

**Minutes of the meeting of Licensing Sub-Committee held at
Online meeting/Conference Room 1 - Herefordshire Council,
Plough Lane Offices, Hereford, HR4 0LE on Friday 1 August 2025
at 10.00 am**

Present: **Councillor Polly Andrews (chairperson)**

Councillors: Dave Davies and Peter Hamblin

Officers: **Licensing technical officer and Senior Lawyer - Civil Litigation**

8. APOLOGIES FOR ABSENCE

No apologies for absence were received.

9. NAMED SUBSTITUTES (IF ANY)

There were no substitutes present at the meeting.

10. DECLARATIONS OF INTEREST

There were no declarations of interest made.

11. EXCLUSION OF PUBLIC AND PRESS

Sub committee members were advised that due to the nature of the information to be presented it was recommended that items 5 on the agenda be heard in private.

RESOLVED:

that that under Regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations 2005, the public be excluded from the meeting as it is considered that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in public.

**12. REVIEW OF A PREMISES LICENCE IN RESPECT OF: SIZZLER, 3 UNION ST,
HEREFORD, HR1 2BT CALLED BY THE LICENSING AUTHORITY AS A
RESPONSIBLE AUTHORITY- LICENSING ACT 2003**

Members of the Licensing Sub-Committee of the council's Planning and Regulatory Committee considered the above application, full details of which appeared before the members in their agenda and the reports published on 24 July 2025.

Prior to making its decision, the Senior Licensing Technical Officer presented the report which outlined the options available to the Sub-Committee and members heard representations from Harry Spriggs on behalf of the licensing authority, Home Office Immigration Enforcement and West Mercia Police.

Mr Spriggs, representing the licensing authority, provided details of the operations conducted by the multi-agency tasking and enforcement operation on 2 May 2025 and details of the ongoing investigation following the operation. The Sub-Committee was informed of the section 182 guidance and actions that may be taken in the event of illegal immigrants being found to have been working at a premises with a licence. The licensing authority sought the revocation of the licence. However, if the Sub Committee was minded not to revoke, it was proposed by the Licensing Authority that a condition be added to the premises licence regarding right to work checks for employees prior to the commencement of employment.

The immigration service made the following principal points:

- An enforcement visit was undertaken on 2 May in accordance with the Licensing Act 2003.
- On 30 July a penalty was issued due to one individual had been found in breach of work conditions.
- The illegal worker detained was on a student visa who could work for 20 hours per week but had been found working in excess of 20 hours per week.
- Evidence collected had demonstrated that the employer had not undertaken the necessary employment checks.

West Mercia Police made the following principal points:

- The Police had devised the MATES operation on 2 May acting on intelligence of illegal workers in the area of Union Street.
- During the operation on the premises an illegal worker had been identified in Sizzler by immigration services.
- There had been previous reports of disorder at Sizzler which had been attended by Police and evidence of identity theft had been discovered.
- It was confirmed that the immigration offence had been the first offence by the current ownership.

The premises licence holder referred to the application made by the licensing authority. In summary, he explained that:

- The illegal worker had been given work at Sizzler and a check had been undertaken on the ID held.
- It was understood that the worker was entitled to work for 20 hours per week as a student and when on holiday could be allocated more than 20 hours per week.

Following questions it was confirmed:

- The worker had been provided with extra hours above the permitted 20 during half term or when on holiday from university.
- Meals from the shop, living accommodation above the shop and transportation to the airport was provided to the worker in lieu of wages which ensured a rate of pay above the minimum wage.
- Following the fire enforcement notice that had been applied to the premises it was confirmed that improvements had been undertaken. Doors had been replaced and a consultant had been engaged to advise on the improvements required. Work that remained to be completed was included repainting and electrical improvements.

Having carefully considered those matters brought before them and in reaching their decision, the Members had full regard to both the provisions of the Licensing Act 2003

(as amended by the Violent Crime Reduction Act 2006), the Guidance Issued under Section 182 and Herefordshire Council's statement of licensing policy.

DECISION

The Sub-Committee's decision following a review of the premises licence is as follows:

The premises licence shall be revoked.

REASONS

The Sub-Committee has taken into account all the evidence provided with the application for review brought by the Licensing Authority, presented in a report by Senior Licensing Officer, Emma Bowell and Harry Spriggs, Licensing Officer. The evidence we have considered was produced from a Multi-Agency Operation that took place on 2nd May 2025.

The Sub-Committee notes the grounds for review are the prevention of crime and disorder, in particular, the prevention of illegal working and immigration crime at a licensed premises

It was recognised that these are serious offences and that the request for a review was justified.

The Sub-Committee considered the submissions of the Premises Licence Holder carefully and took into account the length of time that the licence had been held for.

However, the Sub-Committee was very concerned that there was evidence of a failure to comply with immigration laws in regards to right to work checks for employees.

Taking into account the statutory guidance, the Sub-Committee was aware that where reviews arise and the licensing authority determines that the crime prevention objective is being undermined, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

The Sub-Committee considered that the breach of immigration law is serious, together with the previous breach of the licensable hours.

The Sub-Committee considered all options available to them, including whether additional conditions would be appropriate in this case. The Sub-Committee was not convinced that the premises licence holder will adhere to his licence conditions in the future, based on the evidence presented to them. If there was to be a future application from the premises the applicant should be able to evidence, if necessary, that the business has been compliant with immigration law.

The meeting ended at 11.01 am

Chairperson