



VERA BAIRD QC
POLICE & CRIME COMMISSIONER



**NORTHUMBRIA
POLICE**

Northumbria Police Licensing
Central Area Command (Gateshead)
Gateshead Police Station
High West Street
Gateshead NE8 1BN

Tel: 0191/4374158

Shirwan Salah OMAR
281 Coatsworth Road
NE8 4LJ

Date: 5th April 2019

Forwarded to :

The Licencing Authority: licensing@gateshead.gov.uk, rebeccasparrow@gateshead.gov.uk,

OBJECTION NOTICE UNDER THE LICENSING ACT 2003

APPLICATION TO TRANSFER PREMISES LICENCE

AND

APPLICATION TO VARY THE DESIGNATED PREMISES SUPERVISOR

PREMISES:

Best One
283 Coatsworth Road, Bensham
Gateshead, NE8 4NJ

Premises licence number: 00CH 04137

Northumbria Police wish to object to both applications to transfer the premises licence by Shirwan Salah OMAR and vary the designated premises supervisor to Zana Qadir ARIF, Personal Licence No: 00CH10280, issued by Gateshead Authority in January 2018 at the above named premises received on 2nd April 2019.

On 2nd April 2019 Northumbria Police received an application to transfer the premises licence at Best One, 283 Coatsworth Road, Bensham, Gateshead, NE8 4NJ to Shirwan Salah OMAR. The applicant

On 3rd April 2019 officer from Northumbria Police and the local authority visited the premises to check compliance with the law. Officers will say that they found number of failings with the

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<http://www.northumbria.police.uk>

need for immediate improvement. During this visit officers spoke to a male introducing himself as the current owner Shirwan Salah OMAR . The male was inconsistent with his replies to questions put to him and in particular with those concerning his current residential address. He could not produce an acceptable form of ID nor proof of current address or residency.

Northumbria Police have concerns that all four licensing objectives are being undermined due to that the premises licence holder's identity can not be positively established.

On 29th March 2019 PC 3034 Robertson stopped Zana Qadir ARIF b.02/10/1980, h/a: 106 Victoria Road, Gateshead driving a motor vehicle VRM YA07DZM following an RTC. PC 3034 will say that Mr. ARIF provided two evidential specimens of breath. He breath specimens read 61/63 mg of alcohol in 100ml of breath.

It is worth noting that the legal limit in England & Wales is 35mg of alcohol in 100ml of breath.

On 30th March 2019 Zana Qadir ARIF was charged with the offence Drive/Attempt to drive MV whilst unfit through drink contrary to section 4(1) of the Road Traffic Act 1988 and schedule 2 to the Road Traffic Offenders Act 1988.

Schedule 4 - Licensing Act 2003 identifies relevant offences to that Act in section 14

An offence under any of the following provisions of the Road Traffic Act 1988 (c. 52)—

(a) section 3A (causing death by careless driving while under the influence of drink or drugs);

(b) section 4 (driving etc. a vehicle when under the influence of drink or drugs);

(c) section 5 (driving etc. a vehicle with alcohol concentration above prescribed limit).

(d) section 6(6) (failing to co-operate with a preliminary test).

It is the cumulative negative impact of the above named concerns which gives Northumbria Police rise to object under the "exceptional circumstances" criteria. We can have no confidence in the applicant's ability to fulfil the requirements under the premises licence, to enforce the existing licensing conditions and to uphold the law.

We believe that such objection is proportionate and wholly justified as the licensing objectives and in particular the prevention of crime and disorder will become undermined should the transfer and the vary DPS take place.

Northumbria Police reserves the right to produce further information that may assist during a licensing sub-committee hearing.

LC 6544 DWP
12TH April 2019