

24 May 2017

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Hereford Police Station,
Bath Street,
Hereford. HR1 2HT

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Jalsagar Restaurant, 58-60 St Owen Street, Hereford.

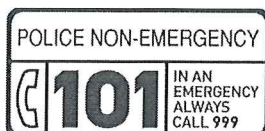
Please find enclosed application papers submitted by West Mercia Police under Section 53A of the Licensing Act 2013.

I can confirm that copies of both sets of papers have been sent to the premises licence holders address as per the premises licence issued.

Yours sincerely,



Ps 3456 D. Reynolds.



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@wmerciapolice



west mercia police

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

[Insert name and address of relevant licensing authority and its reference number (optional)]

Herefordshire District Council Licensing Authority.

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

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 the 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.**

I Ps 3456 Duncan REYNOLDS [on behalf of] the chief officer of police for the West Mercia police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details:

Postal address of premises, or if none or not known, ordnance survey map reference or description:

**Jalsagar Restaurant
58 St Owen Street**

Post town: Hereford

Post code (if known): **HR1 2PU**

2. Premises licence details:

Name of premises licence holder (if known): Mrs Wahida Khatun

Number of premises licence holder (if known): PR00210

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for

the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

4. Details of association of the above premises with serious crime, serious disorder or both:

[Please read guidance note 2]

The Jalsagar Restaurant, St Owen Street, Hereford is a medium sized premises licenced to sell/supply alcohol and provide late night refreshment.

It is located near to the city centre of Hereford.

The premises licence holder is Mrs Wahida KHATUN, however it is known that the premises is owned and operated by a company called Dena Restaurants Ltd., which is run by Mrs KHATUN and her husband Joynal ABADEN.

The named designated premises supervisor is a Mr Shubail AHMED.

It is well known that Mr ABADEN is involved in the business on a daily basis and as such is viewed as the person in charge.

At 1900hrs on Friday 19 May 2017, a joint operation between West Mercia Police and UK Border and Immigration Agency took place at the premises. This was intelligence lead based on good information that a number of people were working at the restaurant who were either illegal immigrants with no right to be in the country or were individuals who had over stayed their authority to be in the country.

At the time of the visit, the premises was open with customers.

Three males were detained and found to be breach of the law. One male was found to be working as a waiter and two were working in the kitchens. One male was found to be in the country illegally and the other two were 'over stayers' and therefore did not have permission to remain in the country.

All three were removed to a holding detention centre in the West Midlands.

At the time of the visit Mr ABADEN was present, a short time later Mrs KHATUN arrived.

It is the view of the police in attendance that Mrs KHATUN was obstructive - through 'finger pointing' and shouting at the immigration officers. She had to be strongly warned to calm down or she would be arrested.

The employment of illegal immigrants in these circumstances is view as serious crime that could attract a prison sentence of 3 years or more on conviction.

The guidance issued under the Licensing Act 2003, also sees these activity as serious and that on review application, there should be serious consideration to revoke the premises licence where it believed that the crime prevention licensing objective is undermined.

For your information, similar issues occurred at this premises in 2011, when as a result of a similar joint operation 5 males were detained in similar circumstances - through two separate visits.

The premises was under the same control and management of Dena Restaurants Ltd. This resulted in a licensing review application by the police, who requested that the premises licence be revoked.

West Mercia Police have considered other options open to them to address this issue, however due to the seriousness, the number of individuals found working illegally in the premises and the fact that similar breaches of the law occurred in 2011 involving the same owners, it is felt that alternative procedures are inappropriate.

At this stage, in order to promote the licensing objectives, West Mercia Police request that you SUSPEND the premises licence pending a full licensing review hearing

Signature of applicant:

Date: 24.05.17

Capacity: Police Harm Reduction Dept., Supervisor.

Contact details for matters concerning this application:

Address:

Harm Reduction Dept.,
Hereford Police Station,
Bath Street
Hereford. HR1 2HT

Telephone number(s): 01432 347102

Email: HerefordAntiSocialBehaviour@westmercia.pnn.police.uk

West Mercia Police
Herefordshire Territorial Policing Unit
Bath Street
Hereford

CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003

I hereby certify that in my opinion the premises described below are associated with serious crime ~~/serious disorder / both serious crime and serious disorder~~¹.

*Premises*²:

Jalsagar Restaurant
60 St Owen street
Hereford. HR1 2PU

Premises licence number (if known): PR00210

Name of premises supervisor (if known): Mrs Wahida KHATUN

I am a Superintendent Susan THOMAS ³ in the West Mercia police force.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because⁴:

Previous history of a similar nature in 2011, when as a result of 2 visits a total of 5 illegal immigrants were detained.

A licencing review was launched - finalised in October 2011 - additional conditions were added to the premises licence.

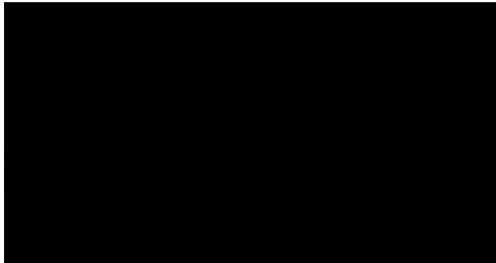
The police view is the premises licence holder being involved in the premises and aware of the previous review has ignored the law and therefore due to the seriousness of the matter all other procedures are inappropriate.

¹ Delete as applicable.

² Include business name and address and any other relevant identifying details.

³ Insert rank of officer giving the certificate, which must be superintendent or above.

⁴ Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned.



(Date)

24/5/17

S. J. THOMAS

SUPERINTENDENT