

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.

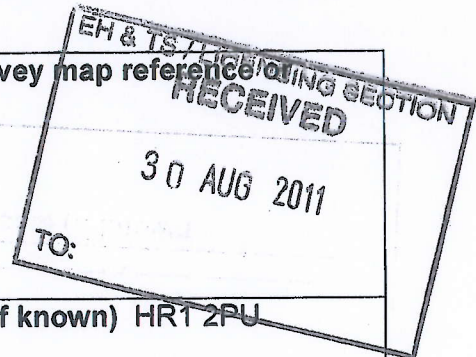
I David SHAW - Chief Constable West Mercia Police

(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 description Jalsagor Restaurant 58-60 St Owen Street	
Post town Hereford	Post code (if known) HR1 2PU



Name of premises licence holder or club holding club premises certificate (if known) Mrs Wahida KHATUN
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Number of premises licence or club premises certificate (if known) PRO00210

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

Please tick yes

I am 18 years old or over

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 James MOONEY Police Licensing Officer (South Hub) Territorial Policing Unit - Herefordshire Hereford Police Station Bath Street Hereford. HR1 2HT
Telephone number (if any) 01432 347102
E-mail address (optional)

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

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

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

The premises is a well established restaurant near to the city centre of Hereford. The premises is licensed for the sale of alcohol and the provision of late night refreshment

As a result of intelligence a number of enforcement visits have been made to the premises by the UK Border Agency and West Mercia Police. Two visits in 2011 have resulted in a number of members of staff being detained for immigration offences.

A total of 6 persons were detained. It is the view of West Mercia Police that the employment of these persons is serious financial gain for the premises licence holder as no UK tax and insurance are paid. It shows a lack of control and management of the premises by this person. In addition the activity involves criminal conduct by the premises licence holder and a disregard to legal requirements concerning the employment of non UK or EU nationals.

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

As a result of intelligence two warrants have been executed at the premises in 2011, with regards to the employment of illegal immigrants.

19/04/2011 - 3 Bangladeshi males were detained at the premises. All were working at the premises illegally. None had any residential or employment status in the UK. Two were taken into custody. The third male was later released as he claimed asylum status whilst in detention. One of the two males taken into custody was later released from detention due to a procedural issue out of the control the UK Border Agency. This male was later detained at the same premises on 20/07/11. All three were employed at the premises as waiters.

20/07/2011 - 3 Bangladeshi males were detained at the premises. One of these males had previously been detained at the premises on 19/04/2011. One of the males was later released as he claimed asylum whilst in detention. The other two remain in detention awaiting deportation. All three were employed at the premises as waiters. Two of them were living at the premises.

In addition one further male was found to be in breach of his student study visa as he had failed to attend his course. He was released whilst further investigation was undertaken. Attendance on the student course is a condition of temporary employment in the UK

No documentation was held at the premises with regards to the employment of these males.

At the time of both visits the premises licence holder was not present. It appears that from speaking to the staff, that her husband Joynal ABADEN is the manager of the premises and that he recruits all staff and pays them directly with cash.

The issues of illegal entry and overstaying by immigrants is a serious matter which impacts on the economy of the UK through non payment of tax and national insurance. The disregard of immigration legislation is a criminal offence and shows a serious neglect by the premises licence holder Mrs KHATUN to promote the licensing objective of the prevention of crime and disorder.

Action by the UK Border Agency Civil Penalty Department has been commenced. As a result of the events of 19/04/2011, a notice indicating a fine of £15000 was served on the holding company for the premises - Jalsagor Indian Cuisine Ltd. This fine was not paid as it appears the company went into liquidation, a further notice was raised and served for the same fine on a company called Dena Restaurant Ltd who are the holding company for the premises. This fine has not been paid.

As a result of the events of 20/07/2011, a similar fine has been served on the same registered company.

As at this date these fines have not been paid or the amount appealed.

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

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

N/A

Please tick yes

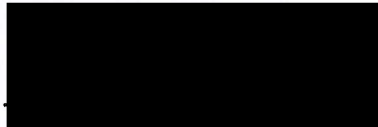
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

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 25 August 2011

Capacity Police Licensing Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

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.