

West Mercia Police
Herefordshire
Bath street
Hereford
HR1 1TA

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
Razbari Indian Resturant
156 Eign Street
Hereford
Herefordshire
HR4 0AP

Premises licence number (if known) ~~XXXXXXXX~~ *PR01990*

Name of premises supervisor (if known) Usha BEGUM

I am a Superintendent 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

On Thursday 16th November 2023, a joint agency operation was conducted at the above address. Intelligence suggested that exploitation was taking place at the premises. This involved potential immigration offences.

One member of staff from Bangladesh held permission to stay as a student with the condition he was permitted to work 20 hours a week during his course term.

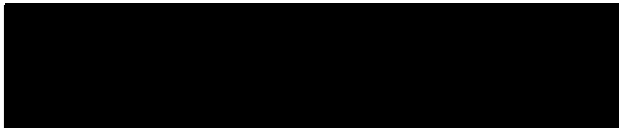
¹ Delete as applicable

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

time He was arrested as he could not provide any evidence to support he was undertaking his studies in the UK and it was claimed by personnel present and the individual that he only worked 18 hours a week when spoken to on site However, when away from the restaurant he admitted he had been working full time (in excess of his permitted 20 hours during term time) since March 2023 and had not been to his university in Scotland since a similar date His permission to stay was cancelled with immediate effect and he was detained for his removal from the UK This premises has previously been found to employing illegal workers in Oct 2021



(Signed)

20/11/2023

(Date)

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

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

Herefordshire Council
Licensing Section
Plough Lane
Hereford
HR4 0LE

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 PC [REDACTED] - Police Licensing
[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:

**Razbari Indian Restaurant
156 Eign Street**

Post town: **Hereford**

Post code (if known): **HR4 0AP**

2. Premises licence details:

Name of premises licence holder (if known): **CT INDIAN RESTAURANT LIMITED**

Number of premises licence holder (if known): **PR01990**

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 premises is an Indian restaurant and takeaway based on Eign Street, Hereford, which is near the City Centre.

On Thursday 16 November 2023, a joint agency operation involving West Mercia Police, Immigration, Herefordshire Council Licensing, Herefordshire Council Housing and Hereford & Worcester Fire and Rescue took place, where a visit was made to the premises regarding intelligence received that exploitation was taking place at the premises, which involved potential immigration offences.

At the time, who West Mercia believed to be the designated premises supervisor, Usha Begum was not present. The premises was open and was undertaking licensable activities - including the sale of alcohol.

One member of staff from Bangladesh held permission to stay as a student with the condition he was permitted to work 20 hours a week during his course term time.

He was arrested as he could not provide any evidence to support he was undertaking his studies in the UK.

It was claimed by personnel present and the individual that he only worked 18 hours a week when spoken to on site, however, when away from the restaurant he admitted he had been working full time (in excess of his permitted 20 hours during term time).

He had been doing this since March 2023 and had not been to his university in Scotland since a similar date.

His permission to stay was cancelled with immediate effect and he was detained for his removal from the UK.

This premises (albeit under different ownership) has previously been found to employ illegal workers in Oct 2021

Additionally it is believed that there is substantial financial gain and benefit to the premises licence holder for the employment of people in these circumstances

Signature of applicant:



Date: 20 November 2023

Capacity: Police Licensing Officer

Contact details for matters concerning this application:

[REDACTED] - Licensing and MATES Officer (Herefordshire)
Hereford Police Station,
Bath Street, Hereford HR1 2HT
[REDACTED]

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.