

**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 Police Sergeant 3456 Duncan REYNOLDS

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Muchies, 59 Commercial Road	
<b>Post town</b> Hereford	<b>Post code (if known)</b> HR1 2BD
<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Hereford Munchies Ltd.	
<b>Number of premises licence or club premises certificate (if known)</b> PRO01581	

**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  Police Sergeant 3456 Duncan REYNOLDS Harm Reduction Dept., Hereford Police Station, Bath Street, Hereford. HR1 2HT
Telephone number (if any) 01432 347102
E-mail address (optional) licensing.herefordshire@westmercia.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)

As part of a joint partnership operation, officers from the UK Border and Immigration Agency and West Mercia Police attended the premises on 28 April 2018.

A male member of staff was detained working in the premises. This male was found to be in the country illegally.

The employment of a person with no right to remain in the country is a criminal offence and undermines the licensing objectives of the prevention of crime and disorder.

**Please provide as much information as possible to support the application**

(please read guidance note 2)

Munchies, 59 Commercial Road, Hereford is a fast food take-away located within the city centre area of Hereford and within an area covered by the special cumulative impact policy of Herefordshire Council Licensing Authority.

Munchies is licensed to provide hot food until 0330hrs.

The premises is licensed in the name of Hereford Munchies Ltd., with a postal address of 59A Commercial Road, Hereford – a slight difference to the address of the premises as stated on the premises licence.

At 2155hrs on Saturday 28 April 2018, officers from the UK Border and Immigration Agency supported by officers from West Mercia Police attended the premises as a result of intelligence that a person with right to be in the UK or to work in the UK was actually working at the premises.

One male was detained at the premises – this male aged 27 was from Afghanistan – was working in the premises behind the service counter. It was established that the male was in the country illegally and was classed as a Port Absconder. At the time of being detained the male had a large amount of cash - £1240 – in his possession. This was seized by the Immigration officers as the male was unable to account for it.

A civil penalty notice was issued on the manager of the premises – a Hiwa KARIM. Mr KARIM stated that the owner of the premises was a Rahroz AMIN.

The employment of illegal immigrants is a criminal offence. Guidance issued under the Licensing Act 2003 states that is a criminal activity which should be treated particularly seriously and that even in the first instance consideration should be given to revoke the premises licence.

West Mercia Police are of the view that the premises licence holder has failed to undertake all necessary legal checks to ensure that this employee – and others – have a legal right to be in the UK and/or be employed in the UK. This undermines the licensing objective of the prevention of crime and disorder.

Based on this significant failure by the premises licence holder, West Mercia Police feel that this matter is so serious that the premises licence for Munchies should be REVOKED.

Additional information to support this application will be provided if this matter progresses to a licensing sub-committee regulatory hearing.

**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.**

Date 2nd May 2018

Capacity Applicant – Police Sergeant

**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.