

NOTICE IS HEREBY GIVEN that a hearing of the LICENSING SUB-COMMITTEE will be held in CIVIC SUITE 0.1B, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON PE29 3TN on WEDNESDAY, 4 MARCH 2020 at 10:00 AM and you are requested to attend for the transaction of the following business:-

AGENDA

1. ELECTION OF CHAIRMAN

Item Led By: Democratic Services

2. MEMBERS INTERESTS

To receive from Members declarations as to disclosable pecuniary and other interests in relation to any Agenda item. Please see Notes below.

Item Led By: Chairman.

3. INTRODUCTION

Item Led By: Chairman.

4. LICENSING SUB COMMITTEE PROCEDURE (Pages 3 - 8)

Item Led By: Chairman.

5. GURKHA KITCHEN, 124 MAIN STREET, YAXLEY PE7 3LD (Pages 9 - 44)

To consider an application for a Premises Licence under the Licensing Act made by the following:-

Applicant: Mr Shiva Bhandari

Premises: Gurkha Kitchen, 124 Main Street, Yaxley PE7 3LD

Item Led By: S Mardon - (01480) 387063

6. EXCLUSION OF PRESS AND PUBLIC

To resolve:-

to exclude the press and public from the hearing during the determination of the application.

7. DETERMINATION

To determine the application referred to in Agenda Item 5.

Item Led By: Chairman

17th day of February 2020

Head of Paid Service

Disclosable Pecuniary Interests and Non-Statutory Disclosable Interests

Further information on <u>Disclosable Pecuniary Interests and Non - Statutory</u> Disclosable Interests is available in the Council's Constitution

Filming, Photography and Recording at Council Meetings

The District Council permits filming, recording and the taking of photographs at its meetings that are open to the public. It also welcomes the use of social networking and micro-blogging websites (such as Twitter and Facebook) to communicate with people about what is happening at meetings.

Arrangements for these activities should operate in accordance with <u>guidelines</u> agreed by the Council.

Please contact Mrs C Bulman, Democratic Services Officer on Tel No. 01480 388169/e email: Democratic.Services@huntingdonshire.gov.uk if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Committee/Panel.

Specific enquiries with regard to items on the Agenda should be directed towards the Contact Officer.

Members of the public are welcome to attend this meeting as observers except during consideration of confidential or exempt items of business.

Agenda and enclosures can be viewed on the District Council's website.

Emergency Procedure

In the event of the fire alarm being sounded and on the instruction of the Meeting Administrator, all attendees are requested to vacate the building via the closest emergency exit.

HUNTINGDONSHIRE DISTRICT COUNCIL

LICENSING SUB-COMMITTEE PROCEDURE

1. Introduction

1.1 The following proceedings apply to the licensing sub-committees established by the Licensing Committee of the Huntingdonshire District Council acting as the Licensing Authority.

2. Membership

- 2.1 Each licensing sub-committee shall comprise three Members appointed by the Licensing Committee from amongst its membership. A sub-committee shall elect a Chairman from amongst its members at each meeting, for the purpose of that hearing or meeting.
- 2.2 The quorum for hearings and meetings of a sub-committee shall be three members.
- 2.3 Members shall endeavour to be present throughout an individual hearing by a sub-committee. If a member of a sub-committee is required to leave a hearing temporarily, the Chairman shall adjourn the hearing for the duration of the period whilst that member is unavailable. Any member who is absent from a hearing for any reason whilst that hearing is taking place shall be precluded from commencing or continuing to take part in the matter under debate upon his arrival/return and from voting upon the matter at the conclusion of that item of business.
- 2.4 Where the Sub-Committee undertakes a site visit prior to a hearing, a member shall be precluded from taking part in the hearing if he has not attended that site visit.
- 2.5 A member will not take part in a hearing or meeting at which a matter is being discussed which relates to a premises licence, club premises certificate, temporary events notice or personal licence where either the premises or the person is resident in the ward which he represents.

3. Notice of Hearings

3.1 Upon the date of a hearing of a sub-committee being arranged, notice shall be given to the parties to the hearing in accordance with the requirements of the Hearings Regulations. For the purposes of this procedure, a party is defined as an applicant for a licence or certificate,

a person who has given a temporary events notice, a responsible authority or a person or business that has submitted relevant representations in respect of an application or applied for a review of a licence or certificate and, in certain additional instances, the Chief Officer of Police.

- 3.2 The notice of the hearing shall be accompanied by a copy of this procedure which sets out
 - the right of attendance at a hearing by a party and the right to submit representations etc.
 - the consequences if a party does not attend or is not represented at a hearing
 - the procedure to be followed at the hearing
- 3.3 The notice of the hearing will also be accompanied by copies of the documents required by the Hearings Regulations and any particular points upon which the Sub-Committee considers that it will want clarification from a party at the hearing.
- 3.4 Where a hearing is to be held on more than one day, the hearing will be arranged so that it takes place on consecutive working days.

4. Action Following Receipt of Notice of Hearing

- 4.1 Upon receipt of a notice of a hearing, a party is required to give notice to the licensing authority whether
 - he intends to attend or be represented at the hearing,
 - he wishes to request permission for any other person to appear at the hearing, accompanied by the name of the person and a brief description of the point(s) to be made by the person, and
 - he considers the hearing to be necessary.
- 4.2 A party should notify the licensing authority within the following timescales-
 - 1 working day of the hearing in the case of a cancellation of an interim authority notice following police objections or a counter notice following police objection to a temporary events notice;
 - 2 working days of the hearing in the case of a review of a premises licence following a closure order or the conversion of an existing licence or club premises certificate or an application by the holder of a justices' licence for a personal licence; or
 - 5 working days of the hearing in all other cases.

