



Borough of Telford and Wrekin
Licensing Sub-Committee
30 April 2026
Review of Blue Elephant Premises Licence

Cabinet Member:	Cllr Richard Overton - Deputy Leader and Cabinet Member: Highways, Housing & Enforcement
Lead Director:	Anthea Lowe - Director: Policy & Governance
Service Area:	Policy & Governance
Report Author:	Helen Owen - Licensing Technical Officer
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Wards Affected:	Ketley
Key Decision:	Not Key Decision
Forward Plan:	Not Applicable
Report considered by:	Licensing Sub-Committee – 30 April 2026

1.0 Recommendations for decision/noting:

The Committee is asked to:-

- 1.1 Consider an application for a review of a Premises Licence.

2.0 Purpose of Report

- 2.1 To submit for consideration by the Licensing Sub-Committee an application for a review of a premises licence.

3.0 Background

- 3.1 The current premises licence with conditions is attached at Appendix 1. The premises licence was first granted on 17th August 2005. The current premises licence holder is Shander Herian and the current Designated Premises Supervisor is Shibir Mahmood.

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3.2 The review application was made by Home Office Immigration Enforcement Licensing Compliance Team on 9 March 2026 and is detailed below.

4.0 Summary of main proposals

4.1 An application was received from Home Office Immigration Enforcement Licensing Compliance Team, as a Responsible Authority, on 9 March 2026 for a review of a premises licence in respect of Blue Elephant, Holyhead Road, Ketley, Telford, TF1 5AN.

4.2 The premises location is Ketley. A location map is attached at Appendix 2.

4.3 A copy of the review application and supporting documents is attached at Appendix 3.

4.4 The review has been brought in support of The Prevention of Crime and Disorder licensing objective.

4.5 The notice of review has been properly served on all Responsible Authorities. The Council has complied with the legislative process and displayed the appropriate notice at the premises and on the website as required.

4.6 Any Responsible Authority and/or Other Person may make representations about an application.

4.7 Representations have been received from Night Time Economy on behalf of the Licensing Authority. This representation can be found at Appendix 4.

4.8 Health Protection and the Local Planning Authority have confirmed that they do not wish to make a representation. These responses can be found at Appendix 5 and 6.

4.9 No representations have been received from Other Persons.

4.10 The applicant for review, the premises licence holder, and those who have made a relevant representation have all been invited to attend the hearing.

Grounds for Review as stated in the application:

4.11 Section 36 and Schedule 4 of the Immigration Act 2016 amended the Licensing Act 2003 to introduce immigration safeguards in respect of licensing applications made in England and Wales on or after 06 April 2017. The intention is to prevent illegal working in premises licensed for the sale of alcohol or late-night refreshment.

4.12 Across two enforcement visits to The Blue Elephant, officers encountered four individuals who either did not hold the right to work or were working in breach of their visa conditions. During the first visit on 13 March 2020, three individuals— [REDACTED], [REDACTED], and [REDACTED]—were found working in the kitchen. All three confirmed that no right to work checks were carried out, and

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Home Office checks showed that each individual either had overstayed previous visa routes or never held permission to work in the UK.

- 4.13 A subsequent visit on 20 June 2025 identified a further illegal worker, [REDACTED], who admitted to working as a waiter in breach of his bail conditions. He confirmed that although he showed his ARC card, no right to work checks were carried out, and the employer was aware he was not permitted to work in the UK. Home Office checks confirmed that his role did not fall within the Immigration Salary List, and therefore he was working illegally
- 4.14 During interviews, individuals identified as managers or owners—including Shibbir MAHMOOD—were repeatedly named as the persons allocating tasks, setting hours, and providing payment. Workers confirmed that MAHMOOD and others were aware of their lack of permission to work.
- 4.15 Illegal workers were engaged in activity on the premises, yet it is a simple process for an employer to ascertain what documents they should check before a person can work. It is an offence to work when a person is disqualified to do so, and such an offence can only be committed with the co-operation of a premises licence holder or its agents.

It is also an offence to employ an illegal worker where there is reason to believe this is the case. All employers are dutybound by law to conduct these checks, and guidance can be found on the GOV.UK website or by using a search engine. Additional information on how to conduct these checks is available online, this includes the Home Office's official YouTube page.

