Dear Members

Licensing Sub Committee

A meeting of the Licensing Sub Committee will be held in the **Craddock Room**, **Civic Suite, Civic Centre, Riverside, Stafford** on **Friday 22 June 2018 at 2.00pm** to deal with the business as set out on the agenda.

Please note that this meeting will be recorded.

Members are reminded that contact officers are shown in each report and members are welcome to raise questions etc in advance of the meeting with the appropriate officer.

[Signature]

Head of Law and Administration
AGENDA

1 Apologies
2 Officer’s Reports

ITEM NO 2(a) Application for a Premises License

REPORT OF LICENSING OFFICER

Membership
Chairman Councillor A J Perkins

J A Barron    D B Price
G R Collier   J K Price
J W Farnham   R M Sutherland
A M Loughran  W S J Taylor
A J Perkins

(The 3 Members to form the Sub Committee will be appointed from the above)
Application for a Premises Licence

Report of Licensing Officer

Purpose of Report

To consider an application for a premises licence at Shimla Palace, Cromwell House, Wolseley Bridge, Stafford ST17 0XS.

1 Detail

1.1 On 19 April 2018 the Council received an application for a premises licence for Shimla Palace, Cromwell House, Wolseley Bridge, Stafford ST17 0XS.

1.2 The application was made by Mr Abdul Muktadir of 20 Graham Road, Saltley, Birmingham, West Midlands B8 3BQ.

1.3 On 18 May and 21 May 2018 the Council received representations from Staffordshire Police and Robert Simpson on behalf of Stafford Borough Council’s Licensing Authority.

1.4 The document relating to the application and representations are attached at APPENDIX 1.

2 Recommendation

2.1 The Committee is asked to consider this report and determine:

   Whether to grant the premises licence as applied for by Mr Abdul Muktadir

2.2 The procedure for meetings of the Licensing Sub Committee is attached to this report.

Previous Consideration

At the licensing sub committee of 18 October 2017 a previous premises licence at these premises was revoked.

A copy of the minutes is attached at APPENDIX 2.
Background Papers

File available in Licensing Section

Contact Officer

Julie Wallace, Licensing Officer, Tel 01785 619605
**Section 1 of 21**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

<table>
<thead>
<tr>
<th>System reference</th>
<th>Not Currently In Use</th>
<th>This is the unique reference for this application generated by the system.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Your reference</td>
<td>Sham UDDIN</td>
<td>You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.</td>
</tr>
</tbody>
</table>

Are you an agent acting on behalf of the applicant?  
- Yes  
- No  

**Applicant Details**

* First name  
- Abdul  

* Family name  
- Muktadir  

* E-mail  

Main telephone number  

Other telephone number  

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:  
- Applying as a business or organisation, including as a sole trader  
- Applying as an individual

**Applicant Business**

- Is the applicant's business registered in the UK with Companies House?  
- Yes  
- No  

- Is the applicant's business registered outside the UK?  
- Yes  
- No  

Business name  
- Shimla Palace  

VAT number  
- none  

Note: completing the Applicant Business section is optional in this form.

If the applicant's business is registered, use its registered name.  
Put "none" if the applicant is not registered for VAT.
<table>
<thead>
<tr>
<th><strong>Legal status</strong></th>
<th>Sole Trader</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Applicant’s position in the business</strong></td>
<td>Owner</td>
</tr>
<tr>
<td><strong>Home country</strong></td>
<td>United Kingdom</td>
</tr>
</tbody>
</table>

**Applicant Business Address**

- **Building number or name**: Cromwell House
- **Street**: Wolsely Bridge
- **District**: Stafford
- **City or town**: Stafford
- **County or administrative area**: West Midlands
- **Postcode**: ST17 0XS
- **Country**: United Kingdom

**Agent Details**

- **First name**: Sham
- **Family name**: Uddin

**Main telephone number**

**Other telephone number**

- **Indicate here if you would prefer not to be contacted by telephone**

**Are you:**

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

**Agent Business**

- **Is your business registered in the UK with Companies House?**
  - Yes
  - No
  
  **Registration number**: 9262578
  
  **Business name**: Hamstead Law Practice
  
  **VAT number**: AT 197886327
  
  **Legal status**: Private Limited Company

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### Continued from previous page...