- 4.3 Notice may be given to licensing authority by electronic means to the address democratic.services@huntingdonshire.gov.uk but upon sending the notice by this means, a party must also give the notice to the licensing authority in writing.
- 4.4 A sub-committee may dispense with the holding of a hearing if all of the parties have given notice that they consider a hearing to be unnecessary. Where the parties have agreed that a hearing is unnecessary in such circumstances, the Council shall give notice to the parties that the hearing has been dispensed with.
- 4.5 Where a hearing has been dispensed with, the matter which was to have been the subject of the hearing shall be determined at a meeting of the Sub- Committee.

5. Withdrawal of Representations

5.1 A party may give notice to the licensing authority no later than 24 hours before the commencement of the hearing that he wishes to withdraw his representations or he may do so orally at the hearing.

6. Extension of Time

- 6.1 The Sub-Committee may extend any of the time limits specified in this procedure where it considers it necessary to do so in the public interest and shall give notice of the extension of time and the reason for it to the parties to the hearing.
- 6.2 The Sub-Committee may adjourn the hearing or arrange for it to be held on specified additional days, where it considers this to be necessary to consider any representations made by a party. The parties to the hearing will be notified of the adjournment or rearrangement.
- 6.3 In considering any extension of time or adjournment, the Sub-Committee will not exercise its powers so that an application is deemed as granted or rejected in accordance with the transitional arrangements specified in the Act.

7. The Hearing

7.1 The Sub-Committee may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing or that part of the hearing taking place in public. The Sub-Committee will normally resolve to exclude the public from that part of the hearing during which the Sub-Committee determines the matter which is the subject of the hearing.

- 7.2 Subject to the above, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified
- 7.3 At the commencement of the hearing, the Chairman shall introduce the members of the Sub-Committee and any officers in attendance to support the Sub-Committee and shall ask the parties and any persons accompanying them to state their names and addresses or who they represent. The Chairman shall explain to the parties present that the hearing is subject to this procedure, copies of which will have been distributed to the parties with the notice of the hearing, and shall enquire of the persons present whether there are any questions of clarity or explanation about its contents.
- 7.4 The Sub-Committee shall consider any request from another person to appear at the hearing of which notice has been given but such permission shall not be unreasonably withheld.

Procedure in all cases other than an application for a review of a premises licence or a club premises certificate or convictions coming to light after the grant or renewal of a personal licence

- 7.5 The Licensing Officer will present the application. The Chairman will then invite the applicant or his representative to address the Sub-Committee on his application, to respond to any point(s) upon which notice has been given that clarification is required by the licensing authority and to call any person(s) to whom permission has been granted to appear in support of his application. The applicant will be allowed a maximum period of time of twenty minutes in which to address the Sub-Committee and call persons on his behalf.
- 7.6 The applicant or his representative or any person called on his behalf may then be asked any questions upon their presentation by any member of the Sub-Committee or by any of the other parties present at the hearing or their representatives.
- 7.7 The Chairman will then invite each of the parties at the hearing or their representative sequentially to address the Sub-Committee and call any person(s) to whom permission has been granted to appear. Each party will be allowed a maximum period of time of twenty minutes in which to address the Sub-Committee and call persons on his behalf. The sequence in which each of the parties will be invited to address the Sub-Committee will be at the discretion of the Chairman but will normally be in the order of the Chief Officer of Police, the Fire Authority, the health and safety at work enforcing authority, the local planning authority, the local environmental health authority, the local weights and measures authority, the authority responsible for the protection of children from harm, a navigation or other authority responsible for waterways and any other party that has submitted

- representations in respect of the application, certificate, notice or other matter appearing before the Sub- Committee.
- 7.8 The party or his representative or any of his witnesses may be asked any questions upon their presentation by any member of the Sub-Committee or by the applicant or his representative or any of the other parties present at the hearing or their representatives.
- 7.9 Where relevant written representations have been received and the party submitting those representations has given notice of his intention not to attend the hearing, the parties present will be invited by the Chairman to indicate whether they wish to comment on the representations submitted. The Sub-Committee may take into account documentary or other evidence submitted by a party either in support of their application, notice or representations either before the hearing or, with the consent of all of the other parties present, at the hearing.
- 7.10 Where appropriate, the Chairman shall remind the parties that their representations should be relevant to the licensing objectives of the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. The Sub-Committee shall disregard any information given by a party or person permitted to appear which is not relevant to their application, notice or representations or to the licensing objectives. If, in his opinion, the Chairman feels that the representations being made are not relevant, he may, after first reminding the party of the need for relevance, advise the party that he will no longer be heard. Where in the opinion of the chairman, a party is being repetitious, vexatious or slanderous in his remarks, the Chairman may first warn the party and may then advise the party that he will no longer be heard. The ruling of the Chairman shall be final in such circumstances.
- 7.11 The Chairman may require any person who in his opinion is behaving in a disruptive manner at a hearing to leave the hearing and may refuse to permit that person to return or to return only upon complying with such conditions as the Chairman may specify. However any such person may submit any evidence in writing that they proposed to give orally, provided that they do so before the end of the hearing.
- 7.12 After each party has addressed the Sub-Committee and after comments have been invited on written representations, the applicant or his representative will be invited by the Chairman to sum up his application for a time not exceeding two minutes but without introducing any new evidence to the proceedings.

