



Meeting of the Licensing Act 2003 Sub-Committee

held in the Bourges/Viersen Rooms at the Town Hall, Peterborough on 31 March 2023, at 1:30PM

**RECORD OF PROCEEDINGS**

1. Apologies for Absence	There were no apologies for absence received.
2. Declarations of Interest	None
3. Application	Personal Licence Review
3.1 Application Reference	062387 - Usman Abu Bakar Iftikhar
3.2 Sub-Committee Members	Councillors Wiggin, S Bond and Hiller
3.3 Officers	Darren Dolby, Regulatory Officer Colin Miles, Lawyer – Legal Advisor to the Sub-Committee Karen S Dunleavy, Democratic Services Officer – Clerk to the Sub-Committee
3.4 Applicant	Cambridgeshire Constabulary
3.5 Nature of Application	<p><b><u>Application Type</u></b></p> <p><b><u>Summary of Premises Licence Review Application</u></b></p> <p>In accordance with the Licensing Act 2003, following the submission of an application for a personal licence review for Usman Abu Bakar Iftikhar, 43 Thistle Moor Road, Peterborough, PE1 3HR, which had been submitted by Cambridgeshire Constabulary, the Licensing Authority was required to hold a hearing.</p> <p>summary of the issues raised in the application included:</p> <ul style="list-style-type: none"> <li>On 4 February 2023 a request was received from Cambridgeshire Constabulary for the review of Mr Iftikhar's personal licence. This request was made as a result of Mr Iftikhar's conviction at Cambridge Crown Court on 20 June 2022 for the offences of possessing a controlled drug with intent to supply (Class A – Heroin)</li> </ul>

	<p>and possessing a controlled drug with intent to supply (Class A – Cocaine). Both of these offences were contrary to Section 5 (3) of the Misuse of Drugs Act 1971 and are relevant offences in relation to the Licensing Act 2003.</p> <ul style="list-style-type: none"> <li>• Mr Iftikhar was currently service a custodial sentence.</li> <li>• Mr Iftikhar had not notified the Licensing Authority of his conviction</li> <li>• The Police had requested that the Committee consider suspending or revoking Mr Iftikhar’s personal licence.</li> </ul>
3.6 Licensing Objective(s) under which representations were made	1. The Prevention of Crime and Disorder
3.7 Parties/Representatives and witnesses present	<p><b><u>The Licensing Authority</u></b></p> <p>The Regulatory Officer, who presented the case on behalf of the Licensing Authority.</p> <p><b><u>Applicant</u></b></p> <p>Cambridgeshire Constabulary</p> <p><b><u>Licence Holder</u></b></p> <p>Not present</p>
3.8 Pre-hearing considerations and any decisions taken by the Sub-Committee relating to ancillary matters	There were no pre-hearing considerations.
3.9 Oral representations	<p>The Regulatory Officer addressed the Sub-Committee and outlined the main points with regards to the application. The key points raised in his/her address included:</p> <ul style="list-style-type: none"> <li>• A request had been made by Cambridgeshire Constabulary to review and revoke the licensing following a criminal conviction of the Licence Holder, Mr Iftikar.</li> <li>• The Personal Licence Holder, Mr Iftikar had been convicted with the possession of controlled drugs, namely Heroin and Cocaine, with the intent to supply.</li> <li>• Both offences were relevant offences with regards to the Licensing Act 2003.</li> <li>• Mr Iftikar was currently serving a custodial sentence.</li> <li>• Correspondence in relation to the hearing had been sent to Mr Iftikar in prison and his last registered address.</li> </ul>

	<p><b><u>Applicant</u></b></p> <p>PC Hawkins addressed the Sub-Committee. The key points raised during their address, and following questions from the Sub-Committee were as follows:</p> <ul style="list-style-type: none"> <li>• Mr Iftikar was convicted by Cambridgeshire Crown Court on 22 June 2022 on drug related offences, which were relevant offences under the Licensing Act 2003</li> <li>• Mr Iftikar had not notified Peterborough City Council of his convictions.</li> <li>• The Committee was asked to consider revocation of Mr Iftikhar's Personal Licence.</li> </ul> <p><b><u>Summing Up</u></b></p> <p>All parties were given the opportunity to summarise their submissions.</p>
3.10 Written representations and supplementary material taken into consideration	<p><b><u>Applicant</u></b></p> <p>Consideration was given to the application for a Personal Licence Review attached to the Sub-Committee report.</p>
3.11 Facts/Issues in dispute	<p><b><u>Issue 1</u></b></p> <p>Whether the premises licence application would further support the 'Prevention of Crime and Disorder' Licensing Objective.</p>
4. Decision	<p><b>The Sub-Committee listened to all the evidence put before it and also took into account the contents of the application and all representations and submissions made in relation to it. The Sub-Committee found as follows:-</b></p> <p>The Sub-Committee considered the representations made and in writing from:</p> <ul style="list-style-type: none"> <li>• Cambridgeshire Constabulary</li> <li>• Regulatory Officer</li> </ul> <p>The Sub-Committee considered:</p> <ul style="list-style-type: none"> <li>• On 4 February 2023 a request was received from Cambridgeshire Constabulary for the review of Mr Iftikhar's personal licence. This request was made as a result of Mr Iftikhar's conviction at Cambridge Crown Court on 20 June 2022 for the offences of possessing a controlled drug with intent to supply (Class A – Heroin) and possessing a controlled drug with intent to supply (Class A – Cocaine). Both of</li> </ul>

	<p>these offences were contrary to Section 5 (3) of the Misuse of Drugs Act 1971 and were relevant offences in relation to the Licensing Act 2003.</p> <ul style="list-style-type: none"> <li>• The offences were relevant offences for the purposes of the Licensing Act 2003 (the Act) and therefore must be disclosed. They were not disclosed by the licence holder, who was sentenced to a custodial term and currently resided in prison.</li> <li>• The Police had requested that the Sub-Committee considered suspending or revoking Mr Iftikhar's personal licence.</li> </ul> <p>The Sub-Committee discussed:</p> <ul style="list-style-type: none"> <li>• The licensing objective of the prevention of crime and disorder and the Sub-Committee's obligations to promote this objective; and</li> <li>• The regime relating to personal licences In Section 4 of the guidance.</li> </ul> <p>The Sub-Committee took a very serious view of these convictions and stated that they were incompatible with holding a personal licence under the Licensing Act 2003; and therefore, revoked the Personal Licence numbered 062387, issued to Usman Iftikhar.</p> <p>In reaching the decision the Sub-Committee was referred to:</p> <ul style="list-style-type: none"> <li>• The Licensing Act 2003</li> <li>• The City Council's Statement of Licensing policy</li> <li>• The Government Guidance issued under section 182 of the Licensing Act 2003</li> </ul> <p>The Sub-Committee, therefore revoked the personal licence for Mr Usman Abu Bakar Iftikhar, 43 Thistle Moor Road, Peterborough, PE1 3HR.</p>
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Chairman

Start 1.30pm – End 1:52pm