<table>
<thead>
<tr>
<th>Your position in the business</th>
<th>Director</th>
</tr>
</thead>
<tbody>
<tr>
<td>Home country</td>
<td>United Kingdom</td>
</tr>
</tbody>
</table>

**Agent Registered Address**

<table>
<thead>
<tr>
<th>Building number or name</th>
<th>48</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street</td>
<td>Old Walsall Road</td>
</tr>
<tr>
<td>District</td>
<td>Great Barr</td>
</tr>
<tr>
<td>City or town</td>
<td>Birmingham</td>
</tr>
<tr>
<td>County or administrative area</td>
<td>West Midlands</td>
</tr>
<tr>
<td>Postcode</td>
<td>B42 1NP</td>
</tr>
<tr>
<td>Country</td>
<td>United Kingdom</td>
</tr>
</tbody>
</table>

### Section 2 of 21

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address
- OS map reference
- Description

**Postal Address Of Premises**

<table>
<thead>
<tr>
<th>Building number or name</th>
<th>Cromwell House</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street</td>
<td>Wolseley Bridge</td>
</tr>
<tr>
<td>District</td>
<td>Stafford</td>
</tr>
<tr>
<td>City or town</td>
<td>Stafford</td>
</tr>
<tr>
<td>County or administrative area</td>
<td>West Midlands</td>
</tr>
<tr>
<td>Postcode</td>
<td>ST17 0XS</td>
</tr>
<tr>
<td>Country</td>
<td>United Kingdom</td>
</tr>
</tbody>
</table>

**Further Details**

<table>
<thead>
<tr>
<th>Telephone number</th>
</tr>
</thead>
</table>

| Non-domestic rateable value of premises (£) | 12,500 |
APPLICATION DETAILS

In what capacity are you applying for the premises licence?

☐ An individual or individuals
☐ A limited company / limited liability partnership
☐ A partnership (other than limited liability)
☐ An unincorporated association
☐ Other (for example a statutory corporation)
☐ A recognised club
☐ A charity
☐ The proprietor of an educational establishment
☐ A health service body

☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales

☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England

☐ The chief officer of police of a police force in England and Wales

Confirm The Following

☐ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities

☐ I am making the application pursuant to a statutory function

☐ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

INDIVIDUAL APPLICANT DETAILS

Applicant Name
Is the name the same as (or similar to) the details given in section one?

☐ Yes ☐ No

First name
Abdul

Family name
Muktadir

Is the applicant 18 years of age or older?

☐ Yes ☐ No
**Current Residential Address**  
Is the address the same as (or similar to) the address given in section one?  
- **Yes**  
- **No**  

<table>
<thead>
<tr>
<th>Building number or name</th>
<th>20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street</td>
<td>Graham Road</td>
</tr>
<tr>
<td>District</td>
<td>Satley</td>
</tr>
<tr>
<td>City or town</td>
<td>Birmingham</td>
</tr>
<tr>
<td>County or administrative area</td>
<td>West Midlands</td>
</tr>
<tr>
<td>Postcode</td>
<td>B8 3BQ</td>
</tr>
<tr>
<td>Country</td>
<td>United Kingdom</td>
</tr>
</tbody>
</table>

**Applicant Contact Details**  
Are the contact details the same as (or similar to) those given in section one?  
- **Yes**  
- **No**  

<table>
<thead>
<tr>
<th>E-mail</th>
<th><a href="mailto:sham@harnsteadaw.com">sham@harnsteadaw.com</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Telephone number</td>
<td></td>
</tr>
<tr>
<td>Other telephone number</td>
<td></td>
</tr>
<tr>
<td>* Date of birth</td>
<td>dd / mm / yyyy</td>
</tr>
<tr>
<td>* Nationality</td>
<td>British</td>
</tr>
</tbody>
</table>