Procedure in cases relating to an application for a review of a premises licence or a club premises certificate or convictions coming to light after the grant or renewal of a personal licence

- 7.13 In the case of such hearings, the above procedure shall be followed with the exception that the applicant for a review of a premises licence or a club premises certificate or the chief officer of police in the case of an objection notice where convictions have come light after the grant or renewal of a personal licence will be invited to address the Sub-Committee first and to call any person(s) to whom permission has been granted to appear.
- 7.14 After any questions have been dealt with the holder of the licence or certificate will be invited to address the Sub-Committee and to call any person(s) to whom permission has been granted to appear.
- 7.15 There shall be no right of reply for the applicant for a review of the licence or certificate or for the Chief Officer of Police.

8. Determination of Applications

- 8.1 At the conclusion of the hearing, the Sub-Committee will determine the application in accordance with the timescales specified in the Hearings Regulations but, in any event, will endeavour to do so as soon as practicable after the hearing has concluded.
- 8.2 Where a hearing has been dispensed with in accordance with paragraph 4.2 above, the application will be determined by the Sub-Committee within 10 working days of notice having been given to the parties that the hearing has been dispensed with.
- 8.3 The Licensing Authority will notify the applicant and parties of its decision forthwith upon the making of the decision.
- 8.4 A record shall be taken of the hearing by the licensing authority which shall be retained for six years after the date of the determination of the hearing or the disposal of an appeal against the determination.

9. Meetings of the Sub-Committee

9.1 Any meetings of the Sub-Committee, other than hearings described above, shall be subject to the proceedings adopted by the Licensing Committee for the conduct of its own business except where otherwise stated above.

G:\Licensing\Licensing Committee/Hearings Procedure 2019

LICENSING SUB-COMMITTEE

4 MARCH 2020

LICENSING ACT 2003 APPLICATION FOR THE GRANT OF A PREMISES LICENCE Gurkha Kitchen, 124 Main Street, Yaxley, PE7 3LP

1. INTRODUCTION

- 1.1 This application was received on 13 January 2020. The applicant is Mr Shiva Bhandari.
- 1.2 The application seeks to permit
 - a. Live Music (Indoors)

Applied for: Mondays to Thursdays 11:00 to 22:30, Fridays & Saturdays 11:00 to 23:00, Sundays 11:00 to 22:30

b. Recorded Music (Indoors)

Applied for: Mondays to Thursdays 11:00 to 22:30, Fridays & Saturdays 11:00 to 23:00, Sundays 11:00 to 22:30

c. Performance of Dance (Indoors)

Applied for: Mondays to Thursdays 11:00 to 22:30, Fridays & Saturdays 11:00 to 23:00, Sundays 11:00 to 22:30

d. Anything of a similar description to a. b. and c. (Indoors)

Applied for: Mondays to Thursdays 11:00 to 22:30, Fridays & Saturdays 11:00 to 23:00, Sundays 11:00 to 22:30

e. Supply of alcohol for consumption ON the premises

Applied for: Mondays to Thursdays 11:00 to 22:30, Fridays & Saturdays 11:00 to 23:00, Sundays 11:00 to 22:30

f. Opening Hours

Applied for: Mondays to Thursdays 11:00 – 23:00, Fridays and Saturdays 11:00 to 23:30, Sundays 11:00 to 23:00

g. Seasonal Variations

Applied for: All above activities permitted to continue from end of permitted hours on New Years' Eve until 00:30 the following day and the premises may be open to the public until 01:00.

- 1.3 Section 'M' of the application form addresses the four licensing objectives. Any proposals made in this section are normally translated directly into enforceable conditions that will be attached to the premises licence. Paragraphs 8.41- 8.49 and Section 10 of the Home Office guidance issued under section 182 refer to the operating schedule and licence conditions.
- 1.4 The application form including the plan is attached in full at **Appendix A**.

2. BACKGROUND

2.1. Whilst not normally relevant as this is a new application to grant. This premises does have quite a recent history with regards to licensing matters. Which is referred to within representations. Therefore, a summary has been provided below by way of explanation.

June 2013 – New premises Licence granted HDC/PRE00627 to Mr Thahir Uddin, for a restaurant **Bollywood Tiger**.

Jan 2019 – Licence HDC/PRE00627 Revoked by Licensing Sub-committee, following Review application by Cambridgeshire Police. The decision notice is provided at **Appendix B** for reference.

April 2019 – Application for the grant of a new premises licence received from Food Doctor Cooking Catering & Training Company Ltd. For a Restaurant **Raj Mahal.**

Representations received but subsequently withdrawn due to volunteered conditions following advice to the applicant from Cambridgeshire Police. Application granted (HDC/PRE00771). The volunteered conditions are at **Appendix C** for reference.

This licence has not been surrendered and remains in force, although the Licence holder no longer occupies the premises.

Jan 2020 – This application for the grant of a new premises Licence received by Mr Shiva Bhandari for a Restaurant Gurkha Kitchen.

3. REPRESENTATIONS

- 3.1 During the period for representations two valid representations have been received from 'other persons'. The representations have been attached in their entirety as **Appendix D.**
- 3.2 Not all matters raised within the representation may be relevant matters for consideration under the Licensing Act 2003.
- 3.3 A person who has submitted a relevant representation is entitled to address the Licensing Sub-Committee at the hearing and ask questions of any other party appearing at the hearing.

4. GENERAL DUTY/ POLICY CONSIDERATIONS

- 4.1 The licensing authority must carry out its functions under the Act with a view to promoting the licensing objectives, each objective has equal importance, the objectives are:
 - a. the prevention of crime and disorder,
 - b. public safety,
 - c. the prevention of public nuisance, and

- d. the protection of children from harm.
- 4.2 The sub-committee must also have regard to
 - a. its statement of licensing policy, and
 - b. any statutory guidance issued under Section 182 of the Licensing Act 2003.
 - c. the Human Rights Act 1988
- 4.3 The Council must also fulfil its obligations under Section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in its district.

