

# LICENSING SERVICE

Appendix 4a

|                               |  |
|-------------------------------|--|
| <i>For Office Use only</i>    |  |
| <b>LalPac Application No.</b> |  |
| <b>Licence Number</b>         |  |

**APPLICATION FOR THE REVIEW OF A PREMISES LICENCE  
OR CLUB PREMISES CERTIFICATE  
UNDER THE LICENSING ACT 2003**

|                        |                 |
|------------------------|-----------------|
| <b>Applicant Name:</b> | Helen Parkinson |
|------------------------|-----------------|

Blackpool will be a Vibrant, Inclusive,  
Healthy, Safe and Prosperous Town



## 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. You may wish to keep a copy of the completed form for your records.

|   |                 |
|---|-----------------|
| I | Helen Parkinson |
|---|-----------------|

[Insert name of applicant]

**apply for the review of a premises licence under section 51 or 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.**

### Part 1 – Premises Details

|   |                 |                  |   |   |   |  |   |        |   |
|---|-----------------|------------------|---|---|---|--|---|--------|---|
| <b>Postal address of premises or club premises if any, or if none the ordinance survey map reference or description.</b>      |                 |                  |   |   |   |  |   |        |   |
| <b>Premises Name and Address</b>  | Kebab House     |                  |   |   |   |  |   |        |   |
|   | 54 Foxhall Road |                  |   |   |   |  |   |        |   |
|   | Blackpool       | <b>Post Code</b> | F | Y | 1 |  | 5 | A      | D |
| <b>State the Name of the premises licence holder or the name of the club holding the club premises certificate (if known)</b> |                 |                  |   |   |   |  |   |        |   |
| Mr Kashif Gul   |                 |                  |   |   |   |  |   |        |   |
| <b>Premises Licence or Club Premises Certificate Reference Number (if known)</b>  |                 |                  |   |   |   |  |   | WA0137 |   |

### Part 2 – Applicant details

I am:

|   |  |
|---|--|
| <b>1) an interested party (please also complete sections 2A and 2B below)</b>                   | <small>Please tick</small><br><input type="checkbox"/> |
| a) a person living in the vicinity of the premises  | <input type="checkbox"/>                               |
| b) a body representing persons living in the vicinity of the premises                           | <input type="checkbox"/>                               |
| c) a person involved in business in the vicinity of the premises                                | <input type="checkbox"/>                               |
| d) a body representing persons involved in business in the vicinity of the premises             | <input type="checkbox"/>                               |
| <b>2) a responsible authority (please also complete 2C below)</b>                               | <input checked="" type="checkbox"/>                    |
| <b>3) a member of a club to which this application relates (also complete section 2A below)</b> | <input type="checkbox"/>                               |

**(2A) Individual Applicants (fill in as applicable)**

|                         |                  |     |      |    |                      |                           |             |    |  |
|-------------------------|------------------|-----|------|----|----------------------|---------------------------|-------------|----|--|
| <b>Title:</b>           | Mr               | Mrs | Miss | Ms | Other                | I am 18 years old or over | Please tick |    |  |
|                         |                  |     |      |    |                      |                           | Yes         | No |  |
| <b>Forenames</b>        |                  |     |      |    | <b>Surname</b>       |                           |             |    |  |
| <b>Home address</b>     |                  |     |      |    |                      |                           |             |    |  |
|                         |                  |     |      |    |                      |                           |             |    |  |
|                         | <b>Post Code</b> |     |      |    |                      |                           |             |    |  |
| <b>Telephone Number</b> |                  |     |      |    | <b>Mobile Number</b> |                           |             |    |  |
| <b>E-Mail Address</b>   |                  |     |      |    |                      |                           |             |    |  |

**(2B) Other Applicant or Representing Body**

|                         |                  |  |  |  |  |  |  |  |
|-------------------------|------------------|--|--|--|--|--|--|--|
| <b>Name</b>             |                  |  |  |  |  |  |  |  |
| <b>Address</b>          |                  |  |  |  |  |  |  |  |
|                         |                  |  |  |  |  |  |  |  |
|                         | <b>Post Code</b> |  |  |  |  |  |  |  |
| <b>Telephone Number</b> |                  |  |  |  |  |  |  |  |
| <b>E-Mail Address</b>   |                  |  |  |  |  |  |  |  |

**(2C) Responsible Authority applicant**

|                         |   |  |  |  |  |  |  |  |
|-------------------------|---|--|--|--|--|--|--|--|
| <b>Name</b>             | Helen Parkinson   |  |  |  |  |  |  |  |
| <b>Address</b>          | Licensing Department, Blackpool Police Station, Bonny Street, Blackpool |  |  |  |  |  |  |  |
|                         |   |  |  |  |  |  |  |  |
|                         | <b>Post Code</b>  |  |  |  |  |  |  |  |
| <b>Telephone Number</b> | 01253 604074  |  |  |  |  |  |  |  |
| <b>E-Mail Address</b>   | Helen.parkinson@lancashire.pnn.police.uk                                |  |  |  |  |  |  |  |

## Part 3 – Reason for Review

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

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

Please state the ground(s) for review (please read guidance note 1)

The application is brought on behalf of the Chief Constable of Lancashire Constabulary. The Personal Licence Holder is currently on Remand having been charged with historical sexual offences against female under 16 years of age. On 20<sup>th</sup> December 2016 he was found guilty of two offences and awaiting sentencing in February 2017. The police feel that the licensing objectives to protect children from harm and prevent crime and disorder are seriously put at risk.

