

Licensing Authority: Spelthorne Borough Council

Address: *Spelthorne Borough Council, Council Offices, Knowle Green, Staines upon Thames,
TW18 1XB*

Reference: AL0289

**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 Home Office Immigration Enforcement

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

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description 359 Staines Road West	
Post town Ashford	Post code (if known) TW15 1RP

Name of premises licence holder or club holding club premises certificate (if known) Indian Ocean Catering Ltd/ Mr Masum Ahmed
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Number of premises licence or club premises certificate (if known)

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

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 ✓ yes

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

Home Office
Immigration Enforcement
Alcohol Licensing Team
Lunar House
40 Wellesley Road
Croydon
CR9 2BY

Telephone number (if any)

E-mail address (optional)
Alcohol@homeoffice.gsi.gov.uk

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

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

Please tick one or more boxes ✓

Please state the ground(s) for review (please read guidance note 2)

An enforcement visit was conducted on 09/08/2017 at Indian Ocean Restaurant, 359 Staines Road West, Ashford, TW15 1RP

Two males were located at the front of the premises dressed in waiter's clothing and a further six were in the kitchen area.. Both waiters were identified as having no right to work in the UK and were placed on the referral notice. Due to outstanding appeals and applications they were escorted from the premises.

Two of the kitchen employee's were found to have no right to work and so were placed on a illegal working referral notice. One was identified as a Worker in breach of his leave. Due to the outstanding application he was granted temporary release and was escorted from the premises. The second male was identified as an overstayer and was detained pending removal.

All remaining staff were cleared and allowed to return to work. The manager, Masum Ahmed attended and was informed of the correct right to work checks. He claimed he had called in additional staff to assist due to a charity event later that evening. One of the males he stated he called in was previously encountered at the business during a visit in March 2017. 4x offenders encountered in total.

A civil penalty was raised for **£80,000** which has been unpaid and is outstanding

Prior to this visit an enforcement visit was conducted on 23/03/2017. The Premise was contained from the rear and Arrest pair 1 entered to gain fully informed consent from the manager of the restaurant. Initially the manager was hesitant to give consent and stated that he needed to speak to the owner of the premise before he gave consent. A waiter standing close to the manager then rushed over to the kitchen area which was visible from the front, he ushered at the staff to run and three males working in the kitchen area took off their work apparel and proceeded to run out the back of the restaurant. Upon seeing Immigration officers at the rear the 3 males stopped at the rear door and did not exit the premise fully. Officers were instructed to remain at their posts and keep the premise fully contained from the outside. 10 members of staff were encountered at the restaurant, 10 were deemed to be offenders 1 of which had no right to work but did not admit to working in breach and therefore was not served. 9 arrests were made and 7 subjects were initially detained 1 of which was later Temporary Released from Eaton House. The three others encountered at the restaurant were Temporary released at the restaurant. The business owner Masum Ahmed 06.10.1986 was contacted in order for him to come down and close his business premise as no members of staff were allowed to remain at the premise. The owner was happy for me to close his business. I locked the premise from inside and placed the keys to the premise in a foil takeaway bag and left them on the bar area. Officers then exited via the rear door which did not need a key to be secured. Staff members closed down all lights and equipment at the premise. The owner was then notified in regards to where his keys to the address had been placed. The notice to occupier and 2 NOPL's were also left next to the keys on the bar area and the owner was made aware of this.

Please provide as much information as possible to support the application (please read guidance note 3)

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to the 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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date 22/08/17

.....

Capacity **Responsible****Authority**.....

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6) Alcohol Licensing Team Lunar House 40 Wellesley Road		
<table border="1"> <tr> <td>Post town Croydon</td> <td>Post Code CR9 2BY</td> </tr> </table>	Post town Croydon	Post Code CR9 2BY
Post town Croydon	Post Code CR9 2BY	
Telephone number (if any)		
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) Alcohol@homeoffice.gsi.gov.uk		

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.