

**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 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> 9 + 9 Cantonese Takeaway – also known as Spice Minister 102 Widemarsh Street	
<b>Post town</b> Hereford	<b>Post code (if known)</b> HR4 9HG

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Yueh Hwa LEE
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<b>Number of premises licence or club premises certificate (if known)</b> PRO00971
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**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 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)

West Mercia Police in partnership with officers from the UK Border and Immigration Agency, Hereford & Worcester Fire Service, Herefordshire Environmental Health (Food) and Herefordshire Council Houses of Multi-Occupancy attended the premises on Saturday 07 April 2018 and detained 1 person who it was established was working at the premises and was in the UK illegally with no right to stay or work.

This is a serious criminal offence and undermines the licensing objective of the prevention of crime and disorder.

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

As part of a pre planned intelligence lead operation a joint Multi Agency Targeted Enforcement day of action took place on Saturday 07 April 2018.

Officers from West Mercia Police, Hereford & Worcester Fire Service, the UK Border and Immigration Agency, Herefordshire Council Food Hygiene and Housing were involved in this operation. Each have their own individual area of responsibility.

At 1716hrs the group visited 9 + 9 Cantonese Takeaway in Widemarsh Street, Hereford. This premises is licensed in this name for late night refreshment, however it is commonly known as Spice Minister.

The premises was open to the public. On entering and making their way to the kitchen area, two males were seen to run out of the rear. After a short chase both were detained. Both are Bangladeshi nationals and both admitted working at the premises. One of the males detained was arrested as he had no right to be in the country. He is an illegal immigrant – it was further established that he had been detained at the premises in October 2017 in similar circumstances. At that time the detained male appealed the decision – however this appeal was refused.

The second male who ran away is subject to an on-going asylum claim.

There is uncertainty who owns the licensed premises with the fact that the premises licence holder has not paid any licensing fees since 2014.

At the time of the operational visit, a male called Shakhawath HOSSAIN was present. This man was at the premises during the previous visit in October 2017. he admitted being the manager of the restaurant and a director of a company called RKJ Foods Limited. This company was issued with a civil immigration penalty of £10000 due to the detention of an illegal immigrant at the premises in October 2017. The majority of this fine is still outstanding.

When further questioned Mr HOSSAIN said that both persons detained had only started working at the premises the 'day before' – despite the male detained as an illegal immigrant being detained at the same location in 2017.

Whilst the premises has not paid their licence fees for a number of years, it still remains licensed. It is licensed for the provision of late night refreshment.

The view of West Mercia Police is that the premises licence holder – and those who are currently responsible for the premises – have a totally disregard of the law and continue to commit criminal offences. The view is that the employment of illegal immigrants is a serious matter and that the premises licence for this location should be revoked.

**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 11 April 2018

Capacity Herefordshire Police Harm Reduction Supervisor

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

**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.