



# Uttlesford District Council

Chief Executive: Dawn French

## Licensing and Environmental Health Committee

**Date:** Monday, 12th February, 2018

**Time:** 10.00 am

**Venue:** Committee Room - Council Offices, London Road, Saffron Walden,  
Essex CB11 4ER

**Chairman:** **Councillor R Chambers**

**Members:** Councillors A Anjum, **G Barker**, **J Davey**, A Gerard, T Goddard  
(Vice-Chair), J Gordon, **E Hicks**, S Morris and G Sell

**Substitutes:** Councillors H Asker, J Freeman, R Freeman, D Jones and  
J Loughlin

### Public Speaking

At the start of the meeting there will be an opportunity of up to 15 minutes for members of the public to ask questions and make statements subject to having given notice by 12 noon two working days before the meeting.

## **AGENDA PART 1**

### **Open to Public and Press**

#### **1 Apologies for Absence and Declarations of Interest**

To receive any apologies for absence and declarations of interest.

#### **2 Application for a Premises Licence**

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To determine an application for a premises licence.

## **MEETINGS AND THE PUBLIC**

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Members of the public and representatives of parish and town councils are permitted to speak or ask questions at any of these meetings. You will need to register with the Democratic Services Officer by midday two working days before the meeting.

The agenda is split into two parts. Most of the business is dealt with in Part I which is open to the public. Part II includes items which may be discussed in the absence of the press or public, as they deal with information which is personal or sensitive for some other reason. You will be asked to leave the meeting before Part II items are discussed.

Agenda and Minutes are available in alternative formats and/or languages. For more information please call 01799 510510.

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#### **General Enquiries**

Council Offices, London Road, Saffron Walden, CB11 4ER

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Fax: 01799 510550

Email: [uconnect@uttlesford.gov.uk](mailto:uconnect@uttlesford.gov.uk)

Website: [www.uttlesford.gov.uk](http://www.uttlesford.gov.uk)

# Agenda Item 2

<b>Committee:</b>	Licensing and Environmental Health	<b>Date:</b>	12 February 2018
<b>Title:</b>	Application for a Premises Licence Radhuni High Street Newport Essex CB11 3QX		
<b>Report Author:</b>	Amanda Turner Licensing team Leader Tel: 01799 510613	<b>Item for decision:</b>	Yes

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## Summary

1. This report sets out an application for a new premises licence in respect of Radhuni, 56 High Street, Newport. CB11 3QX. Representations have been made to this application so therefore this matter has been referred to the Committee for deliberation.
2. Radhuni restaurant is situated in the centre of the village of Newport. A plan showing the location of premise in the village is attached as Appendix E.. A previous premises licence has been held at these premises under a different holder which was revoked by the Licensing & Environmental Health Committee on 6 December 2017.

## Recommendations

- 3 The application is determined

## Financial Implications

- 4 None

## Background Papers

The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

- (a) Premises licence application (Appendix A)
- (b) Plan of premises (Application B)
- (c) Representation from Statutory consultee (Home Office) (Appendix C)
- (d) Representation from Statutory consultee (Essex Police) (Appendix D)
- (e) Location map of premises (Appendix E)
- (f) Revised Guidance issued under section 182 of the Licensing Act 2003
- (g) Uttlesford District Council Statement of Licensing Act 2003 Policy 2017-22

## Impact

Communication/Consultation	Details of the application was conveyed to Members of Uttlesford District Council, The Parish Council, and adjoining residents
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	<p>Under Article 1 First Protocol to the European Convention on Human Rights peaceful enjoyment of their possessions which includes property. This right may be interfered with if necessary to control the use of property in accordance with the general interest. The imposition of conditions under the Licensing Act 2003 is a legitimate interference with this right in this context.</p> <p>In the event that an applicant, responsible authority or interested party is dissatisfied with the decision of the committee there is a right of appeal to the Magistrates Court.</p>
Sustainability	None
Ward-specific impacts	Newport being the ward within which the premises are situated
Workforce/Workplace	None