Documents that demonstrate entitlement to work in the UK

**Operating Schedule**

When do you want the premises licence to start?  
- dd / mm / yyyy  
01 / 06 / 2018

If you wish the licence to be valid only for a limited period, when do you want it to end?  
- dd / mm / yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

As you approach the main door the bar is on the left and on the right is the kitchen and toilets please see the plan.
If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

**Section 6 of 21**
**PROVISION OF PLAYS**

*See guidance on regulated entertainment*

Will you be providing plays?

- [ ] Yes  
- [x] No

**Section 7 of 21**
**PROVISION OF FILMS**

*See guidance on regulated entertainment*

Will you be providing films?

- [ ] Yes  
- [x] No

**Section 8 of 21**
**PROVISION OF INDOOR SPORTING EVENTS**

*See guidance on regulated entertainment*

Will you be providing indoor sporting events?

- [ ] Yes  
- [x] No

**Section 9 of 21**
**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

*See guidance on regulated entertainment*

Will you be providing boxing or wrestling entertainments?

- [ ] Yes  
- [x] No

**Section 10 of 21**
**PROVISION OF LIVE MUSIC**

*See guidance on regulated entertainment*

Will you be providing live music?

- [x] Yes  
- [ ] No

**Section 11 of 21**
**PROVISION OF RECORDED MUSIC**

*See guidance on regulated entertainment*

Will you be providing recorded music?

- [x] Yes  
- [ ] No

**Standard Days And Timings**
Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

<table>
<thead>
<tr>
<th>Day</th>
<th>Start</th>
<th>End</th>
</tr>
</thead>
<tbody>
<tr>
<td>MONDAY</td>
<td>17:00</td>
<td>12:00</td>
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<tr>
<td>TUESDAY</td>
<td>17:00</td>
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<td>WEDNESDAY</td>
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<td>THURSDAY</td>
<td>17:00</td>
<td>12:00</td>
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<tr>
<td>FRIDAY</td>
<td>17:00</td>
<td>01:00</td>
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<tr>
<td>SATURDAY</td>
<td>17:00</td>
<td>01:00</td>
</tr>
<tr>
<td>SUNDAY</td>
<td>17:00</td>
<td>12:00</td>
</tr>
</tbody>
</table>

Will the playing of recorded music take place indoors or outdoors or both? Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

- [ ] Indoors
- [ ] Outdoors
- [ ] Both

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.
Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

---

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

☐ Yes  ☐ No

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes  ☐ No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes  ☐ No

Standard Days And Timings

<table>
<thead>
<tr>
<th>Day</th>
<th>Start</th>
<th>End</th>
</tr>
</thead>
<tbody>
<tr>
<td>MONDAY</td>
<td>17:00</td>
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<td>THURSDAY</td>
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<td></td>
<td>12:00</td>
</tr>
</tbody>
</table>

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
FRIDAY
Start 17:00  End 01:00
Start  End

SATURDAY
Start 17:00  End 01:00
Start  End

SUNDAY
Start 17:00  End 12:00
Start  End

Will the provision of late night refreshment take place indoors or outdoors or both?
☐ Indoors  ☐ Outdoors  ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations
For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 15 of 21
SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?
☐ Yes  ☐ No
<table>
<thead>
<tr>
<th>Day</th>
<th>Start</th>
<th>End</th>
<th>Start</th>
<th>End</th>
</tr>
</thead>
<tbody>
<tr>
<td>MONDAY</td>
<td>17:00</td>
<td></td>
<td>12:00</td>
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<tr>
<td>TUESDAY</td>
<td>17:00</td>
<td></td>
<td>12:00</td>
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<tr>
<td>WEDNESDAY</td>
<td>17:00</td>
<td></td>
<td>12:00</td>
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<tr>
<td>THURSDAY</td>
<td>17:00</td>
<td></td>
<td>12:00</td>
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<tr>
<td>FRIDAY</td>
<td>17:00</td>
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<td>01:00</td>
<td></td>
</tr>
<tr>
<td>SATURDAY</td>
<td>17:00</td>
<td></td>
<td>01:00</td>
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<tr>
<td>SUNDAY</td>
<td>17:00</td>
<td></td>
<td>12:00</td>
<td></td>
</tr>
</tbody>
</table>