5. DETERMINATION

- 5.1. In making a decision, this application must be determined on its individual merits having regard to the representations and supporting documents included as part of the report along with additional information considered relevant at the hearing. As part of the decision process the sub-committee is required to give its reasons for any decision arrived at.
- 5.2. Any decision made by the sub-committee must be reasonable and proportionate and promote the Licensing objectives.

The Committee may:-

- a. Grant the application as applied for
- b. Refuse the application
- c. To grant the licence with conditions or modifications as considered appropriate to promote the licensing objectives

BACKGROUND INFORMATION

Licensing Act 2003.

Guidance issued under section 182 of the Licensing Act 2003.

The Council's Statement of Licensing Policy.

Licensing Officer: Sarah Mardon

13.02.2020



Code 1064. £190.

APPENDIX A

13 JAN 2020

Application for a premises licence to be granted 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 you
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'We SHIVA BHANDAR! (Insert name(s) of applicant) apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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 Part 1 - Premises details

124 - HUNTI	ss of premises or, if none, on the second of	-	o reference or descr	ription
Post town	YAXLEY		Postcode	PET 3LP
Post town	YAXLEY		Postcode	PET 3L

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£

Part 2 - Applicant details

Pleas	se sta	te whether you are applying for a premises licen	ce as	Please tick as appropriate
a)	an	individual or individuals *	X	please complete section (A)
b)	a p	erson other than an individual *		
	i	as a limited company/limited liability partnership		please complete section (B)
	ii	as a partnership (other than limited liability)		please complete section (B)
	iii	as an unincorporated association or		please complete section (B)
	iv	other (for example a statutory corporation)		please complete section (B)
c)	a re	ecognised club		please complete section (B)
d)	a cl	harity		please complete section (B)

								-	
	QU.		_			_			
e)	the pr	oprieto	or of an	educatio	nal establis	shment	Ш	please complete sect	ion (B)
f)	a heal	th serv	rice bod	ly				please complete sect	ion (B)
g)	Care S	Standar	rds Act		nder Part 2 14) in respe es		E SERVE	please complete sect	ion (B)
ga)	1 of the	ne Heal eaning	lth and	Social C	nder Chapt are Act 200 an independ	08 (within		please complete sect	ion (B)
h)			icer of j Wales	police of	a police fo	rce in		please complete secti	ion (B)
* If yo		pplyin	ig as a j	person de	escribed in	(a) or (b) p	lease co	nfirm (by ticking yes t	to one box
premi	I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or								
	I am making the application pursuant to a statutory function or a function discharged by virtue of Her Majesty's prerogative								
(A) II	NDIVI	DUAL	APPL	ICANTS	S (fill in as	applicable)			
Mr	図	Mrs		Miss		Ms 🗌		r Title (for aple, Rev)	
Surna	ame	BH	AND	AR1		First 1	ames	SHIVA	
Date	of birth	ı		I	am 18 year	s old or ove	er 🛚	Please tick yes	
Natio	nality	1	BRITI	ISH					
addre	Current residential address if different from premises address								
Post to	=					3		Postcode	
Dayti	Daytime contact telephone number								
E-mail address									
E-mai		ess							

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr 🗌	Mrs		Miss		1	Ms 🗌		er Title (for mple, Rev)			
Surname						First na	mes				
Date of birt	h			I am	18 yea	rs old or o	ver	☐ Plea	ase tick yes		
Nationality											
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)											
Current resid address if dit premises add	ferent f	rom									
Post town								Postcode			
Daytime con	tact tel	ephon	e numbe	r							
E-mail addr (optional)	ess										
give any reg	de nam istered :	e and i	registere er. In th	е сяве	of a pa	artnership	or o		opropriate please nture (other than a d.		
Name											
Address											
Registered nu	Registered number (where applicable)										
Description o	f applica	ant (for	r example	e, part	nership	, company	, unir	acorporated as	ssociation etc.)		

Tel	ephone number (if any)	
E-n	nail address (optional)	
Par	t 3 Operating Schedule	11
Wh	en do you want the premises licence to start?	DD MM YYYY (4 0 2 2 0 (9
	ou wish the licence to be valid only for a limited period, when you want it to end?	DD MM YYYY
Plea	ase give a general description of the premises (please read guidanc	e note 1)
P	estaurat	
	,000 or more people are expected to attend the premises at any time, please state the number expected to attend.	
Wha	at licensable activities do you intend to carry on from the premises	?
(ple	ase see sections 1 and 14 and Schedules 1 and 2 to the Licensing A	Act 2003)
Prov	vision of regulated entertainment (please read guidance note 2)	Please tick all that apply
a)	plays (if ticking yes, fill in box A)	
b)	films (if ticking yes, fill in box B)	
c)	indoor sporting events (if ticking yes, fill in box C)	
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	
e)	live music (if ticking yes, fill in box E)	X
f)	recorded music (if ticking yes, fill in box F)	₽
g)	performances of dance (if ticking yes, fill in box G)	X
h)	anything of a similar description to that falling within (e), (f) or (if ticking yes, fill in box H)	g) 🔯

Provision of late night refreshment (if ticking yes, fill in box I)	
Supply of alcohol (if ticking yes, fill in box J)	X
In all cases complete boxes K, L and M	

