

Lambeth Licensing

**LX - Lambeth Borough  
Licensing and Night-time  
Economy**International Hse  
6 Canterbury Crescent  
Brixton  
SW9 7QE

Telephone: 0208 649 2089

Facsimile:

Email: Licensing-  
LX@met.pnn.police.uk  
www.met.police.uk

Your ref: Prem555

Our ref:

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Dear Sir

**Application to Vary DPS - Objection**

I am a Police Sergeant employed in the role of Licensing Officer for the Metropolitan Police Service, Lambeth Borough. I am authorised by a delegation given by the Commissioner to act on her behalf in all matters pertaining to the Licensing Act 2003.

The MPS objects to an application received from Mazar and Zaffar KHAN to vary the Designated Premises Supervisor at Kwik Stop, 72 Brixton Hill, SW2 1QW to Azar KHAN.

The MPS received notification of the application from the Local Authority via e-mail on 4<sup>th</sup> January 2019.

The reasons for this objection are as follows:-

1) The Chief Officer is satisfied that granting the application will undermine the Crime Prevention Objective.

On 23<sup>rd</sup> July 2018 three persons were arrested on suspicion of being involved in the supply of drugs at 72 Brixton Hill. Those three persons were the present PLH/DPS Mazar KHAN, Waqaar KHAN, and Stephen ASARE. As a result of this, a closure order under Sec 76 Anti-social Behaviour, Crime and Policing Act was obtained at South London Magistrates' Court. This in turn triggered a review of the premises licence and on 4<sup>th</sup> September 2018 the LSC resolved to revoke the premises licence. That revocation is presently under appeal. The relevant reports are attached with this application.

It is clear from the decision of the LSC that they considered the PLH was unsuitable to operate a licensed premises.

The MPS contends that the proposed DPS is connected to, and has for many years been involved in, the operation of the premises at 72 Brixton Hill, and is the brother of the present PLH. The MPS further contends that the application to vary the DPS to Azar Khan represents nothing more than an 'on paper' change to the operation, and will not result in any improvement.

On 19<sup>th</sup> October 2006 a search warrant was executed at 72 Brixton Hill, SW2. Azar IQBAL [REDACTED] and Mazar Iqbal KHAN [REDACTED] were both arrested on suspicion of handling stolen goods. No further action was taken in respect of either. Both gave the home address of [REDACTED], SW2. CRIS [REDACTED] 06 refers.

On 8<sup>th</sup> August 2011 72 Brixton Hill was attacked during an incident of large-scale disorder. The person reporting the incident to Police on that day was Azar Iqbal KHAN, [REDACTED], who is described as the owner. CRIS [REDACTED] 11 refers.

On 8<sup>th</sup> August 2011 98 Brixton Hill was attacked during an incident of large-scale disorder. The person reporting the incident to Police on that day was Azar Iqbal KHAN, DoB [REDACTED], who is described as the owner. During the investigation into this incident, on 03/04/2012 a reviewing officer noted that Azar IQBAL appeared to have given the name Mazar KHAN when giving an earlier statement. The Crime report records that in a conversation regarding this with the OIC, Azar IQBAL (KHAN) says that Mazar KHAN is his older brother. CRIS [REDACTED]/11 refers.

On 15<sup>th</sup> March 2012 a robbery was reported as having happened at 72 Brixton Hill, SW2. When Police attended to obtain CCTV footage later that day they were assisted by Azar IQBAL. CRIS [REDACTED]/12 refers.

On 24<sup>th</sup> March 2014 a fraud was reported as having taken place at 98 Brixton Hill, SW2. The victim on that occasion was Azar KHAN [REDACTED] who gave his address as [REDACTED] SW2.

On 3<sup>rd</sup> February 2015 the MPS received an information sharing request from Probation Officer Clive Coupe. He was requesting information on [REDACTED] [REDACTED], SW2, in order to assess its suitability as a release address for Waqas KHAN. Mr Coupe reported that the known residents of the address at that time were Mazar KHAN dob [REDACTED] and Azar Iqbal [sic] KHAN dob [REDACTED]. [REDACTED] refers.

On 2<sup>nd</sup> April 2015 Trading Standards Officers conducted a test purchase operation at 72 Brixton Hill, SW2. A man giving his name as Azar IQBAL [REDACTED], address [REDACTED], was issued with a Penalty Notice for selling to an underage person. He produced a driving licence number [REDACTED] as identification. DVLA records show that driving licence is issued to Azar IQBAL [REDACTED]. TS visit report from Bernard Conmy refers.

On 15<sup>th</sup> July 2015 there was an incident of assault at 72 Brixton Hill, SW2. The victim on that occasion was Mazar KHAN, who gave his DoB as [REDACTED] and his home address as [REDACTED], SW2. CRIS [REDACTED]/15 refers.

Mazar KHAN is currently the premises licence holder at 72 Brixton Hill. Up until 27<sup>th</sup> July 2018 he was also the premises licence holder at 98 Brixton Hill, SW2. The premises licence at that time recorded his address as [REDACTED], SW2.

The MPS is satisfied that Azar KHAN is Azar IQBAL, and he is the brother of Mazar KHAN.

It is the MPS contention that any person applying to become the DPS who has a connection to the current management regime is intrinsically linked to the history of the premises. The MPS cannot have faith that anyone connected with the previous operator will uphold the Crime Prevention objective.

Yours sincerely,

David Smith