



Re the representation against the grant of this licence under the prevention of crime and disorder objective LA2003:

Outline of circumstances leading to objection to application

It is requested that this objection is read in conjunction with the enclosed appendices. 1-6.

This premises were visited by the Immigration Enforcement teams on dates in 2013, 2014, 2016 and 2018. On each occasion illegal workers were found, resulting in a total of 19 persons being detained, civil penalties and most recently the revocation of the premises licence. Essex Police stress for your awareness that at the time of each of these findings the premises was owned and operated by Aldbrook Ltd. The same company now still owns and operates the business though this application is made in the name of Mr Fazlul Bari CHOUDHURY.

It is also worth noting that the main applicant, Mr Fazlul Bari CHOUDHURY has been a director or major shareholder in Aldbrook LTD since its inception in 2011. Since 2013 Mr CHOUDHURY has been the company's sole director with Mr Ziaul Islam CHOWDHURY being a shareholder since 2013. The notable exception of the period where 'ownership' was passed to was to Shawkat Karim CHOWDHURY and Hadayouth CHOUDHURY (FB CHOUDHURY's Nephew) with the application to transfer the licence under the guise of 'new and changed management'. With the rejection of the application so came the reinstatement of Fazlul Bari CHOUDHURY as sole director.

Appendix 6, Timeline of significant events, outlines the changes in directorships and allocation of shares in relation to the various immigration raids and licence applications. It clearly shows that prior to an application, the business was transferred to the relevant individual and when refused, the business was transferred straight

back. This only strengthens the argument that these transfers are merely a tactic used to disguise the fact that the business is run by the same individuals.

It is Essex Police's contention that the intention of the applicant is in no way honourable. The premises recent history under the leadership of the very same persons demonstrates that there have been no lessons learnt here and this is merely a belligerent attempt to get the applicant's own way and reinstate the business as it has been for many.

The condition that this variation application seeks to remove was added following the application for a new grant in June 2019, by the licensing sub-committee and intended to ensure the poor management and illegal operations as outlined above were not repeated. (See appendix 5)

During the June 2019 application hearing following representations from Essex Police (appendix 4), which focussed on Essex Police's belief that there was no real change to the management structure and the previous attempts to transfer and new grant applications were being made in name only whilst Mr Ziaul Islam continued to have day to day control and run the business. To counter these claims and indicate that this could not be further from the truth, much was made by the premises licence applicant in June 2019, the same applicant for this variation, that to apply a condition naming Mr Ziaul Islam, along with Mr Omar Sharif, specifically excluding them from the premises and ergo, the business; would be of mutual benefit...to him in so much as it would 'prove' to the police that all poor management and prior illegal operations could be placed on their shoulders and that by breaking ties and banning them from the premises he could ensure such practices left with them; and to the authorities, a show of a clean slate, whilst he remained the business owner he would no longer leave the running of it to others and would have a firm hand in ensuring it was all run properly from now on.

The licensing committee at this time took Mr Falzul Bari Chowdhury at his word and applied the condition in good faith.

As part of Mr Falzul Bari Chowdhury's assertions that not only would this be a condition which would ensure the management of the premises was conducted by himself or trusted others and most certainly not Mr Ziaul Islam Choudhury, it was stated that to police this condition effectively CCTV would constantly record and would be made available for checks at any time to both the Police and Licensing Authority.

Shortly after the grant of this licence, in September 2019 Essex Police received intelligence that Ziaul Islam Choudhury was still frequenting the premises and acting in capacity of manager. This was reported on more than one occasion and specifics about the times and events were given.

Acting on this intelligence visits to the premises were conducted and CCTV requested. Staff attempting to access the CCTV system to facilitate this were unable to successfully access the system and officers reported that the system appeared to keep 'booting them out' at every attempt.

Further intelligence was received following the officers visit to suggest Ziaul Islam Choudhury was controlling the CCTV system remotely via an app on his mobile phone. He was heard laughing about doing this at the premises later that evening.

Following the visit, conducting, as we had been invited by the applicant on suggestion of this condition to do, Essex Police Licensing received contact from the applicants solicitor stating that IF Mr Ziaul Islam had been at the premises at all it was only to collect property and he would not be returning.

The suspected breach of conditions was noted and passed to the local authority.

It appears to Essex Police that none of the management structure has not changed at this premises and the request to make amendments to this condition on the premises licence is because the applicant needs to allow Ziaul Islam Choudhury a more overt management role.

I enclose the previous representations made by Essex Police and ask that in considering this application, they show how the latest request makes a mockery of those decisions and underlines Essex Police's notion that throughout each application the key players have not changed, despite many assertions to the contrary at various stages. This indicates that potentially, neither have the working practices. The grant of the variation as requested, for that reason, gives rise to very real concerns from Essex Police, that to do so would undermine the prevention of crime and disorder objective of the Licensing Act 2003.

Appendices:

1. Uttlesford District Council Licensing Sub Committee Decision notice Transfer 2018
2. Uttlesford District Council Licensing Sub Committee Decision Notice Review 2018
3. Uttlesford District Council Licensing Sub Committee Decision Notice New Grant 2018
4. Essex Police Representations against New Grant 2019
5. Uttlesford District Council Licensing Sub Committee Decision Notice New Grant 2019
6. Timeline of Significant Events