



Our Ref: 782.19/CL/KC
Your Ref: N/K

16/05/2019

FAO: Nigel Dermott 42076439
Police Licensing Officer Chelmsford & Maldon
Essex Police County Licensing Hub
Braintree Police Station
Blyths Meadow
Braintree
CM7 3DJ

55-57 Brady Street
London E1 5DW
Tel : 020 7375 3761
Fax : 020 7377 1113
info@kcsolicitors.co.uk
VAT Reg No: 280 0732 26
www.kcsolicitors.co.uk

Dear Sirs

Re: Application to review Premises Licence 07/00766/LAPRE208;
PREMISES: Village Tandoori, 11 High Street, Southminster, Maldon CM0
7AA.

We refer to your letter dated 13th May 2019 regarding the review of the above mentioned Premises Licence where Mr Abdur Rashid is one of the Licence holders and write to inform you that we have been instructed by him to represent his matters. Please find enclose a sign copy of letter of authority which enables us to deal this matter effectively. We will be obliged if you kindly direct all future correspondence to our letter headed address.

Background:

On 2nd May 2019 Thursday at 17:45 hrs Officers from the Immigration Compliance & Enforcement team entered the premises at Village Tandoori, 11 High Street, Southminster, Maldon, CM0 7AA under the authority of Sec 179 of the Licensing Act 2003 as amended Sec 36 and Schedule 4 of the Immigration Act 2016 and a warrant issued by a Magistrate.

Principal
Mohammed Abul Kalam Chowdhury
Associate Solicitor
Abu Elias

The Officers entered into the premise without resistance which was open that time. The restaurant team members were working in the premise at that time and when enquired by the officers, it was revealed that there was one male working in the licensed premises had no right to work in the UK. For these reason, Licensing Officer of Chelmsford & Maldon Police Station, Essex submit that our client's premises licence of Village Tandoori will be reviewed based on their submission that there is a failure in promoting one of the licensing objectives, i.e., The prevention of Crime and Disorder.

The Premise Licence holder's Position:

Mr Rashid has obtained the licence of the premise since 2003 which is a popular and reputed Indian Restaurant with positive customers review in the locality. He is a person with good character with no previous conviction records and well known for his well behaviour and professionalism. In the premise licence there are 4 persons working as a full time basis. The premises licence holder strictly follows all the respective rules and regulations in the premises. Our client would like to confirm that he has provided all the measures to maintain the all four licensing objectives for the long tenure of 17 years and never got report of any sort of negative incident or complain. Our client also submits that he is always aware of and has given the highest priority to upheld the licensing objects specially to prevent the crime and disorder as a result no major incident has happened so far in the Licensed premises. So the recent ground for review of the Licensed Premise which is mentioned by the Licensing Officer is not the obvious fact that cannot be rebutted.

Illegal Worker Issue:

On the day of the enquiry made by the HM Immigration Compliance & Enforcement team in the restaurant, that particular worker was employed for 7 days on a trial basis and as a replacement of one of the permanent employee who was sick. In the initial interview of that person, he informed our client that he has legal status and has permission to work in UK. Our client further asked him to provide his

documentary evidence regarding his work permit which he promised to submit to our client within a week. Unfortunately, our client trusted him in good faith. His entire employee has legal right to work in UK and he always maintains this strictly. This is the first time he faced this sort of issue in the 17 years of his premise's license which he had never anticipated and prepared for.

Licence holder's previous records:

It is submitted that our client has no previous criminal record or conviction. He is always a law abiding person with a good character. He is familiar for his well manner, politeness and graciousness in the locality. For the last 17 years he is running the licensed premise with good reputation and standing. Customers are always happy with his service and care and recommend the restaurant to others. Overall, our client has got good reputation for his honesty and good behaviour as a person as well as a businessman. We are enclosing his DBS report for your consideration.

Consequence of the revocation of the Premises licence:

Our client is operating this licensed premise successfully for the last 17 years without any complain or misconduct. It is a popular restaurant in the locality with good rapport which is providing positive impact in the economy of the society. Moreover, there are 4 full time employees working in the restaurant whose livelihood are mitigating by the money they earn. The proposed revocation of the premises licence would lead the restaurant shut down as the customers will not come to the restaurant to eat the Indian curry without alcohol.

In the realm of Brexit effect, where the economy is already suffering, business are shutting down and redundancy are raising swiftly, it is not reasonable and rational to take such measure by the authority which will compel a running business to shut down. That will have detrimental effect towards the local economy as well as the society. The revocation of the licence will make the restaurant employees unemployed and their entire family will suffer and subsequently they will become

the burden of the society. Moreover, our client who is a regular taxpayer and has keen knowledge in restaurant business would be forced to give up his business by the harsh approach of the authority.

Undertaking:

Understanding the crime and disorder objective of the Licensing Act 2003, our client acknowledge the concern and objections of the Officers of the HM Immigration Compliance & Enforcement team regarding their discovery of disqualified persons illegally on the premises licence and hereby remorseful for the unexpected incident. By taking into account the incident as a first time of the whole 17 years tenure of the licensed premises, our client submit that he should be considered exceptionally. Moreover, our client is ready to offer an undertaking to the authority regarding the issue and he is happy to take any relevant conditions by the licensing authority to waive his proposed revocation of Premises Licence.

Considering the above situations, we therefore, urge you to consider our client's representation positively and not to revoke his premises license.

Should you need further query, please do not hesitate to contact us.

Yours Faithfully,

KC Sols
KC Solicitors

Enc: