

Licensing Act 2003 - Hearing Procedure – Grant of a Premises Licence

1. The Chairperson of the Licensing Sub Committee will introduce the Committee members and ask officers to introduce themselves.
2. The Chairperson will then ask the following parties to introduce themselves:
 - a. the applicant, any person representing them and any witnesses they wish to call.
 - b. any person who has made representations, any person representing them and any witnesses they wish to call.
3. The Chairperson will then ask the Licensing Officer to introduce the report and provide any updates.
 - a. Questions to the Licensing Officer may be asked, **solely concerning the report**, by Members, the applicant and by persons making representations.
4. The Chairperson will then invite:
 - a. **any person who has made representations** to present their representations and call any witnesses they may have.

Note: Members of the Sub Committee, followed by the applicant may ask questions of all persons who have made representations to the hearing and their witnesses.
 - b. **the applicant** to present their application, respond to the representations, and call any witnesses they may have.

Note: Members of the Sub Committee, followed by any person who has made representations at the hearing may ask questions of the applicant and their witnesses.
5. **The applicant will then be given the opportunity to sum up**
6. The public hearing will then be concluded, and Members of the Sub Committee will go into Closed session, together with the Councils Solicitor and the Clerk to the meeting.
7. The decision of the Licensing Committee will be given in accordance with the requirements of the Licensing Act 2003 and regulations made thereunder.

Note:

At any time throughout the hearing Members of the Licensing Sub Committee may request legal advice from the Council's Solicitor. Any advice sought during closed session will be included in the notice setting out the decision.

The Committee Hearing will be held in public unless and in accordance with relevant Regulations the Licensing Sub Committee determine that the public should be excluded.

Committee Name and Date of Committee Meeting

Licensing Sub-Committee – 24th June 2026 at 11:00 hours (11am) – Reconvened from the meeting of 19th May 2026.

Report Title

Consideration of an application (made in accordance with s.17 of the Licensing Act 2003) for the Grant of a Premises Licence in respect the premises situated at 21 Monkwood Road, Rotherham S62 7JN.

Report Author(s)

Diane Kraus, Principal Licensing Officer, Community Safety and Street Scene
Tel: 01709 289536

Report Summary

On the 19th May 2026 the Licensing Sub-Committee met to hear an application for the grant of a premises licence made by Mr Heward SHINWARI in respect of premises situated at 21 Monkwood Road, Rotherham S62 7JN.

Part way through the hearing, it was decided to adjourn the meeting in order to allow the Council to appoint an official interpreter.

The original papers, which were made available to the Sub-Committee on 11th May 2026, remain relevant to the adjourned meeting, with the exception of Appendix 5.

In addition, this addendum report has been prepared which details the amendments to the original report and provides additional information.

Recommendations

1. That the Licensing Sub-Committee considers the information contained within the original report, with the exception of Appendix 5, and this addendum report and appendices.
2. Having Considered the information in the reports, together with any additional relevant information presented at the hearing, the Licensing Sub subsequently determines the application.
3. The Licensing Sub-Committee should inform the Licensing Manager of the decision in accordance with the requirements of the Licensing Act 2003 and Regulations made thereunder.

List of Appendices Included (in addition to those provided in the original report)

Appendix 6 – Additional information provided by the Applicant – This Appendix is excluded from the press and public

Note: Appendix 5 in the original report is withdrawn.

Background Papers

Licensing Sub-Committee report issued in respect of the adjourned hearing on 19th May 2026

Rotherham MBC Statement of Licensing Policy 2025 -2030
(available at www.rotherham.gov.uk/licensing)

Revised guidance issued under section 182 of the Licensing Act 2003 (November 2025) available at <https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>)

Council Approval Required

No

Exempt from the Press and Public

Yes – Appendix 6 only

Consideration of an application (made in accordance with s.17 of the Licensing Act 2003 for the grant of a Premises Licence in respect of the premises situated at 21 Monkwood Road, Rotherham S62 7JN.

1. Background

- 1.1 On the 19th May 2026 the Licensing Sub-Committee met to consider an application for the grant of a premises licence made by Mr Heward SHINWARI in respect of premises situated at 21 Monkwood Road, Rotherham S62 7JN.
- 1.2 Part way through the hearing, it was decided to adjourn the meeting in order to allow the Council to appoint an official interpreter. It was established that the applicant's first language was Pashtu.
- 1.3 The reconvened meeting scheduled for the 3rd June 2024 was cancelled so as to allow all parties to be invited to be invited.
- 1.4 On 3rd June 2026 an invite to attend this meeting was sent to all parties, that is the applicant and all other persons who have made representations to the application, regardless of whether they attended the adjourned meeting of 19th May 2026.