A

Plays Standard days and timings (please read			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	0
guidar	ce note 7)	/	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read gui	dance note 4)	
Tue					
Wed			State any seasonal variations for performing p guidance note 5)	lavs (please read	d
Thur					
Fri		/	Non standard timings. Where you intend to us the performance of plays at different times to to column on the left, please list (please read guidants).	<u>hose listed in tl</u>	
Sat		/			
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
guidan	ice note 7)		_	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guide	ance note 4)	
Tue					
Wed			State any seasonal variations for the exhibition of read guidance note 5)	of films (please	
Thur					
Fri		/	Non standard timings. Where you intend to use the exhibition of films at different times to those column on the left, please list (please read guidance)	listed in the	or
Sat	-				
Sun	/				

C

Standa timing	r sporting and days as s (please s ace note 7)	nd read	Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and			Will the boxing or wrestling entertainment take place indoors or outdoors or both — please tick (please read guidance note 3)	Indoors	
timings (please read guidance note 7)				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guide	ance note 4)	
Tue					
Wed			State any seasonal variations for boxing or wresentertainment (please read guidance note 5)	tling	
Thur					
Fri		/	Non standard timings. Where you intend to use boxing or wrestling entertainment at different time the column on the left, please list (please read government).	mes to those li	sted
Sat	/	/			
Sun					

E

Live music Standard days and timings (please read		Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	M
ice note 7)			Outdoors	
Start	Finish		Both	
11:00	22:30.	Please give further details here (please read guid	ance note 4)	
11:00	22:30			
11:00	22:30	(please read guidance note 5)		<u>le</u>
11.00	2230.	New years ere 60 00:30.		
11'.00	23.00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
11:00	23:00.			
11:00	22:30.			
֡	Start 11:00 11:00	Start Finish 1:00 22:30 1:00 23:00 1:00 23:00 1:00 23:00 1:00 23:00	indoors or outdoors or both – please tick (please read guidance note 3) Start Finish Please give further details here (please read guidance note 5) Please give further details here (please read guidance note 5) New years are to consider the performant (please read guidance note 5) New years are to consider the performant (please read guidance note 5) New years are to consider the performant (please read guidance note 5) Non standard timings. Where you intend to use the performance of live music at different times the column on the left, please list (please read guidance note 5)	Indoors or outdoors or both – please tick (please read guidance note 3) Start Finish 11:00 22:30 11:00 23:00

F

Recorded music Standard days and timings (please read		nd read	Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	X
guidar	ice note 7)		Outdoors	
Day	Start	Finish		Both	
Mon	11:00	22:30	Please give further details here (please read guidance note 4)		
Tue	(1'.00	21:30			
Wed	11.00	22:30	State any seasonal variations for the playing of I (please read guidance note 5)	recorded musi	<u>e</u>
Thur	11:00	33:30.	Newyers years Ere -	00:30	
Fri	11:00	23:00	Non standard timings. Where you intend to use the playing of recorded music at different times the column on the left, please list (please read gui	to those listed	_
Sat	11:00	23:00.	<u></u>	,	
Sun	11:00	22:30			

G

Performances of dance Standard days and timings (please read		nd	Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	X
	nce note 7			Outdoors	
Day	Start	Finish		Both	
Mon	11:00	22:30	Please give further details here (please read guid	ance note 4)	
Tue	11:00	22:30			
Wed	11:00	22:30	State any seasonal variations for the performance of dance (ple read guidance note 5) New years ever 40 00:30.		ease
Thur	11:00	22:30			
Fri	11:00	23!00	Non standard timings. Where you intend to use the performance of dance at different times to to column on the left, please list (please read guidan	hose listed in t	
Sat	11:00	23:00	<u> </u>	,	
Sun	11:00	22:30.			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)		hat e), (f) or ad cead	Please give a description of the type of entertainment providing	ent you will be	
Day	Start	Finish	Will this entertainment take place indoors or	Indoors	X
Mon	11:00	23.30	outdoors or both - please tick (please read guidance note 3)	Outdoors	
				Both	
Tue	([:00	23:30	Please give further details here (please read guidance note 4)		
Wed	(1'.00	22:30			
Thur	11:00	22:30	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri	11:00	23100	New years eve to 00:30.		
Sat	11:00	23 !æ	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		1
Sun	11:00	22.30			

I

Late night refreshment Standard days and timings (please read guidance note 7)		nd read	Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	
guidan	ce note 7		Outdoors	3
Day	Start	Finish	Both	
Mon			Please give further details here (please read guidance note 4	!)
Tue				
Wed			State any seasonal variations for the provision of late nigh refreshment (please read guidance note 5)	t
Thur				
Fri			Non standard timings. Where you intend to use the premit the provision of late night refreshment at different times, t listed in the column on the left, please list (please read guide	to those
Sat			note 6)	
Sun				

J

Supply of alcohol Standard days and timings (please read		ıd	Will the supply of alcohol be for consumption — please tick (please read guidance note 8)	On the premises	X
_	ce note 7)			Off the premises	
Day	Start	Finish		Both	
Mon	11.00	22:30	State any seasonal variations for the supply of al guidance note 5)	lcohol (please 1	read
Tue	11:00	22.30	31 ST DECEMBER 11:00 - 00. (AS SPECIAL DAY)	:30	
Wed	11:00	22:30			
Thur	11:00	22:30	the supply of alcohol at different times to those I	isted in the	<u>for</u>
Fri	11:00	23:00	column on the left, please list (please read guidane	ce note o)	
Sat	11:00	23:00			
Sun	11:00	22:30			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name DEVENDEA BI	
Date of birth	
Address	
~	-
<u> </u>	
Personal licence number (if known)	069465
Issuing licensing authority (if known)	PETERBOROUGH COUNCIL