## Situation

- 5 In accordance with the Licensing Act 2003 where an application submits documentation for a premises licence then an operating schedule must accompany the application. This demonstrates how the licensing objectives will be met and also outlines what licensable activities are sought. These can be read on part M of the application form (appendix A).
- 6 The licensable activities being sought on the application are listed below:
 

(F) Recorded music	(indoors only)
Sunday to Thursday	11am to 10pm
Friday & Saturday	11am to 11pm

(J) Supply of Alcohol for consumption on the premises (on the premises)

Sunday to Thursday	11am to 10pm
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Friday & Saturday	11am to 11pm
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(L) The opening hours of the premises

Sunday to Thursday	11am to 10pm
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Friday & Saturday	11am to 11pm
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- 7 Copies of this application have been served on all of the statutory bodies which have attracted a representation from Home Office (Immigration Enforcement) based on the Crime and Disorder objective and from Essex Police also based on the crime and disorder objective. Details of these representations can be seen at Appendix C and Appendix D respectively.
- 8 In carrying out the statutory function, the Licensing Authority must promote the licensing objectives as defined in the Licensing Act 2003:-
  - a. The prevention of crime and disorder
  - b. Public safety
  - c. The prevention of public nuisance
  - d. The protection of children from harm
- 9 The decision that the Committee can make for this application is to
  - Grant the application
  - Modify the application by inserting conditions
  - Reject the whole or part of the application
- 10 When determining an application due regard should be given to the Council's licensing policy and the Secretary of State's Guidance issued in accordance of the Act.
- 11 The Secretary of State's guidance issued in April this year includes new guidance in respect of immigration issues.
- 12 Paragraph 2.6 says 'The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters'.
- 13 This paragraph relates to a review but can also be considered for new premises applications: Paragraph 11.26 - 'Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best

efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder. '

- 14 Paragraph 11.27 says 'There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
  - for the sale and distribution of illegal firearms;
  - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
  - for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
  - for prostitution or the sale of unlawful pornography;
  - by organised groups of paedophiles to groom children;
  - as the base for the organisation of criminal activity, particularly by gangs;
  - for the organisation of racist activity or the promotion of racist attacks;
  - **for employing a person who is disqualified from that work by reason of their immigration status in the UK;**
  - for unlawful gambling; and
  - for the sale or storage of smuggled tobacco and alcohol. '
- 15 The relevant sections of the Council's Licensing Policy are:
- 3.3 The prevention of crime includes the prevention of immigration crime, and the Licensing Authority will work with Home Office Immigration Enforcement in respect of these matters.
- The promotion of the licensing objective, to prevent crime and disorder, places a responsibility on licence holders to become key partners in achieving this objective. If representations are made to the Licensing Authority **applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder on and in the vicinity of their premises, relevant to the individual style and characteristics of their premises and events.**
- 3.4 When addressing the issue of crime and disorder, the applicant should consider those factors that impact on crime and disorder. These may include:
- Underage drinking
  - Drunkenness on premises
  - Public drunkenness
  - Drugs

- Violent behaviour
- Anti-social behaviour
- Illegal working

## Control Measures

3.5 The following examples of control measures are given to assist applicants who may need to take account of them in their operating schedule in the event that representations are received, having regard to their particular type of premises and/or activities:

