

Application for the review of a premises licence or club premises certificate 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 Victoria Powell, on behalf of the Chief Officer of Police for Essex

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Queen Victoria (also trading as Jalsa Ghar) 79 Stortford Road	
Post town Great Dunmow	Post code (if known) CM6 1DL

Name of premises licence holder or club holding club premises certificate (if known) Ziaul Islam CHOWDHURY and Omar SHORIF
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Number of premises licence or club premises certificate (if known)

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address CHIEF OFFICER OF POLICE ESSEX POLICE POLICE STATION BLYTHS MEADOW BRAINTREE CM7 3DJ
Telephone number (if any) 01245 452035
E-mail address (optional) Licensing.applications@essex.pnn.police.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

The grounds for review are that the crime and disorder objective of the Licensing Act has been undermined in that Immigration Compliance and Enforcement officers of the Home Office discovered disqualified persons working illegally on the premises.

The statutory crime prevention objective in the 2003 Act includes the prevention of immigration crime and the prevention of illegal working in licensed premises. In particular, employing a person who is disqualified from work by reason of their immigration status is a criminal activity which, according to the Home Office Guidance to the Licensing Act 2003, should be treated particularly seriously".

Please provide as much information as possible to support the application
(please read guidance note 2)

At approximately 6.00 p.m. on Friday 6th July 2018 Immigration Compliance & Enforcement (ICE) officers attended the Queen Victoria Public House (also trading as the Jalsa Ghar Indian Restaurant) situate at 79 Stortford Road, Great Dunmow, Essex. They entered under a search warrant issued under Paragraph 17(2) of Schedule 2 of the Immigration Act 1971 (as amended)) the premises.

At that time the premises was open. Thirteen members of staff were present, three of whom ran from the premises in an effort to evade apprehension, one of which did successfully escape.

Immigration Officers conducted checks of those present and found three persons who had no right to work (of which two also had no right to remain in the UK). These persons had been seen working in the premises and admitted to such when they were questioned.

The identity of the escapee was confirmed by staff at the premises and a passport found in a bedroom upstairs. This person was found to have no leave to remain in the UK or a right to work in the UK.

The two with no leave to remain in the UK were detained (and currently await deportation) whilst the male with leave to remain but not work was escorted off the premises.

A Notice of Potential Liability (NOPL) to a civil penalty of up to £20,000 per illegal worker was served in respect of these illegal workers.

The premises has previously been found to be employing illegal workers in 2013, 2014 and 2016 with 13 illegal workers encountered.

In accordance with paragraph 11.9 of the Statutory Guidance Essex Police intends to amplify its representation at the subsequent hearing.

Essex Police will also produce further documentary or other information in support of this application ahead of the hearing and would ask the authority to take this into account as it may do under Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005.

Furthermore, in accordance with Regulation 8 of those Regulations; Essex Police confirms that its representatives will attend the hearing. It additionally requests permission for a representative of the Immigration Compliance and Enforcement team to appear at the hearing so that they may, if necessary, assist the Authority on any matter of immigration procedure or practice arising in relation to the circumstances of the enforcement activity which forms the basis of this review application.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature 

Date 16.07.18

Capacity V. POWELL, Police Licensing Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5) As section C	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.