

# Appendix B

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

## 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 Nigel Dermott, 42076439, Police Licensing Officer Chelmsford & Maldon  
(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

Postal address of premises or, if none, ordnance survey map reference or description VILLAGE TANDOORI 11 HIGH STREET	
Post town SOUTHMINSTER, MALDON	Post code (if known) CM0 7AA
Name of premises licence holder or club holding club premises certificate (if known) ABDUR RASHID & ABDUL HAI	
Number of premises licence or club premises certificate (if known) 05/00766/LAPRE 208	

#### 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**

Name and address Nigel DERMOTT 42076439 ESSEX POLICE COUNTY LICENSING HUB BRAINTREE POLICE STATION BYTHS MEADOW BRAINTREE CM7 3DJ
Telephone number (if any) 01245 452035
E-mail address (optional) Licensing.applications@essex.pnn.police.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 ✓

<input checked="checked" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

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

The grounds for review are that the crime and disorder objective of the Licensing Act 2003 has been undermined in that Immigration Compliance and Enforcement officers of the Home Office discovered disqualified persons working illegally on the premises. The statutory crime prevention objective in the 2003 Act includes the prevention of immigration crime and the prevention of the illegal working in licensed premises. In particular, employing a person who is disqualified from work by reason of their immigration status is a criminal activity which in accordance with the guidance issued by the Home Office under Sec. 182 to the Licensing Act 2003, Para. 11.26 – 11.28 should be treated particularly seriously.

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

At 1745hrs on Thursday 2<sup>nd</sup> May 2019 Officers from HM Immigration Compliance & Enforcement team entered premises at Village Tandoori, 11 High Street, Southminster, Maldon, CM0 7AA under the authority of Sec 179 of the Licensing Act 2003 as amended under Sec 36 and schedule 4 of the Immigration Act 2016 and a warrant issued by a Magistrate.

The premises were open at the time and the officers were met without any resistance. Having assembled persons found working on the premises enquiries revealed that there was one male working on these licensed premises who had overstayed their visa since 2006 and had no right to work in the UK. Subsequent enquiries with the Home Office confirm that this is the case and that the subject had no right to work or recourse to public funds.

The DPS – who is also a joint Premises Licence Holder - was issued with a referral notice for illegal working civil penalty in respect of this worker.

In view of the circumstances, Essex Police would be seeking a revocation of the Premises licence.

Essex Police will produce further documentary evidence or other information in support of this application as it may do under Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005.

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

Please tick ✓ yes

☐

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

yes

Please tick ✓

- 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 ..... Nigel DERMOTT

Date 13/9/2018

**Capacity**

Licensing Officer with the delegated power of the Chief Officer of Police for Essex (the Chief Constable of Essex Police) to submit review applications.....

<b>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)</b>	
Nigel DERMOTT 42076439 Police Licensing Officer Chelmsford & Maldon ESSEX POLICE COUNTY LICENSING HUB BRAINTREE POLICE STATION BLYTHS MEADOW	
<b>Post town</b> BRAINTREE	<b>Post Code</b> CM7 3DJ
<b>Telephone number (if any)</b> 01245 452035	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b> Licensing.applications@essex.pnn.police.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.