- (a) Effective and responsible management of premises
  - (b) Training and supervision of staff
  - (c) Adoption of best practice guidance (e.g. Safer Clubbing, the National Alcohol Harm Reduction Strategy Toolkit and other voluntary codes of practice, including those relating to drinks promotions e.g. The Point of Sale Promotions published by BBPA, Security in Design published by BBPA and Drugs and Pubs, published by BBPA)
  - (d) Acceptance of accredited 'proof of age' cards e.g. PASS, locally approved 'proof of age' cards e.g. 'Prove It' and/or 'new type' driving licences with photographs or adoption of industry best practice (e.g. Challenge 25 policy)
  - (e) Provision of effective CCTV and mirrors in and around premises
  - (f) Employment of Security Industry Authority licensed Doorstaff
  - (g) Provision of toughened or plastic drinking vessels
  - (h) Provision of secure, deposit boxes for confiscated items ('sin bins')
  - (i) Provision of litterbins and other security measures, such as lighting, outside premises
  - (j) Membership of local 'Pubwatch' schemes or similar organisations
  - (k) Right to work checks on staff and retention of documents
- 16 If the Committee in their decision wishes to impose conditions, the only conditions that can be imposed are those that are necessary and proportionate to promote the licensing objective relative to the representations received. Equally, the Committee should not impose conditions that duplicate the effect of existing legislation.
- 17 Secretary of State guidance provides in paragraph 10.8 and 10.10 the following guidance for members-
- 10.8 The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. In order to promote the crime prevention licensing objective conditions may be included that are aimed at preventing illegal working in licensed premises.

10.10 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided... Conditions that are considered appropriate for the prevention of illegal working in premises licensed to sell alcohol or late night refreshment might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check is retained at the licensed premises. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions.

- 18 If the Committee in their discretion wishes to impose conditions, the only conditions that can be imposed are those that are appropriate and proportionate to promote the licensing objective relative to the presentations received. Equally, the Committee cannot impose conditions that duplicate the effect of existing legislation.

## Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
1 Either no conditions are attached to the licence or the conditions do not satisfactorily achieve the licensing objectives the prevention of crime and disorder, the prevention of public nuisance, and the protection of children from harm.	2 There is a possibility that local residents will suffer from nuisance even if what appears to be appropriate conditions are imposed.	2 Due to the availability of the review procedure any inconvenience which may be suffered by local residents would be relatively short lived.	None

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.



# Uttlesford District Council



## Application for a Premises Licence to be granted under the Licensing Act 2003

### 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. Use additional sheets if necessary.

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

**I/We** NAZMUL ISLAM TAPADAR

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

### Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description  
**RADHUNI,  
 HIGH STREET, NEWPORT, SAFFRON WALDEN, ESSEX**

<b>Post town</b>	SAFFRON WALDEN	<b>Postcode</b>	<b>CB11 3QX</b>
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Telephone number at premises (if any)	<b>01799540368</b>
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Non-domestic rateable value of premises	<b>£14250</b>
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### Part 2 - Applicant details

Please state whether you are applying for a premises licence as appropriate

Please tick as

- a) an individual or individuals \* ☒ please complete section (A)
- b) a person other than an individual \*

- |     |   |                          |                             |
|-----|---|--------------------------|-----------------------------|
| i   | as a limited company/limited liability partnership  |                          | please complete section (B) |
| ii  | as a partnership (other than limited liability)   | <input type="checkbox"/> | please complete section (B) |
| iii | as an unincorporated association or   | <input type="checkbox"/> | please complete section (B) |
| iv  | other (for example a statutory corporation)   | <input type="checkbox"/> | please complete section (B) |
| c)  | a recognised club   | <input type="checkbox"/> | please complete section (B) |
| d)  | a charity   | <input type="checkbox"/> | please complete section (B) |
| e)  | the proprietor of an educational establishment  | <input type="checkbox"/> | please complete section (B) |
| f)  | a health service body   | <input type="checkbox"/> | please complete section (B) |
| g)  | a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales   | <input type="checkbox"/> | please complete section (B) |
| ga) | a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/> | please complete section (B) |
| h)  | the chief officer of police of a police force in England and Wales  | <input type="checkbox"/> | please complete section (B) |

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒
- I am making the application pursuant to a
- |  |                          |
|--|--------------------------|
| statutory function or  | <input type="checkbox"/> |
| a function discharged by virtue of Her Majesty's prerogative | <input type="checkbox"/> |