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

\mathbf{L}

Hours premises are open to the public Standard days and timings (please read guidance note 7)		State any seasonal variations (please read guidance note 5)
Start	Finish	
11:00	23:00	
11:00	23.80	
שט 111	23:00	Non standard timings. Where you intend the premises to be open
11:00	23:6 0	to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
11:00	23'30	New years Eve 01:00
11'00	23!30	
11:00	23'50	
	so the public of	or the public and days and s (please read ace note 7) Start Finish 11:00 23:00 11:00 23:00

M

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

a) General - all four licensing objectives (b, c, d and e) (please read guidance note 10)

WE WILL COMPLY WITH ALL FOUR LIEENSING DAJECTIVES TAKING APPROPRIETE SPEPS AS MENTIONED IN THE BELOW SECTIONS.

b) The prevention of crime and disorder

- I. ENSURE CCTV CAMERAS ARE INSTALLED INSIDE AND DUTSIDE THE RESTAURANT PERMISES.
- 2. PROVIDE SCHEFICIENT AMOUNT OF LIGHTING TO IMPROVE VISIBILITY.
- 3. FOLLOW BY THELISHED PROTOCOL FOR CASH HANDLING.
- 4. SECURL OPENING AND CLOSING TIMES.

c) Public safety

- 1. TRAIN STAFF IN FOOD AND FIRE SAFETY PROCEDIRES
- 2. LOGGO IN INSPENT BOOKS
- 3. PROVIDE APPROPRIENTE SIGNAME TO PLEAT PUBLIC THAT
 POLICE VILLAG INFORMED IF REQUIRED.
- 4. STAY ON TOP OF HEALTH AND SHFETY AT WORK,

d) The prevention of public nuisance

THE FOLLOWIN FOR MEASURES WILLABE CONSIDERED,

1. NOISE-TRICE ALL RESONABLE STEPS TO ENSURE NOISE,

WASTE GOODER DOES NOT CAUSE LINRESONTABLE LIGHT

L'OBOTER DISTURBANCE TO WIDER PUBLIC.

2. WASTE / LITTER - PROVIDE DUTY OF CARE TO ENSURE WASTE PROPERLY CONTAINED & CONTROLLED.

e) The protection of children from harm

WE WILL TAILE OVE DEGIMED TO THE NEED TO SAFEGUARD AND PROMOTE THE WELFARE OF CHILDREN BY TALING THE FOLLOWING STEPS;

- 1- ANDID LINDER AGE SALES OF ALCOHOL BY TRANSING ALL STAFE
 MEMBERS AND PROMOTE THE ASSEMBLE APPROPRIATE SIGNINGS
 TO WARN CUSTOMERS.
- 2. UNDER 25 CHALLONGE SINAGE WILLE PLACED .
- 3. TRAIN STAPF MOMBERS TO MAKE THEM ANSARD OF CHILD

PROCTECTION ISSUES AND TO TAKE ACTION IF THEY CONSIDER THE CHILD AT RISK OF HARM.

Checklist:

Please tick to indicate agreement

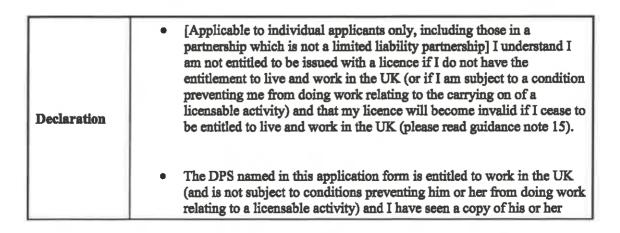
•	I have made or enclosed payment of the fee.	X
	I have enclosed the plan of the premises.	X
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	
	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	X
•	I understand that I must now advertise my application.	X
•	I understand that if I do not comply with the above requirements my application will be rejected.	X
	[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service	×
	(please read note 15).	

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.

IT IS AN OFFENCE UNDER SECTION 24B 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.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.



	proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	13/01/2020
Capacity	OWNER
	ations, signature of 2 nd applicant or 2 nd applicant's solicitor or other at (please read guidance note 13). If signing on behalf of the applicant, please pacity.
Signature	
Date	
Capacity	
	here not previously given) and postal address for correspondence associated with please read guidance note 14)

