

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 Mr Nathan Howson,
for and on behalf of the Licensing Authority of Chorley Council

(Insert name of applicant)

apply for the review of a premises licence under section 51 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	
Daisy Tandoori 44 Steeley Lane	
Post town Chorley	Post code (if known) PR6 0RD

Name of premises licence holder or club holding club premises certificate (if known)
Mr Monir UDDIN

Number of premises licence or club premises certificate (if known)
PLN0212

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)

X

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

Please tick yes

I am 18 years old or over

**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 Mr Nathan Howson For and on behalf of the Licensing Authority Chorley Council Civic Offices Union Street Chorley Lancashire PR7 1AL
Telephone number (if any) 01257 515665
E-mail address (optional) Nathan.howson@chorley.co.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
X

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

This application for the review of a premises licence is being submitted by the Licensing Authority, acting as a responsible authority.

The licensing objective of The Prevention of Crime and Disorder is being undermined at the premises in that a person who was not permitted to work in the United Kingdom by reason of his immigration status was found to be working on the premises. There was another person found to be working who was working in breach of his immigration bail conditions.

Please provide as much information as possible to support the application

On 21/10/22, Immigration Enforcement conducted a visit to the premises known as Daisy Tandoori, 44 Steeley Lane, Chorley, PR6 0RD. This was following receiving intelligence that the “employer was hiring illegal workers” and that “the employer is also paying the illegal workers below minimum wage cash in hand and evade paying taxes”.

On entering the premises, immigration officers witnessed two males behind the counter wearing aprons. Whilst officers were explaining to the manager why they were there, the second male went into the back. Officers followed this person into the back of the kitchen and found the male in the garden with his apron off and holding it in his hands. The male was unable to tell the officers his name and correct date of birth but was later identified. This male was identified as a Section 10 Overstayer, was arrested and taken to a detention centre.

In addition to this individual, officers found another person at the premises. This person had an outstanding application with the Home Office however, as he was working at the premises, was in breach of his immigration bail conditions. This individual was interviewed and then walked off the premises.

Immigration Enforcement have records of a previous enforcement visit in 2013 whereby another Overstayer was arrested. An email from ICE is appended at [Appendix 1](#).

In addition to immigration offences, the premises licence holder was issued with a simple caution by Licensing Officers on 03/02/20 for an offence contrary to Section 136 of the Licensing Act 2003, Carrying on unauthorised licensable activity, in that he held himself out as willing to supply hot food or drink from the premises others than under an authorisation as the premises licence had been suspended for failing to make payment of the premises licence annual fee. A copy of this caution is appended at [Appendix 2](#).

Although over a relatively long period of time, this shows a number of instances where the premises has been associated with crime and disorder, with the premises licence holder being the person in the centre of each instance.

The Section 182 Guidance states:

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- *for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;*
- *for the sale and distribution of illegal firearms;*
- *for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;*
- *for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;*
- *for prostitution or the sale of unlawful pornography;*
- *by organised groups of paedophiles to groom children;*
- *as the base for the organisation of criminal activity, particularly by gangs;*
- *for the organisation of racist activity or the promotion of racist attacks;*
- ***for employing a person who is disqualified from that work by reason of their immigration status in the UK;***

- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

11.28 It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. **Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.**

Relevant Legislation:

Immigration, Asylum and Nationality 2006

Section 15 (1)(b) and (2)

It is a breach of this section to employ an adult whose leave to remain in the UK has ceased to have effect and/ or if that person is subject to a condition preventing him from accepting the employment and such an employer may be given a penalty notice, requiring them to pay a prescribed amount.

Immigration Act 1971

Section 24 (1)(b)

Makes it an offence for a person who is not a British Citizen and has a limited leave to remain, to knowingly remain beyond that time.

Licensing Act 2003

Section 136 (1)(a)

Makes it offence for a person to carry on licensable activities otherwise than in accordance with an authorisation.

Please tick yes

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

N/A

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

N/A

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 X
- I understand that if I do not comply with the above requirements my application will be rejected X

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

N. Howson

Date

Tuesday 24th January 2023

Capacity

Enforcement Team Leader (Licensing), Authorised Officer of Licensing Authority

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	