**(A)INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> TAPADAR			<b>First names</b> NAZMUL ISLAM		
<b>Date of birth</b> [REDACTED]		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
<b>Nationality</b> BRITISH					
Current residential address if different from premises address		[REDACTED]			
Post town		[REDACTED]		Postcode	[REDACTED]
<b>Daytime contact telephone number</b>		[REDACTED]			
<b>E-mail address (optional)</b>		[REDACTED]			

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
<b>Nationality</b>					
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

## (B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

### Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0	2	0 1 2 0 1 8

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

60 Seater Indian Cuisine Restaurant  
Small bar located in corner to serve beverages to customers within the premises only.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A) ☐
- b) films (if ticking yes, fill in box B) ☐
- c) indoor sporting events (if ticking yes, fill in box C) ☐
- d) boxing or wrestling entertainment (if ticking yes, fill in box D) ☐
- e) live music (if ticking yes, fill in box E) ☐
- f) recorded music (if ticking yes, fill in box F) ☒
- g) performances of dance (if ticking yes, fill in box G) ☐
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) ☐

Provision of late night refreshment(if ticking yes, fill in box I)

☐

Supply of alcohol(if ticking yes, fill in box J)

☒

**In all cases complete boxes K, L and M**

# A

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish			Both <input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					

## B

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)			
Mon						
Tue						
			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)			
Wed						
Thur						
			<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)			
Fri						
Sat						
Sun						

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Wed			
Thur			
Fri			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)
Sat			
Sun			



# D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)			
Tue						
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)			
Thur						
Fri			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)			
Sat						
Sun						

# E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)			
Tue						
Wed			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)			
Thur						
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)			
Sat						
Sun						

# F

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	22:00	<b>Please give further details here</b> (please read guidance note 4) Recorded music played at low volume on small speakers throughout restaurant		
Tue	11:00	22:00			
Wed	11:00	22:00	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5) N/A		
Thur	11:00	22:00			
Fri	11:00	23:00	<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 6) N/A		
Sat	11:00	23:00			
Sun	11:00	22:00			

# G

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)			
Mon						
Tue						
Wed						
Thur			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)			
Fri						
Sat						
Sun						
			<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 6)			

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sun					

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue			<b>Please give further details here</b> (please read guidance note 4)		
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
Thur			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
Fri			<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun			<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 6)		

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol!</b> (please read guidance note 5) N/A		
Mon	11:00	22:00			
Tue	11:00	22:00			
Wed	11:00	22:00			
Thur	11:00	22:00			
Fri	11:00	23:00	<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6) N/A		
Sat	11:00	23:00			
Sun	11:00	22:00			

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):**

Name NAZMUL ISLAM TAPADAR	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) 9674	

Revised 04.17

Issuing licensing authority (if known)  
LONDON BOROUGH OF SOUTHWARK

□□□□

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children** (please read guidance note 9).

NO OFFENSIVE MATERIAL ON PREMISES  
FAMILY FRIENDLY RESTAURANT

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5) N/A
Day	Start	Finish	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 6) N/A
Mon	11:00	22:00	
Tue	11:00	22:00	
Wed	11:00	22:00	
Thur	11:00	22:00	
Fri	11:00	23:00	



Sat	11:00	23:00	
Sun	11:00	22:00	

**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e)** (please read guidance note 10)

Anyone appearing to be drunk/aggressive will not be allowed in the premises.  
No alcohol promotions and alcohol not to be served unless food is ordered.  
Free drinking water.  
Provide quality food.  
Evacuation plans in place.

**b) The prevention of crime and disorder**

Close contact with police and authorities  
Evacuation plans in place  
No binge drinking promotions  
All drinks served in glasses and may not be taken off premises.

**c) Public safety**

Regular safety checks  
Glasses promptly cleared after use  
Keeping clear walkways between tables  
Staff will be fully aware of licensing times and laws.  
Gas and electrical safety tests.

**d) The prevention of public nuisance**

The restaurant doors and windows are shut at all times (Summer Air Conditioned).  
Glasses may not be taken off premises.  
Music is played at low volume.  
Customers will be reminded to leave premises quietly.