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

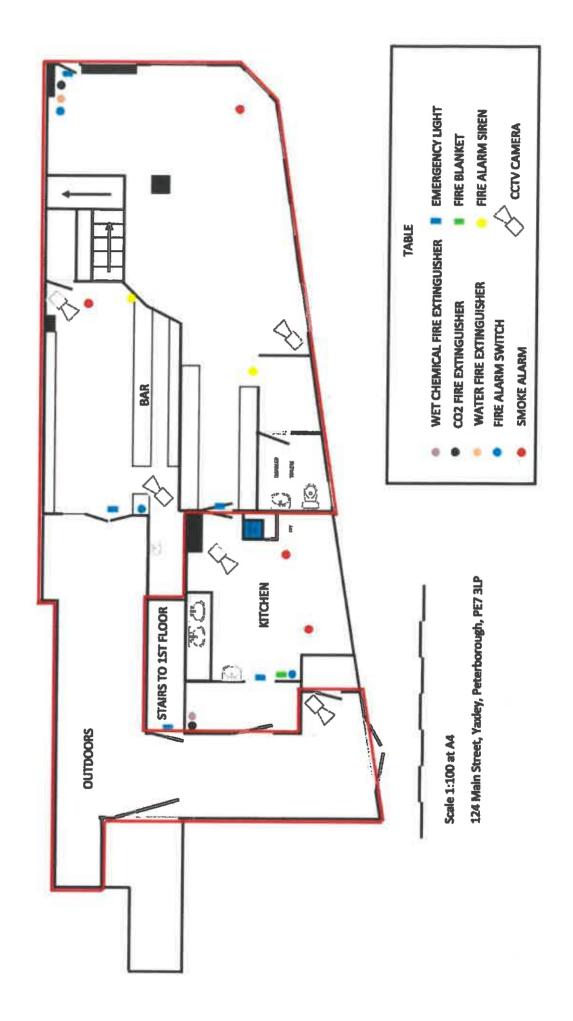
Postcode

Post town

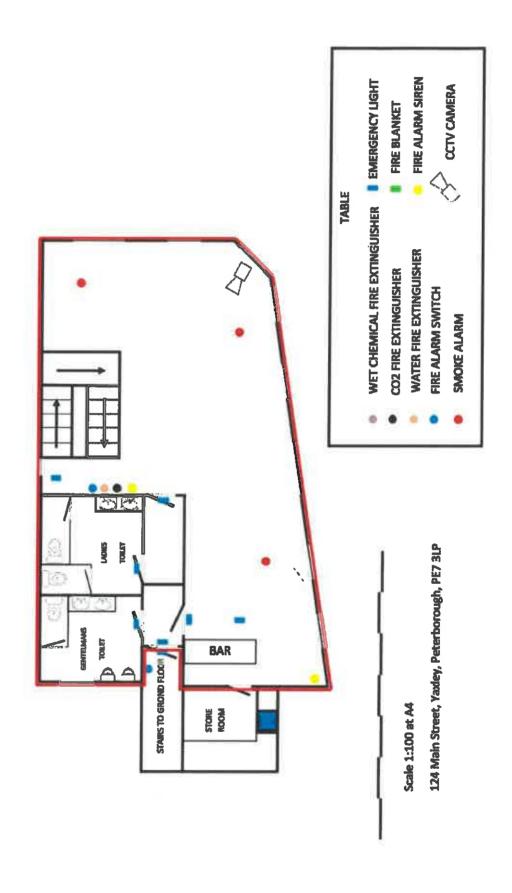
Telephone number (if any)

Notes for Guidance

- Describe 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.
- 2. 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 500.
 - 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:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o 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.
 - o a 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:
 - o 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.
 - o 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



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RECORD OF DECISION: LICENSING ACT 2003

(To be completed and signed before members return to open session to announce their decision)

Licensing Sub-Committee Date: 10 01 19

Members:

1. Clir CRISUELL

(Chairman)

2 CILT CLARKE

3. Olly MOS DIEKEN SON

Application considered:

Name of person/ premises:

BOLLYUUDD TIGOR, YAXLEI

Application for:

(New/variation etc)

REVIEW

We heard representations from the following persons:

(e.g. who made the representation, what it was and committees response)

APPLICANTS T

FOR PROMISES LILLONCE HOWENS -

INTERESTED PARTIES -

We found the following facts:

THE PROPRIETURE OF THE BLUMDED TIGET WERE FOUND TO HAVE

JEEN EMPLOYING PORSONS DISQUALIFIED FROM GETALLY WEREING

IN THE UK. AT THE LICENCE HOLDER IS RESPONSIBLE

FOR ENSURING COMPLITHEE ALL LEGAL RESOLUTIONETS.

THIS IS THE SEROND OCCASION THAT SUCH A BREMEW HAS OCCURRED,

AN ADDITION EVIDONCE WAS SUBMITTED DETAILING INCIDENTS AND

CONCERNS SURROUNDING COME AND DISOLDER, AND PUBLIC NOWSANCE.

In making our decision we considered the following:

List:

Statutory provisions, referred to in the report

Statutory Guidance "

Huntingdonshire District Council Statement of Licensing Policy

Report

Advice from the Legal Representative

Submission from the applicant

Representations from those listed above

Suggested amendments from the applicants

Where members have given more weight to the evidence of one party over another, they should say why

We did not consider the following matters to be relevant:

THE POTENTIAL SALE OF THE PREMISES ADDI) PROPOSED TRANSFER OF PREMISES LICENCE.

Our reasons for this are:

(e.g. not related to the licensing objectives)

THIS IS NOT RELEVANT TO THE ENERGYT SITUATION.

Our decision is as follows:

THAT THE PROMISES LICENCE BE ROVOKED.

Our reasons for reaching the decision are as follows:

UNDOR THE LICENCING ACT 2003 S.172 Part 11.27
IT IS A CRIME TO KALLETTEN EMPLOY A PERSON DISQUILITION FROM
WORKING BY REASON OF IMMICRATION STATUS.
THIS IS THE SEEDING OCCASION THAT DISQUALITIED WORKERS
HAVE BEEN EMPLOYED ON THE PREMISES.

if applicable: Conditions attached to (or removed from) the licence at the hearing and the reasons for attaching them.