2. Key Issues

Licensing Authority - Representations withdrawn

- 2.1 At the meeting of 19th May 2026 the Licensing Sub Committee were informed that the applicant, had offered the conditions sought by the Licensing Authority and that these offered conditions would automatically be applied as conditions to Annex 2 of any Licence they were minded to grant. Given this, the representations made by the Licensing Authority had been withdrawn.
- 2.2 The offered conditions are:
 1. That Mr Mohammed Wasim Ahmadi and Mr Iqrah Khan will not be involved within the premises at any time, either in a paid or unpaid capacity.
 2. A Challenge 25 Policy shall be in operated. This Policy shall require any person who appears to be under the age of 25 to provide ID prior to being served alcohol. Acceptable forms of ID are:
 - a. a passport;
 - b. a UK photo driving licence; or
 - c. a military ID card.
 3. All challenges made under the Challenge 25 Policy shall be logged in a bound book. This log must show:
 - a. date of the challenge was made;
 - b. member of staff who made the challenge;
 - c. if allowed, the type of id accepted; and
 - d. if refused, whether fake ID was seized.

4. Signs shall be displayed inside the premises that advertise that the premises operates "Challenge 25".
5. A bound incident book shall be maintained, in which the following shall be recorded:
 - a. All incidents of crime and disorder occurring at the premises; and
 - b. Details of when the Police are called.
6. The Challenge 25 log and the incident book shall be kept on the premises and shall be available for inspection upon request by the Police or an authorised officer of the Licensing Authority.
7. The DPS, or their nominated deputy, shall check the Challenge 25 log and the incident book at least once a week, and sign and date each check.
8. The CCTV system installed at the premises, shall:
 - a. be maintained fully at all times;
 - b. make and retain clear images; and
 - c. show an accurate date and time that the images were made.
9. All CCTV images shall be retained for a period of not less than 31 days.
10. CCTV images shall be immediately made available for review upon request of the Police or an authorised officer of the Licensing Authority.
11. A copy of a CCTV image shall be provided within 24 hours upon request of the Police or an authorised officer of the Licensing Authority.
12. A record of each member of staff who is authorised to sell alcohol shall be kept on the premises. This record shall include the staff members full name, address, and date of birth.
13. All staff shall receive training on induction and year thereafter, on:
 - a. operation of the 'Challenge 25' Policy, including types of acceptable ID and the method of recording challenges;
 - b. refusing sales of alcohol to persons who appear to be drunk;
 - c. preventing proxy sales;
 - d. incident recording and when to call the Police;
 - e. operation of the "ask Angela Scheme" ; and
 - f. how to review the CCTV system if requested.
14. Staff training shall be recorded, records shall be kept of the premises and shall, on request, be made available for inspection by the Police or an authorised officer of the Licensing Authority.

2.3 The Licensing Sub Committee should discount the licensing Authority representations set out in the Annex 5 of the original report.

Additional Information Provided by the Applicant

2.4 Attached at Appendix 6 to this report is additional information provided by the applicant, Mr Shinwari, to support his application. This information is excluded from the press and public.

Additional Information Requested by the Licensing Authority

2.5 Following discussion at the hearing on the 19th May 2026 the applicant, Mr Shinwari, has been asked to provide the following information with regard to his connections to premises located at 178 Main Street, Darnall, Sheffield S9 5HQ:

- a. Do you own, lease, or rent this property?
- b. Do you currently, or have you ever, worked at this property, in any capacity, either paid or unpaid?
- c. This is the registered office address of Darnall News Ltd, of which you are the sole director. Is Darnall News Ltd trading and is so at what premises?

2.6 In addition Mr Shinwari has been asked to confirm whether he took his personal licence exam over the internet or in person at a testing centre.

2.7 The answer to the questions, as provided by Mr Shinwari on are:

Regarding 178 Main road Sheffield. I dont own that place anymore I bought the business and it wasn't doing well I sold it back .

The personal licence. I went for a test myself with a friend of mine who was translating for me .

Additional Information Provided by Other Person 2

2.8 Other Person 2 has provided the following information in support of their initial representation and asked the Sub Committee have regard to the following concerns:

I see the original hearing has been postponed to appoint an independent interpreter. This raises important questions about the applicant's ability to promote and uphold the licensing objectives in their day-to-day operations.

The sale of alcohol comes with significant legal responsibilities, including:

- *Implementing and enforcing age-verification policies like Challenge 25.*
- *Identifying and preventing proxy sales to underage individuals.*
- *Refusing alcohol sales when necessary.*
- *Recording and responding to incidents of crime, disorder, and anti-social behaviour.*
- *Communicating clearly with police officers, licensing officers, trading Standards officers, local residents, and other relevant agencies.*

My concern is not about the applicant's nationality or background but whether they have a solid understanding of the legal requirements of a premises licence. They also need to effectively communicate in situations where public safety, crime prevention, and protecting children from harm are involved.

Considering the premises' closeness to local residential areas and a school, along with existing concerns about anti-social behaviour and potential underage access to alcohol, I respectfully ask the Sub-Committee to carefully evaluate whether the applicant can show adequate knowledge and skills to meet the licensing objectives without relying on outside help. These issues are important for:

- Preventing crime and disorder.*
- Public safety.*
- Protecting children from harm.*

Options available to the Licensing Sub-Committee

2.9 The options available to the Committee are detailed in the original report.

3. Timetable and Accountability for Implementing this Decision

3.1 As detailed in the original report.

4. Financial Implications

4.1 As detailed in the original report.

5. Legal Advice and Implications

5.1 As detailed in the original report.

6. Risks and Mitigation

6.1 As detailed in the original report.

7. Accountable Officer(s)

Diane Kraus, Principal Licensing Officer, Community Safety and Street Scene