Will the sale of alcohol be for consumption:

- [ ] On the premises
- [ ] Off the premises
- [ ] Both

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.
Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

<table>
<thead>
<tr>
<th>First name</th>
<th>Moin</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family name</td>
<td>Uddin</td>
</tr>
<tr>
<td>Date of birth</td>
<td>dd mm yyyy</td>
</tr>
</tbody>
</table>

**Enter the contact’s address**

<table>
<thead>
<tr>
<th>Building number or name</th>
<th>4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street</td>
<td>Burdons Close</td>
</tr>
<tr>
<td>District</td>
<td>Stechford</td>
</tr>
<tr>
<td>City or town</td>
<td>Birmingham</td>
</tr>
<tr>
<td>County or administrative area</td>
<td>West Midlands</td>
</tr>
<tr>
<td>Postcode</td>
<td>B34 6ET</td>
</tr>
<tr>
<td>Country</td>
<td>United Kingdom</td>
</tr>
<tr>
<td>Personal Licence number (if known)</td>
<td>10503</td>
</tr>
<tr>
<td>Issuing licensing authority (if known)</td>
<td>Birmingham</td>
</tr>
</tbody>
</table>

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known) [If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'].

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Continued from previous page...

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

<table>
<thead>
<tr>
<th>Standard Days And Timings</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>MONDAY</strong></td>
</tr>
<tr>
<td>Start 17:00</td>
</tr>
<tr>
<td>End 12:00</td>
</tr>
<tr>
<td><strong>TUESDAY</strong></td>
</tr>
<tr>
<td>Start 17:00</td>
</tr>
<tr>
<td>End 12:00</td>
</tr>
<tr>
<td><strong>WEDNESDAY</strong></td>
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<tr>
<td>Start 17:00</td>
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<td>End 12:00</td>
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<tr>
<td><strong>THURSDAY</strong></td>
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<tr>
<td>Start 17:00</td>
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<td>Start 17:00</td>
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<td>End 12:00</td>
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<tr>
<td>Start 17:00</td>
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<tr>
<td>End 01:00</td>
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<tr>
<td><strong>SUNDAY</strong></td>
</tr>
<tr>
<td>Start 17:00</td>
</tr>
<tr>
<td>End 12:00</td>
</tr>
</tbody>
</table>

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

State any seasonal variations
For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 18 of 21

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

There are appropriate fire exits and doors and windows will be closed during operating hours to prevent noise emanating from the premises. The licensing activity areas will be monitored for noise and nuisance. If they appear to be in breach of any of the licensing activities then they will be excluded.

b) The prevention of crime and disorder

No alcohol will be served unless the person is taking a table meal or have ordered a takeaway. Customers who are intoxicated will not be served alcohol.

c) Public safety

There are appropriate fire exits and fire proof glass on the premises. The electricity and all appliances will be serviced regularly.

d) The prevention of public nuisance

Doors and windows will be closed during operating hours to prevent noise emanating from the premises.

e) The protection of children from harm

No children under the age of 16 will be served a table meal unless accompanied by an adult after 9:00pm.
NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK (please see note below about which sections of the passport to copy).
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A recent Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A recent Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder’s parents or adoptive parents, when produced in combination with an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
Continued from previous page...

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relating to the carrying on of a licensable activity.

- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.

- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.

- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.

- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant’s own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    (i) working e.g. employment contract, wage slips, letter from the employer,
    (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport a copy of the following pages should be provided:-

(i) any page containing the holder’s personal details including nationality;
(ii) any page containing the holder’s photograph;
(iii) any page containing the holder’s signature;
(iv) any page containing the date of expiry; and
(v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT
In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 300.

- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.

- Indoor sporting events: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 1000.

- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.

- Live music: no licence permission is required for:
  - a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.

- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00
Band B - £4301 to £33000 £190.00
Band C - £33001 to £87000 £315.00
Band D - £87001 to £125000 £450.00*
Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 £900.00
Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required. Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

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* Fee amount (£) 190.00

DECLARATION
This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

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<tr>
<th>* Full name</th>
<th>Sham Uddin</th>
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<tr>
<td>* Capacity</td>
<td>Solicitor</td>
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Once you're finished you need to do the following:
1. Save this form to your computer by clicking file/save as...
2. Go back to [https://www.gov.uk/apply-for-a-licence/premises-licence/stafford/apply-1](https://www.gov.uk/apply-for-a-licence/premises-licence/stafford/apply-1) to upload this file and continue with your application.
   Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**IT IS AN OFFENCE UNDER SECTION 248 OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**

**OFFICE USE ONLY**

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© Queen's Printer and Controller of HMSO 2009
Consent of individual to being specified as premises supervisor

1. Main Uddin
[full name of prospective premises supervisor]

of 4 Burdons Close Stafford
Birmingham B34 6ET

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

Premises Licence

[type of application]

by

Abdul Muktadiiv
[name of applicant]

relating to a premises licence

N/A
[number of existing licence, if any]

for

The Shrinla Palairie
[name and address of premises to which the application relates]

Cromwell House Wolseley Bridge
Stafford ST17 0X5
and any premises licence to be granted or varied in respect of this application made by

Abdul Muktadiv

(name of applicant)

crossing the supply of alcohol at

The Shumla Palace from
Cromwell House
Wolseley Bridge
Stafford ST17 0XS

(name and address of premises to which application relates)

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

105031

(insert personal licence number, if any)

Personal licence issuing authority

Birmingham

(insert name and address and telephone number of personal licence issuing authority, if any)

Signed

Moin Uddin

Name (please print)

Date

27/4/2018
Licensing Department
Stafford Borough Council
Civic Centre
Riverside
Stafford
ST16 3AQ

Contact: PC 4025 D. Evans
Direct Line: (01785) 234772
Fax: (01785) 233772

Shimla Palace, Cromwell House, Wolseley Bridge, Stafford, ST17 OXS
application for a Premises Licence.

Dear Sirs,

I refer to the above which is an application for a Premises Licence at the Shimla Palace.

The Police have received the application and have numerous concerns surrounding this and the applicant Abdul MUKTADIR.

The Shimla Palace had its previous licence revoked by the Licensing Sub Committee on 18th October 2017 after representations were made by myself due to the premises knowingly employing illegal immigrants. The owner of that licence was the applicant in this matter Abdul MUKTADIR. Part of this review provided evidence of numerous criminal offences committed by the applicant and also the fact that certain criminal activity should be treated with particular severity ie the employment of illegal immigrants.

Further to this Staffordshire Police recently received an application from a Moin UDDIN for the Shimla Palace and there was some discomfort from the outset with regards to this application and its authenticity. I spoke with the applicant by way of telephone asking him if he had any association with the previous owner. He advised me he hadn’t. He was further emailed by his agent asking him to attend a meeting with myself which also required him to bring legal documentation with regards to him purchasing the business. He attended Burton Police station on 12th March 2018 and failed to provide any proof of ownership or purchase of the business. He was asked numerous questions surrounding how he had come to apply for the licence and he only gave vague answers. He eventually divulged that he was the brother of Abdul MUKTADIR the previous owner and now, latest applicant. At this point he was placed under caution. It was also established that he was in fact in charge of the business during his brother’s ownership when the Immigration service had discovered the illegal workers during a warrant at the premises. He also declined to sign a disclaimer with regards to his association with the previous owner. It was clear at this point that
this was an attempt to obtain the Licence on behalf of his brother and this current applicant Abdul MUKTADIR.