Signed	RIGHT OF MIDERLY. TO MASSENTEST GUET. WITHIN 21 DAY

Dated (0 0 19	
F:\Licensing\Licensing Act 2003\Hearings\Record of decision Aug 2011	

APPENDIX C

EXTRACT - Premises Licence HDC/PRE00771 Issued May 2019 for Raj Mahal, 124 Main Street Yaxley, PE7 3LP

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

- The premises licence holder will ensure that a digital CCTV system is fully compliant with the guidance contained in the Information Commissioner's Office (ICO) guidance document (www.informationcommissioner.gov.uk) regarding installation of CCTV is provided at the premises.
- 2. CCTV will be provided in the form of a recordable system, capable of providing pictures of High definition (HD) evidential quality in all lighting conditions in particular facial recognition. Cameras must cover the entire licensed area including the outside curtilage of the building.
- 3. CCTV equipment must be maintained in good working order, be correctly time and date stamped and must be retained for a minimum period of 31 consecutive days.
- 4. The premises licence holder must ensure at all times that an appointed member of staff is present when the premises is conducting a licensable activity, who is capable and competent at using the CCTV system and downloading CCTV footage on their own recordable media, and be able to hand this footage over to an authorised person on request.
- 5. All images downloaded must be provided in a format that can be viewed on readily available equipment without the need for specialist software.
- 6. Notices advising that CCTV has been installed on the premises shall be posted up so that they are clearly visible to the public within the licensed premises.
- 7. The premises license holder / designated premises supervisor, will maintain an 'Incident report / refusal register' in a bound book, in which full details of all incidents and refusals are recorded. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The register is to be kept on the premises at all times and shall be produced to an authorized person on requested. The register will be retained for a minimum of 12 months.
- 8. All employees will undergo comprehensive due diligence training prior to being given permission to sell alcohol. This will be documented on written staff training records and updated on a six monthly basis. These training records will be produced to an authorised officer on demand.
- 9. The sale of alcohol shall be ancillary to a table meal, or at the bar where customers are waiting for a table to be allocated.
- 10. Sale of alcohol for consumption 'Off' premises shall be ancillary to a 'Take Away' meal, and restricted to unopened containers of wine or beer.
- 11. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
- 12. The premises licence holder, or a responsible person nominated by them in writing, will receive and respond to complaints at all times. These complaints shall be recorded and the records made available to the local authority upon request. Such recordings shall be retained for a minimum of 2 years.
- 13. Prominent, clear notices shall be displayed at all exits and in the outdoor area requesting customers and staff to respect the needs of local residents and leave the premises and area quietly.
- 14. The 'Challenge 25' initiative to prevent sales of alcohol to persons under 18 years of age will be implemented at the premises and signage will be prominently placed within the premises advertising the fact that the premises operates the 'Challenge 25' initiative.
- 15. Persons under 18 must be accompanied by an appropriate adult during licensable hours.
- 16. No deliveries to the premises shall take place between 21:00 and 09:00 on the following day.

- 17. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in the outside areas between 23:00 and 06:00 on the following day.
- 18. The previous Premises Licence holder, Mr Thahir Uddin and his business partner Mr Mahammed Ali will have no business interest in the premises and will not working at the premises

Mardon, Sara	h (Licensing)
--------------	---------------

From: Sent:

10 February 2020 12:13

To:

Mardon, Sarah (Licensing)

Subject:

Re: Planning app for the Gurkha lounge



Sent from my iPad

On 10 Feb 2020, at 11:10 am, Mardon, Sarah (Licensing) < Sarah. Mardon@huntingdonshire.gov.uk > wrote:

Dear

Thank you for your email. Would in order for your concerns to be considered please would you confirm your full address on a reply email.

Kind regards

Sarah Mardon Licensing Officer

Huntingdonshire District Council Pathfinder House St. Mary's Street Huntingdon PE29 3TN

www.huntingdonshire.gov.uk/licensing

----0

From Sent:

To: Mardon, Sarah (Licensing) <Sarah.Mardon huntin d n hire. ov.uk>

Subject: Planning app for the Gurkha lounge

Sent from my iPhone

As I live o the said premises, I'm messaging you with my concerns over the new licence application for the Raj Mahal, under the New management of the Gurkha Kitchen. As you are aware The trouble I, and my neighbours had, with the Live music, and noise from the then Bollywood Tiger, resulted in new

licence restrictions being put in place... including, that No connections with a previous owner be allowed NO live music, restricted serving hours, and alcohol served only with meals!! I therefore OPPOSE the application from the Gurkha Kitchen, unless these conditions are still applied...

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived

Mardon, (Licensina)

From: developmentcontrol@huntingdonshire.gov.uk

Sent: 08 February 2020 09:46

To: Licensing (HDC)

Subject: Comments for Licensing Application 20/00111/LAPRE2

Categories: SARAH, BEVERLY

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 9:45 AM on 08 Feb 2020 from

Application Summary

Address: 124 - 126 Main Street Yaxley Peterborough PE7 3LP

Proposal: App / Premises Licence

Case Officer: Sarah Mardon Click for further Information

Customer

Name:

Email:

Address:

Comments Details

Commenter

Type:

Member of the Public

Stance: Customer objects to the Licensing Application

Reasons for comment:

Child ProtectionCrime Objections

- Fitness of Licence Applicant

Noise DisturbanceOpening HoursSafety of Premises

Comments:

9:45 AM on 08 Feb 2020 In 2019 the license at this location, previously named 'Bollywood Tiger' was revoked after a period of signification stress, and action from local residents having to get the police involved over 12 times. The facts surrounding this are well known by Hunts licensing council and include repeated drugs-related offenses, disturbances, late night binge drinking, opening after planning permission hours, rioting,

damage to neighboring resident's property and cars etc.

When the new owner opened in 2019 under the name 'Raj Mahal' numerous license restrictions were put in

place, including:
NO Connection with previous Owner

Country comerce

Security cameras.

Restricted serving hours to 10.30pm daily.

Alcohol only served with meals, NOT as a non-restaurant establishment.

NO Music events

I reject this current license application for the 'Ghurka Kitchen' unless the conditions are visited and applied in a similar way.

I also oppose the licensing of ANY music events.

Concerns have already been raised with Sarah Mardon at Hunts DC but no response has been received.