**Please provide as much information as possible to support the application. Continue on a separate sheet if necessary. (Please read guidance note 2)**

On 27<sup>th</sup> June 2016 Mr Kashif Gul, born 11/01/1977 in Afghanistan, was charged with 7 sexual offences which were alleged to have occurred between 1<sup>st</sup> April 2003 and 31<sup>st</sup> May 2005 against a female under the age of 16. The charges were as follows:

- 1) Rape of female under 16years between 01/05/03 and 30/06/03
- 2) Rape of female under 16years between 01/04/03 and 30/04/03
- 3) Rape of girl aged 13-15 years between 01/05/04 and 31/05/04
- 4) Attempt Rape of female under 16years between 01/04/03 and 30/04/03
- 5) Attempt Rape of female under 16years between 01/05/03 and 30/06/03
- 6) Gross Indecency with female under 16years between 01/04/03 – 30/04/03
- 7) Gross Indecency with female under 16years between 01/05/03 – 30/06/03

As a result of the charges Mr Gul was remanded into custody on 28<sup>th</sup> June 2016 by Blackpool Magistrates whilst he awaited trial.

On 20<sup>th</sup> December 2016 at Preston Crown Court Mr Gul was found guilty of two offences of Indecency with a child. The dates of these offences were April/May 2003 and May/June 2003 when the victim was under 16 years. Mr Gul was cleared of the rape/attempt rape charges. He has also signed the Sex Offenders Register and is subject to the Notification Requirements until 19/12/2021. A summary of the case file is attached.

Mr Gul is due to be sentenced on 27<sup>th</sup> February 2017 and remains on remand at this time. At this time Mr Gul's PNC record has not been updated. The information has been provided and verified by DC Karen Tunstall from Lancashire Constabulary's Force Major Incident Team who is the Office in the Case for the whole enquiry. Attached is the e-mail she sent to my colleague confirming this

At the time of the offences for which he has been found guilty, Mr Gul was working as a chef, then waiter at The Balti House, Clifton Street, Blackpool which has a late night licence for food and alcohol until 4am.

As well as the offences for which he was initially charged there have also been other, more recent allegations, of a similar nature against Mr Gul, two of which are alleged to have occurred at 54 Foxhall Road. These allegations have been made by different aggrieved parties to those for which he has been charged. The crime numbers are: AM0905410 Sexual Assault by penetration and AM1102670 Rape of female aged 16 or over. I stress though that No charges were brought against Mr Gul on either of these occasions

Due to the nature of the offences for which Mr Gul has now been convicted, police feel that allowing him to Operate a Late Night Refreshment Licence until 3am puts children at risk from harm and seriously undermines the crime prevention objective and therefore apply for a revocation of the licence. He would be in a position of responsibility and it would provide the opportunity for him to interact with vulnerable children out in Blackpool during the early hours. The number of vulnerable young persons out on the streets of Blackpool into the early hours is currently of particular concern to not only police but Council and Health departments alike and Operations are already on-going to try to protect them from harm and exploitation. There have also been the two previous allegations at this premises whilst Mr Gul has been the licence holder.

Police also understand that Mr Gul lives above the premises and takes sole responsibility for the business, therefore there are no conditions that could be added to ensure the objectives are upheld.



## Part 4 – Other relevant information

|  |             |       |      |
|--|-------------|-------|------|
| <b>Have you made an application for review relating to this premises before?</b> | Please tick |       |      |
|  | Yes         | No    |      |
|  |             | X     |      |
| <b>If yes please state the date of that application</b>                          | Day         | Month | Year |
|  |             |       |      |

**If you have made representations before relating to this premises, please state what they were and when you made them.**

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.

X


I understand that if I do not comply with the above requirements my application will be rejected

X

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

### Part 5 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent. (Please read guidance note 4) If signing on the behalf of the applicant please state in what capacity.

| Signature:   | Capacity:        | Date: |       |      |
|--|------------------|-------|-------|------|
|  |                  | Day   | Month | Year |
|  PS1747 | POLICE LICENSING | 16    | 02    | 2017 |

Contact name and address for correspondence associated with this application. (Where not previously given) (See guidance note 5)

| Title:  | Mr        | Mrs | Miss | Ms | Other         |  |  |  |  |  |  |  |
|---|-----------|-----|------|----|---------------|--|--|--|--|--|--|--|
|   |           |     |      |    |               |  |  |  |  |  |  |  |
| Forenames   |           |     |      |    | Surname       |  |  |  |  |  |  |  |
| Address for Correspondence associated with this application |           |     |      |    |               |  |  |  |  |  |  |  |
|   |           |     |      |    |               |  |  |  |  |  |  |  |
|   | Post Code |     |      |    |               |  |  |  |  |  |  |  |
| Telephone Number  |           |     |      |    | Mobile Number |  |  |  |  |  |  |  |
| E-Mail Address  |           |     |      |    |               |  |  |  |  |  |  |  |

### Notes for Guidance

1. The grounds for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems that are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf, provided that they have actual authority to do so.
5. This is the address that we shall use to correspond with you about this application.