This was an attempt to obtain a new licence to enable the business to trade again but under the same family just in another name. UDDIN himself was part of the issues that led to the previous licence being revoked.

The applicant in this matter had knowingly employed individuals at the Shimla who were classed as illegal immigrants at the time of the warrant by the Immigration service. Further to this the Immigration service had also executed a search warrant at another business owned by the applicant known as the Bilash in the Cannock Chase Council area where they also discovered illegal immigrant workers who had again been employed knowingly by the applicant. This licence was also taken to review by the Police before that council and revoked.

The applicant did not deny any of the offences and was fined by the Immigration service for the offences. He admitted to employing illegal immigrants at both his premises, failing to carry out any relevant employment checks, keeping no records or paying any tax. His actions therefore fell well short of those expected of a Premises licence holder.

Therefore Staffordshire Police believe that there is substantial evidence to support the fact that all four of the Licensing Objectives namely the Prevention of Crime and disorder, Public safety, Public nuisance and the Protection of children from harm cannot be met at this time by the applicant.

Staffordshire Police therefore object to the granting of this Premises Licence in its entirety.

Yours faithfully,

[Signature]

Police Constable 4025 Dave Evans
Southern Licensing Unit
Burton Police Station
Burton
DE14 1PA
To the Licensing Officer, Stafford Borough Council, Civic Offices, Riverside, Stafford. ST16 3AQ

SHIMLA PALACE, CROMWELL HOUSE, WOLSELEY BRIDGE, STAFFORD, ST17 0XS

Application for a premises licence by Mr Abdul Muktadir.

As the Licensing Authority within Stafford Borough and acting as a Responsible Authority I wish to object to the Licensing Application by Mr Abdul Muktadir for a premises licence for SHIMLA PALACE, CROMWELL HOUSE, WOLSELEY BRIDGE, STAFFORD, ST17 0XS

The objection is based on the Licensing Objective: The Prevention of Crime and Disorder.

On the 18th October 2017, the Licensing Sub-Committee of Stafford BC reviewed the premises licence for SHIMLA PALACE, CROMWELL HOUSE, WOLSELEY BRIDGE, STAFFORD, ST17 0XS held by Mr Abdul Muktadir. The Committee considered a report and enclosures. It listened to evidence from Staffordshire Police and the licence holder, and read statements from Staffordshire Police and an Immigration Enforcement officer. The Committee took into account the April 2017 Home Office Guidance and the Council's Licensing Policy. In particular the Licensing Sub-committee noted:

- That the Home Office Guidance states that on reviews there is certain criminal activity that should be treated particularly seriously, including the employment of illegal workers. The Guidance also states that the review procedure should be used effectively to deter such activities and crime.
- That the Licence Holder knowingly failed to carry out the required employment checks, despite knowing that it was against the law to employ illegal immigrants.
- That the Licence Holder employed three illegal workers at the Premises, paid them 'cash in hand', and failed to account for them in PAYE records.

Additionally, it was noted that this was not an isolated incident in that:

- The Licence Holder had admitted committing the same offences in relation to another premises licence, at premises in Rugeley, Staffordshire where he was the licence holder.

The premises licence was revoked.

Reason for the Objection to this Application.

The Licensing Authority objection is:

1. That the application by Mr Abdul Muktadir is premature, and;
2. Failure to have regard to Section 182 Guidance "11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises: .... for employing a person who is disqualified from that work by reason of their immigration status in the UK;" in that the applicant does not give any indication of how he will demonstrate that the matters brought before the Licensing Sub-committee on the 18th October 2018 will not be repeated. The Applicant has not outlined in the application any measures
that will be put in place or be taken for the prevention of illegal working in the licensed premises.

3. In the circumstances the Licensing Authority is concerned that the crime prevention objective would be undermined if the premises licence were to be granted to Mr Mukhtar, given that he has previously employed illegal workers at two separate premises, has sought to avoid paying PAYE tax and has run premises irresponsibly.

