

Ref: Transfer of Premise Licence Application - 3 Fitzwilliam Street - 118164

Thursday, 14th July 2022



Creating a safer
Cambridgeshire

Licensing Authority
Peterborough City Council
Sandmartin House
Bittern Way
Fletton Quays
Peterborough
PE2 8TY

Licensing Officer,

Re: 118164 – Transfer of Premises Licence – 3 Fitzwilliam St, Peterborough, PE1 2RU

On 5th July 2022 Cambridgeshire Constabulary received email notification from the Licensing Authority at Peterborough City Council of an application to Transfer the Premises Licence at 'Ali's Kebab House', 3 Fitzwilliam St, Peterborough, PE1 2RU.

The application has been submitted by solicitor Asad ARIF of HS Lawyers Ltd, 34A Lincoln Rd, Peterborough, PE1 2RL on behalf of their clients Sobia ASHGAR (Director) AL1 Kebabs Ltd (Current Licence Holder) and Mr Mashroh Oryakhail the applicant.

Guidance under Section 182 Licensing Act (42.6) allows Police to object to the application for Transfer of a premises Licence, “..*exceptional circumstances of the case are such that granting the application would undermine the crime prevention objective....*”.

On Wednesday 18th May 2022, Immigration officers attended 'Ali's Kebab House', 3 Fitzwilliam St, Peterborough, PE1 2RU where they reportedly found 2 individuals working illegally. An attending Immigration Officer has confirmed that Mr Oryakhail identified himself as the manager / owner of the takeaway at the time. The investigation and disposal of their findings is currently still being determined by the Immigration Team. This information is in the public domain [Immigration raid causes Peterborough kebab house to have licence reviewed | Peterborough Telegraph \(peterboroughtoday.co.uk\)](https://www.peterboroughtoday.co.uk/news/immigration-raid-causes-peterborough-kebab-house-to-have-licence-reviewed)

Mr ARIF has also provided documentation confirming that Mr Oryakhail, leased 'Ali's Kebab House', 3 Fitzwilliam St, Peterborough, PE1 2RU from Ali ASHGAR on 17th June 2019.

Emails containing the above information are being withheld from this covering letter but are available separately (not for public release) and will be made available to inform the Licensing Sub-Committee prior to any review or appeal hearing.

The Government offers advice regarding checking a job applicant's right to work via [Checking a job applicant's right to work - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

I also wish to make you aware of The High Court decision in East Lindsey District Council v Abu Hanif (t/a Zara's restaurant and takeaway) it is a stark reminder that there can be consequences for employers who employ illegal workers, even if they are not convicted of an offence.

[Employing illegal workers? You could lose your alcohol licence, even if you are not convicted - Lexology](#)

Given that Mr Oryakhail was committing the offence of employing illegal workers under section 21 Immigration, Asylum and Nationality Act 2006, it demonstrates a disregard for the Licensing Objective – The prevention of Crime & Disorder, Cambridgeshire Constabulary therefore respectfully **objects** to this application to Transfer the Premises Licence.

Due consideration is also being given to applying for a Review of the current Late Night Refreshment Premises Licence, as it is still live and being used by Mr Oryakhail allowing him to operate. I question why the current licence holder would allow Mr Oryakhail to continue to operate in their name, knowing that he is potentially exploiting vulnerable illegal workers and not upholding the Licensing Objectives.

Yours faithfully,

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