

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

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 Police Constable 113 D.Bryan

(Insert name of applicant)

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, if none, ordnance survey map reference or description Pasha Shawarma 3 Cambridge Street	
Post town Wellingborough	Post code (if known) NN8 1DJ

Name of premises licence holder or club holding club premises certificate (if known) Miss Anna Halina PSTRAS

Number of premises licence or club premises certificate (if known) 22/02102/LAVDPS

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

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)

Please tick ✓ yes

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

**PC 113 D.Bryan
Northamptonshire Police
Wellingborough Police Station
Midland Road
Wellingborough
Northamptonshire
NN8 1HF**

Telephone number (if any)

101 EXT 343409 Mobile XXXXXXXXXX

E-mail address (optional)

david.bryan@northants.police.uk

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

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm **X**

Please tick one or more boxes ✓

X

Please state the ground(s) for review (please read guidance note 2)

I act on behalf of the Chief Officer of Police for Northampton shire, Mr Adderley. He has delegated responsibility and authorised me to act on his behalf with regard to representations made by Northamptonshire Police to Licensing Authorities across the county of Northamptonshire.

Northamptonshire Police call for the Review of the Premises Licence for Pasha Shawarma under the Licensing Objective of the Prevention of Crime and Disorder, and the Protection of Children from Harm.

The Review relates to an investigation regarding two allegations of rape on two females one aged 16 and one aged 17 and subsequent difficulties experienced by Northamptonshire Police when engaging with the premises.

Please provide as much information as possible to support the application (please read guidance note 3)

- 1) On the 25/02/2024 Northamptonshire Police received a report regarding an allegation of rape on two females aged 16 and 17 years old. The offences did not occur at the premises however the two females and alleged suspects were inside Pasha Shawarma together prior to leaving the premises together, this was in the early hours of the 25/02/2024.**
- 2) Detectives have attended the premises during the day of the 25/02/2024 to obtain any CCTV evidence from within, unfortunately the premises was shut at the time of the visit.**
- 3) Another visit was conducted during the evening of the 25/02/2024, the premises was open, and a member of staff was spoken with. When asked the member of staff would not provide details of the manager, did not have any access to the CCTV system and believed the recordings were kept for 24 hours. The detective left their contact details and requested these were given to the manager so they could get in contact, no contact was made by the manager.**
- 4) Another visit was conducted daytime on the 26/02/2024 the premises was closed, and also 6pm on the 29/02/2024 again the premises was closed.**
- 5) On the 01/03/2024 the premises was visited again by Northamptonshire Police, it was open, and a staff member spoken with, this member of staff provided the detective the managers details and their mobile number. This number was called twice, and the mobile was switched off, a voicemail message was left and a text message sent with no response.**
- 6) On the 05/03/2024 the detective made contact with Northamptonshire Police's Alcohol Licensing Department requesting any assistance possible with obtaining the CCTV from the premises. The same day the premises licence holder who is also the designated premises supervisor was contacted on their mobile from the details contained on the police licensing database. The premises licence holder and DPS is Anna PSTRAS.**
- 7) When Anna PSTRAS was asked about the CCTV she stated she did not know how to use the CCTV system and though the CCTV was kept for 24 hours. She also stated that she did not know the details of any of the members of staff at the premises. She also did not know what days or times the premises is open. Anna stated that her husband who was out of the country know how to use the CCTV system and he was returning to the UK on Monday the 11/03/2024 and that she would get him to call the**

police on Tuesday the 12/02/2024. It was also pointed out to Anna that the premises licence had a CCTV condition requiring recording to be kept for 14 days so there was a breach of the conditions of the premises licence.

8) On the 12/03/2024 the police received a call from Anna PSTRAS husband, he stated he would download the CCTV and he believed that the recordings were kept for at least 14 days but could be as much as 31 days but was not sure.

9) It was agreed that the police would send an E-mail to the husband with dates and times so he could download the CCTV. This was sent on the 12/03/2024 with a delivery receipt confirming the E-mail had been sent to the address given by the husband. In addition a request was put in the E-mail requesting a response to the E-mail once the CCTV had been checked. To this date no response has been received from the premises in relation to the downloading of the CCTV or whether it has been checked.

10) The premises licence stipulates that the premises is required to close at 11:30pm on the date the allegations took place. CCTV from within the immediate area of the premises shows the two females arriving and entering at midnight and then leaving at 03:18am. This would be outside the permitted hours of trading for the premises.

11) In addition to this the staff at the premises were spoken to previously by North Northamptonshire Council Officers on the weekend of Friday the 13/10/2023 and Saturday the 14/10/2023 at 01:30am as they noticed the business was open beyond the permitted hours.

Northamptonshire Police would ask the Licensing Sub-committee of North Northamptonshire Council to consider revoking the premises licence in the first instance.

Northamptonshire Police's rationale;

Two females under the age of 18 have been consuming alcohol on a relevant premises for the purposes of the Licensing Act 2003.

The premises should have been closed to the public at the time the females attended and stayed on the premises consuming alcohol until they left some three hours later.

Staff at the premises had been spoken to previously when discovered open beyond the permitted hours allowed.

The premises licence holder and designated premises supervisor does not have proper control of the premises to the extent of not knowing who works at the premises, when the premises is open or closed and

at the very least the terms of the condition relating to CCTV.

Staff at the premises being un-cooperative in assisting with the criminal investigation.

The PLH & DPS husband has failed to update Northamptonshire Police regarding checking and downloading CCTV for a criminal investigation as requested.

Northamptonshire Police are asking that consideration to the premises licence being revoked in the first instance.

Consideration for a suspension of the premises licence would not alter Northamptonshire Police's opinion that the premises is not complying with the Licensing Act 2003 and promoting the Licensing Objectives.

Please tick ✓ yes

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

If yes please state the date of that application

Day Month Year

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

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Please tick ✓

- I have sent copies of this form and enclosures to the responsible authorities 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 will be rejected

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

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date **16/04/2024**

.....

Capacity **Northamptonshire Police Licensing Constable**

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Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

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