**e) The protection of children from harm**

Staff to ensure compliance with law in relation to sale and consumption of alcohol by persons under 18, including adults buying alcohol for persons under 18.  
Proof of age to be asked for if someone appears to be under 25 (Challenge 25).  
Ensuring the environment is kept safe at all times.  
No utilities left in unsafe areas and hazardous materials kept out of reach.

**Checklist:**

**Please tick to indicate agreement**


- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). ☒

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures**(please read guidance note 11)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>
Signature	
Date	20.12.2017
Capacity	OWNER

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

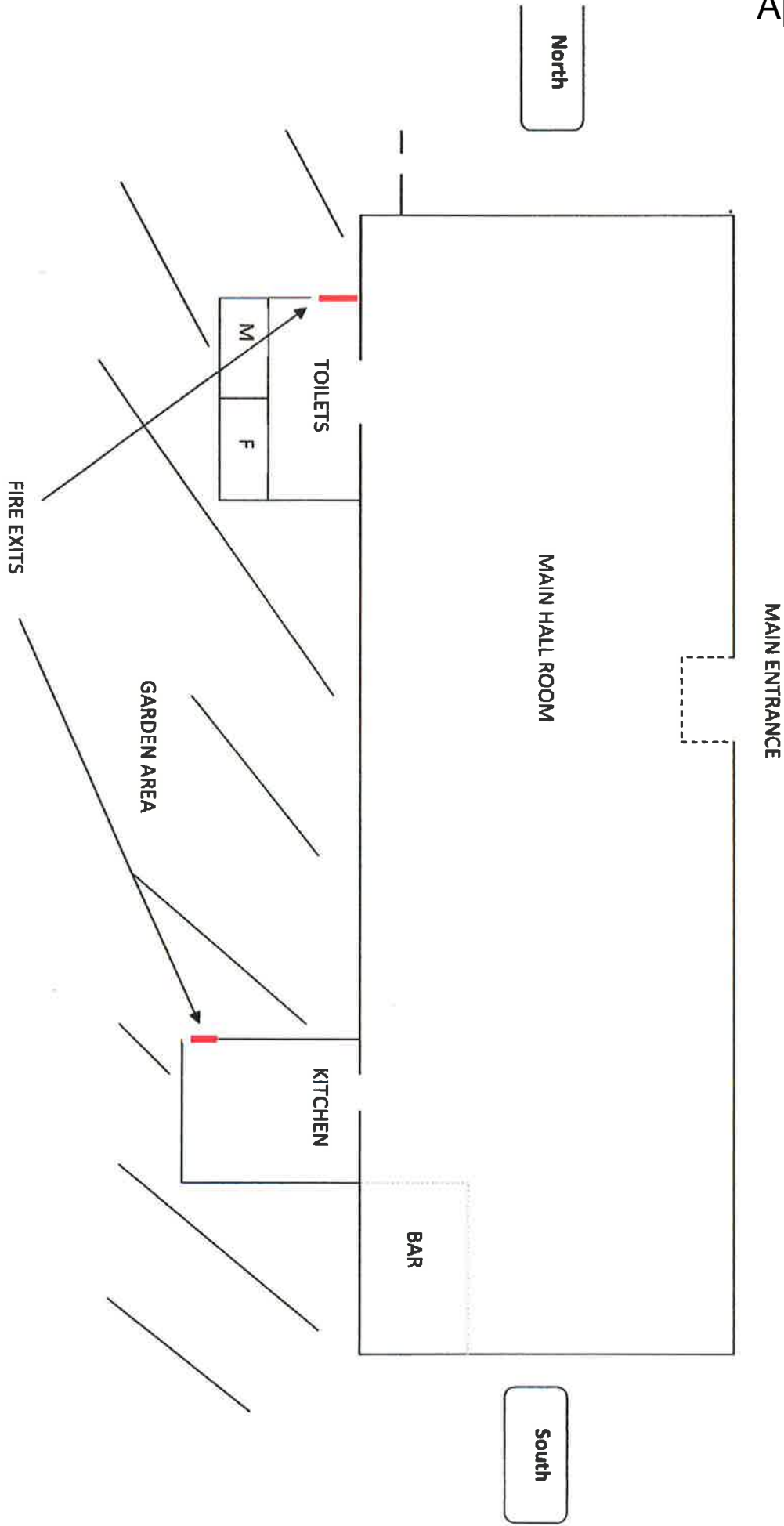
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

#### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend

**RAHUNI'S PLAN OF PREMISES**





**Immigration  
Enforcement**

Interventions & Sanctions  
Lunar House  
40 Wellesley Road  
Croydon  
Surrey, CR9 2BY

T 0208 196 4041

[www.gov.uk/home-office](http://www.gov.uk/home-office)

Nazmul Islam Tapadar  
Radhuni  
High Street  
Newport  
CB11 3QX]

15<sup>TH</sup> January 2018

## Immigration representation in respect of a premises licence

On behalf of the Secretary of State, Home Office (Immigration Enforcement) makes representations for the following premises licence application, relating to the crime prevention objective, including the prevention of illegal working and immigration crime in licensed premises.

Home Office (Immigration Enforcement) wishes to make representations on the following:  
(*Select as appropriate*)

- ✓ Application for a new premises licence

<b>Licensing Authority application reference number</b>	<<LA Ref No.>>
<b>Immigration Enforcement reference number</b>	<b>TS31IKE1190</b>
<b>Applicant name</b>	<b>Nazmul Islam Tapadar</b>
<b>Address of premises</b>	<b>Radhuni High Street Newport CB11 3QX</b>
<i>Immigration Enforcement Contact 1</i>	
<b>Name</b>	<b>Paul Wynter</b>
<b>Address</b>	<b>Apollo House 36 Wellesley Road Croydon CR9 3RR</b>
<b>Telephone no.</b>	

Email address	alcohol@homeoffice.gsi.d
<i>Immigration Enforcement Contact 2 (If applicable)</i>	
Name	
Telephone no.	
Email address	

Representations are being made for the following reasons:

*Offence, immigration penalty, dates, penalty amount etc.*

*Two males were encountered in the kitchen of the premises ..... The Immigration Officer conducted checks and found both males to be Immigration Offenders and arrested both under Para 17(1) Sch 2.*

*A NOPL has been raised with regards to the two male immigration offenders, however there is no out come on this to date.*

*Due to there being two immigration offender found we wish for conditions to be added to this license.*

Representation:

Reasons for which there is a risk to the licensing objectives, and why the objection or conditions proposed are appropriate to prevent crime including illegal working in licensed premises.

Prevention of Crime and Disorder.

**Home Office (Immigration Enforcement) as a responsible authority**

Section 36 and Schedule 4 of the Immigration Act 2016 (the 2016 Act) amended the Licensing Act 2003 (the 2003 Act) to introduce immigration safeguards in respect of licensing applications made in England and Wales on or after 6 April 2017. The intention is to prevent illegal working in premises licensed for the sale of alcohol or late night refreshment. The Home Secretary (in practice Home Office (Immigration Enforcement)) was added to the list of Responsible Authorities (RA) in the licensing regime, which requires Home Office (Immigration Enforcement) to receive premises licence applications (except regulated entertainment only licences and applications to vary a Designated Premises Supervisor (DPS)), and in some limited circumstances personal licence applications. In carrying out the role of responsible authority, Home Office (Immigration Enforcement) is permitted to make relevant representations and objections to the grant of a licence or request a review of an existing licence as a responsible authority where there is concern that a licence and related licensable activity is prejudicial to the prevention of immigration crime including illegal working

Home Office (Immigration Enforcement) recommends that the following condition(s) be applied to the premises licence [delete as necessary, where applicable]:

- ✓ the employer must carry out right checks relating to the right to work of their employees at the premises at [insert address of premises] and any prospective employees before entering into a contract of employment;
- ✓ the employer must retain copies of documents as a result of conducting checks relating to the right to work. These must be stored securely by the employer at the premises or a digital copy must be immediately accessible from the premises for ease of inspection by immigration officials;

- ✓ The employer, or any person appearing to represent the employer, must be able to produce on demand documents relating to the right to work, at the request of an immigration officer who enters the premises to carry out an inspection under section 179 (1A) of the 2003 Act.
- ✓ Other:  
If this application is not objected to, please consider placing the above conditions on the licence.

Date: .....15.01.2018.....



18/01/2018

### Police Objection Notice – New Grant Premises Licence

On 21/12/2017 Essex Police received from **Mr Nazrul Islam Tapadar** an application in respect of a new premises licence for 56 HIGH STREET NEWPORT SAFFRON WALDEN ESSEX CB11 3QX. Essex Police are satisfied this event is likely to undermine the Prevention of Crime and Disorder and the Public Safety Objective contained within the Licensing Act 2003.

The details supporting this belief are as provided below;

#### PREVENTION OF CRIME AND DISORDER

The premises until recently had a Premise Licence. On Sept 2017 an immigration raid was carried out at the premises by HMIC. Following the discovery of illegal workers a review application was made by Essex Police. Subsequently a licensing committee on hearing evidence presented took the decision to revoke the premises licence.

There has been no appeal received in respect of this decision from the premises licence holder as was, Mr Shamin Ahmed. Rather, this new application was received.

The new grant application is made in the name of Mr Nazmul Islam Tapadar and presents as an entirely separate business and application.

Enquiries have found this not to be the case and it is the contention of Essex Police that the new applicant is a silent partner in business with Mr Shamin Ahmed and by association the application is an attempt to reinstate the previous licence.

Companies house and britaincompanies.com websites show both Mr Shamin Ahmed and Mr Nazmul Islam Tapadar as dissolved officers of the same company (Radhuni UK Ltd inc 13/07/2005), and Mr Nazmul Islam Tapadar as Director of Curryworld London Ltd, registered address 56 High St Newport CB113QX as of 19/09/17.

A visit to the premises after a failed attempt to contact Mr Nazmul Islam Tapadar by telephone to discuss the licence application, on 18/01/2018 revealed the following:

Mr Nazmul Islam Tapadar was not at the premises. The only person on the premises identifying himself as able to speak English was [REDACTED] who stated that he was not a staff member but a cousin of the manager Mr Shamin Ahmed who was still in control of the premises. Mr Ahmed was not reachable by telephone. There were several other members of staff at the premises whom apparently could not speak English. There were no right to work checks available when [REDACTED] was asked. [REDACTED] stated that Mr Nazmul Islam Tapadar was out of the country and not available, and was a silent business partner and that Mr Shamin Ahmed was the main manager. Despite the fact that there is currently no licence in respect of the premises, there were many alcoholic beverages visible being offered for sale and each table had a wine list. [REDACTED] stated that the alcohol was only there for display and they won't sell it to anyone until they have a licence. It was explained that offering the alcohol for sale was in contravention to licensing legislation.

The crime and disorder objective will be undermined as there has been no change in premise management, there has been no effort made to ensure the failures leading to the revocation can evidence being rectified, the manager and applicant are both personal licence holders and in business together, one having already held the position of Designated Premises Supervisor at the premises and the other proposed; despite this position of responsibility and assumed awareness of Licensing legislation that accompanies it, there was still allowed the offer for sale of alcohol by these same persons whilst there was no licence in respect of the premises.



You are invited to discuss this matter with Vicky Powell, the Police Licensing Officer at Braintree Police Station.

<b>Signature</b>		<b>Date</b>	
<b>Name</b>	<b>Vicky Powell</b> Pp Chief Officer of Police for the area	<b>18/01/2018</b> <b>Date</b>	<b>Licensing Officer</b>