Signed: [Signature]

Robert Simpson
Customer Services Group Manager
Licensing Authority
Stafford BC

Dated: 21st May 2018
Minutes of the Licensing
Sub-Committee held at the
Civic Centre, Riverside, Stafford on
Wednesday 18 October 2017

Chairman - Councillor J K Price

Present (for all or part of the meeting):-

Councillors:
J W Farnham
P W Jones

Also in attendance - Councillors F A Finlay and A J Perkins

Officers in attendance:-

Mr S Turner - Principal Solicitor
Mrs J Wallace - Licensing Officer
Mr A Bailey - Scrutiny Officer
Mr H Thomas - Head of Environment
Mr R Simpson - Regulatory Services Group Manager
Mr W Conaghan - Press and Communications Manager
Mr J Beacham - Administrative Assistant

Also present:-

PC D Evans - Staffordshire Police
Mr M Dempsey - Staffordshire Police
Mr A Muktadir - Premises Licence Holder

APPENDIX 2

LSC2 Application for a Review of a Premises License: Shimla Palace

Considered the report of the Licensing Officer (V2 9/10/17) regarding an application for a review of a Premises License for the Shimla Palace, Cromwell House, Wolseley Bridge, Stafford, ST17 0XS. On 31 August 2017, the Council received an application for a Review of a Premises License for the Shimla Palace by Staffordshire Police on the basis of issues in relation to two of the Licensing objectives, namely the Prevention of Crime and Public Safety.

Mrs J Wallace attended the meeting on behalf of the Head of Environment and outlined the case for Members.

PC D Evans, Staffordshire Police set out the reasons for a review of the Premises Licence.
All parties were given the opportunity to question PC Evans.

Mr A Muktadir presented his case as the Premises License holder.

All parties were offered the opportunity to question M A Muktadir.

All parties were given the opportunity to sum up their case.

The Sub Committee then considered the matter in private.

*Recording of the meeting was paused and then re-started when all parties were back in the room.*

All parties were invited back in to the room for the Sub Committee’s decision.

**RESOLVED:-** that having considered the report and enclosures, listened to evidence from Staffordshire Police and the licence holder, read statements from Staffordshire Police and an Immigration Enforcement officer and having taken into account the April 2017 Home Office Guidance and the Council’s Licensing Policy, the premises licence be revoked.

**REASONS:-** Further to a Home Office investigation, five immigration enforcement officers attended the premises on 5 October 2016 and arrested three persons on the basis that they were working illegally in the UK. The investigation revealed that these persons were in the UK illegally.

As a result of the investigation the Licence Holder was fined £30,000, admitting offences under section 15 of the Immigration, Asylum and Nationality Act 2006.

Staffordshire Police applied for a review of the premises licence. They had stated that they had significant concerns around the licence holder’s commitment to work within the objectives of the Licensing Act 2003.

The Committee noted that the Home Office Guidance stated that on reviews there was certain criminal activity that should be treated particularly seriously, including the employment of illegal workers. The Guidance also stated that the review procedure should be used effectively to deter such activities and crime.

The Committee found that the Licence Holder knowingly failed to carry out the required employment checks, despite knowing that it was against the law to employ illegal immigrants.
The Committee found that the Licence Holder employed three illegal workers at the Premises, paid them ‘cash in hand’, and failed to account for them in PAYE records.

The Committee were concerned to note that the Licence Holder had admitted committing the same offences in relation to another premises licence, at premises in Rugeley, where he was the licence holder. The Committee noted that he received a further fine for offences as per Section 15 of the Immigration, Asylum and Nationality Act 2006.

The Committee found the licence holder’s conduct had fallen well short of that expected of a licence holder. He had committed serious offences at two premises where he was the licence holder.

The offences committed by the licence holder have had a negative impact on the promotion of the crime prevention objective.

Therefore it was an appropriate sanction to revoke the premises licence in order to promote the crime prevention objective. This decision was also made in the interests of the wider community in order to deter the holders of premises licences from employing illegal workers.

CHAIRMAN