restaurant, 18 Park Road PE1 2TD PREMISES LICENCE



On Monday 20th February 2023, at approximately 05:00 hours there was a serious violent incident within the premises (Shah Jehan) which continued onto the Street (Park Rd, Peterborough). Two males received injuries to their persons, caused by a knife which required hospital treatment.

The Premises Licence Holder Mr Khawar is suspected of being present and one of the persons involved, despite attempts to speak to Mr Khawar he has not been contactable since the incident.

The premises CCTV hard drive / recording device that was in existence prior to the incident has been removed prior to police attendance.

The incident is still under investigation and therefore only limited information can be shared at this time.

It should be noted that the Gulzar Ahmed who was the DPS at the time of the incident but not present, has since resigned as DPS.

Cambridgeshire Constabulary respectfully requests that the Licensing committee considers revocation of the Premises Licence, given the circumstances and the actions of Mr Khawar which leads us to question as to whether Mr Khawar is still considered a fit and proper person to run a licensed premises.

For information

Cambridgeshire Constabulary as a responsible authority recommends revocation due to the seriousness of criminal activity identified.

This is supported by guidance issued under section 182 of the Licensing Act 2003

11.24 *“...Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority’s role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.”*

11.28 *“It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.”*

Appendix List

Appendix A. Copy of Premises Licence for Shah Jehan, 18 Park Rd, Peterborough
(PL No: 111750)

Appendix B. Copy of Delegation of responsibilities by the Chief Officer of Police

**APPLICATION FOR THE REVIEW OF Shah Jehan Restaurant, 18 Park Road PE1 2TD
PREMISES LICENCE**

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to this premises please state what they were and when you made them

**APPLICATION FOR THE REVIEW OF Shah Jehan Restaurant, 18 Park Road PE1 2TD
PREMISES LICENCE**

[Empty rectangular box for application content]

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities X
and the premises licence holder or club holding the club premises certificate, as
appropriate
- I understand that if I do not comply with the above requirements my application X
will be rejected

**APPLICATION FOR THE REVIEW OF Shah Jehan Restaurant, 18 Park Road PE1 2TD
PREMISES LICENCE**

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

SignaturePaul Hawkins

Date.....14/03/2023

CapacityPC 2094 – Alcohol Licensing Officer, Cambridgeshire Constabulary

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)	
PC 2094 Paul Hawkins Licensing Officer Thorpe Wood Police Station Thorpe Wood	
Post town Peterborough	Post code PE3 6SD
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) LicensingNorth@cambs.pnn.police.uk	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

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Creating a safer
Cambridgeshire

Licensing Act 2003

Delegation of responsibilities by the Chief Officer of Police

In accordance with the provisions of the Licensing Act 2003 I hereby delegate authority to Cambridgeshire Constabulary Licensing Officers to develop policies and procedures and to exercise all powers vested in the Chief Constable of Cambridgeshire Constabulary. Such delegation to include the power to delegate specific tasks to licensing Constables and support staff.

This delegation shall remain in force unless otherwise notified.

Signed

A handwritten signature in black ink, appearing to read 'Nick Dean', is written over a horizontal line.

Nick Dean
Chief Constable
Cambridgeshire Constabulary
1 October 2018

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