- 4.16 In all cases, the individuals confirmed that they were paid in cash, received accommodation, or were otherwise compensated informally. These methods of payment strongly indicate that wages were not recorded for tax purposes, thereby depriving the UK economy of tax revenue and creating an unfair competitive advantage over fully compliant businesses.
- 4.17 Section 182 guidance at point 11.27 states that certain activity should be treated particularly seriously, and this includes employing someone who is disqualified from that work by reason of their immigration status in the UK. 11.28 of the guidance states that it is expected that revocation of the licence – even in the first instance – should be seriously considered.
- 4.18 Immigration Enforcement submits that for commercial reasons those engaged in the management of the premises employed illegal workers and a warning or other activity falling short of a review is inappropriate; therefore, Immigration Enforcement has proceeded straight to review.

5.0 Alternative Options

- 5.1 The legal options open to the Committee are set out at paragraphs 9.3 and 9.4 of this report.

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6.0 Key Risks

6.1 There is always the risk of challenge and right to appeal. However, such appeal and challenge is mitigated through robust process and compliance with necessary legislation.

7.0 Council Priorities

7.1 This report supports the following council priorities:

- Every child, young person and adult lives well in their community
- All neighbourhoods are a great place to live
- Everyone benefits from a thriving economy
- A community-focussed innovative council providing efficient, effective and quality services

8.0 Financial Implications

8.1 Compliance with statutory duties as part of the licensing function is delivered within existing budgets.

9.0 Legal and HR Implications

9.1 Section 51 of the Licensing Act 2003, as amended, states that a responsible authority or any other person may apply to the relevant Licensing Authority for a review of a licence.

9.2 When determining any such review, the Committee must consider the four licensing objectives set out in the Licensing Act 2003. They are:

- The prevention of crime and disorder;
- Public Safety;
- The prevention of public nuisance; and
- The protection of children from harm.

9.3 The Licensing Sub-Committee when determining an application for review, pursuant to Section 52 of the Licensing Act 2003, has power to take any of the following steps (if any) as it considers appropriate for the promotion of the “licensing objectives.”

- (a) Modify the conditions of the licence;
- (b) Exclude a licensable activity from the scope of the licence.
- (c) Remove the designated premises supervisor.
- (d) Suspend the licence for a period not exceeding 3 months.
- (e) Revoke the licence.

9.4 Any action taken by the Licensing Sub Committee will be an appropriate and proportionate response.

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9.5 The Committee is also asked to note that any conditions added to the licence should be fair, transparent, consistent, enforceable, proportionate and targeted, in accordance with the 2003 Act and Local Better Regulation Office principles of better regulation.

9.6 The proposals contained in this report can be delivered using existing resources.

10.0 Ward Implications

10.1 This report has an impact on both residents and businesses. The purpose of a review is to moderate behaviour to ensure that that businesses operate lawfully.

11.0 Health, Social and Economic Implications

11.1 Having had regard to the council's obligations it is considered that there are no health, social or economic implications associated with the content of this report.

12.0 Equality and Diversity Implications

12.1 Having had regard to the council's obligations it is considered that there are no human rights or equalities implications associated with the content of this report.

12.2 The contents of this report is not considered to have a direct impact on the Armed Forces Duty or town and parish councils.

13.0 Climate Change, Biodiversity and Environmental Implications

13.1 Having had regard to the council's obligations it is considered that there are no climate change or environmental implications associated with the content of this report.

14.0 Background Papers

- 1 Licensing Act 2003
- 2 Guidance issued by Secretary of State under Section 182 of the Licensing Act 2003
- 3 The Statement of Licensing Policy for Borough of Telford and Wrekin.

15.0 Appendices

- 1 Premises Licence
- 2 Location Map
- 3 Review Application
- 4 Night Time Economy Representation
- 5 Health Protection response
- 6 Planning Authority Response

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16.0 Report Sign Off

Signed off by	Date sent	Date signed off	Initials
Legal	10/04/2026	15/04/2026	SH
Finance	21/04/2026	21/04/2026	ER