



Home Office

## Premises Licence Review

The Spice Room  
3, Oxford Street  
Moreton-in-Marsh  
GL56 0LA

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# Case Summary

On 08 October 2022, Immigration Enforcement conducted a visit at The Spice Room, 3 Oxford Street, Moreton-in-Marsh, GL56 0LA following intelligence that persons without permission to work in the UK were working at the premises.

At the time of the enforcement visit the Licence holder was Mrs Yarum Islam and the Designated Premises Supervisor (DPS) was Mr Mohhamad Abdul Ali.

The premises hold a late-night food license and an alcohol license. Entry was gained under Section 179 of the Licensing Act 2003.

# Licensed Premises History

On 5 April 2018 an enforcement visit was conducted, Officers attended The Spice Room 3 Oxford Street, Moreton in the Marsh, Gloucestershire GL56 0LA and entered under Section 179 of the Licensing Act 2003.

Nine immigration offenders were encountered, 6 of whom were arrested and detained pending removal from the UK. The other 3 immigration offenders were bailed.

Following the above visit an application for the review of the premises licence was submitted by Immigration Enforcement.

At the review hearing held on 5 November 2018, it was the decision of the Licensing Sub-committee to impose additional conditions on the premises licence. (see below and the Decision Letter in Annex A of this review pack).

## **Annex 3 – Conditions attached after a hearing by the licensing authority**

1. The employer must carry out checks relating to the right to work of their employees working at the premises and any prospective employees before entering into a contract of employment; the premises licence holder will operate a full HR Management system where all relevant documents as specified by the Home Office, to prove entitlement to work, are stored for each individual member of staff.
2. The employer must retain copies of documents as a result of conducting checks relating to the right to work for a period of 24 months post termination of employment. These must be stored securely by the employer at the premises, or a digital copy must be immediately accessible from the premises for ease of inspection by immigration officials, police, or licensing officers on request.
3. The employer, or any person appearing to represent the employer, must be able to produce on demand documents relating to the right to work at the request of a Police officer, Licensing officer or an Immigration officer who enters the premises to carry out an inspection under section 179 (1A) of the 2003 Act.
4. The premises licence holder will work with an independent immigration compliance business to carry out checks on the Home Office website and verify identification documents such as right to work documents to ensure that all new members of staff can be legally employed.
5. No new member of staff will be able to work at the premises unless they have provided satisfactory proof of identification and right to work.

# Enforcement Visit dated 08 October 2022

On 08 October 2022, officers from Cardiff Immigration Compliance and Enforcement team (ICE) conducted a visit to the premises.

Three arrests were made for illegal working.

[REDACTED]

[REDACTED] entered the UK illegally in June or July 1998 (his own admission). He used a falsified passport to obtain entry at the UK Border. [REDACTED] first became known to the Home Office in his own identity in May 2003, when he made an application for a work permit. This was refused in August 2003 on the basis of [REDACTED] entering the UK illegally.

[REDACTED] has since made further applications for leave and had multiple encounters with the Home Office which resulted in immigration detention. [REDACTED] sought leave to remain in July 2018. On 08 June 2021, [REDACTED] legal rep wrote to the Home Office requesting that [REDACTED] be given the right to work while waiting for an outcome of his application. On 02 August 2021, [REDACTED] was granted permission to work with the restriction that any work must be on the Shortage Occupation List.

During the enforcement visit, [REDACTED] was observed by officers standing at the stove cooking food when they entered the kitchen. [REDACTED] claimed not to have been working and was instead warming up his food as he was hungry. He claimed to have been visiting the premises to pay the owner rent for accommodation in Gloucester.

Yarum Islam (the employer) was interviewed regarding [REDACTED]. She confirmed that she holds joint responsibility of employing staff with her husband. She confirmed that they take a residence permit or passport as proof of the right to work and retain copies.

Yarum Islam stated that [REDACTED] helps out on weekends as an assistant chef. Yusuf Islam also stated that [REDACTED] was provided with accommodation in exchange for helping out. Islam was asked about how [REDACTED] got employed, she stated:

He has a carer visa; he just helps out on Weekends. He works at a care home in Kennington full time.

[REDACTED] does not have a visa, nor any leave to remain on the basis of being a carer or care worker. [REDACTED] ARC card will state that work is permitted in the Shortage Occupation List. Care work is listed on the Shortage Occupation List, however

working as an assistant chef is not. The fact that the employer states [REDACTED] has a carer visa suggests that the employer has not conducted the necessary checks. There has been no evidence outside of the interviews, of [REDACTED] working within the care sector.

[REDACTED] would have been in possession of an Application Registration Card (ARC). This ARC card is provided to applicants, it confirms their identity and clearly stipulates the restriction of work, in this case - the Shortage Occupation List. The employer in this case has either failed to conduct the proper checks or has knowingly overlooked the restriction, in either scenario [REDACTED] was working illegally as he was in breach of his conditions.

[REDACTED]

[REDACTED] entered the UK illegally in 2001.

[REDACTED] was observed packing food orders in the kitchen. [REDACTED] claimed that he was not working, and instead he lives at the premises and was in the kitchen as he was hungry. He claimed to have just moved the bag which contained a food order.

It must be noted that [REDACTED] was previously encountered working at the Spice Room during the visit on 04 April 2018. Home Office records show that on 23 October 2014, [REDACTED] was found working illegally as a chef at a restaurant in Cuffley, Potters Bar. [REDACTED] was arrested on 16 January 2015 while working at another restaurant in Borehamwood. This supports the Home Office's view that [REDACTED] was indeed working at the Spice Room on both occasions.

Yarum Islam was asked whether [REDACTED] has permission to work. She stated: He has permission to work - I think maybe as a spouse. I just take the card. She also confirmed that he works as a kitchen porter, his work times and that he is paid £9 per hour in cash. It must be noted that the Civil Penalty Compliance Team investigated the employment, it was found that [REDACTED] had provided his employer with a residence card that was not genuine. Nonetheless, [REDACTED] has never had the right to work in the UK.

[REDACTED]

[REDACTED] entered the UK on 15 July 2021, landing at London Heathrow. [REDACTED] arrived from Greece after making a request, while he was a minor, to join his paternal aunt in the UK. Upon arriving in the UK, [REDACTED] made a claim for leave to remain. This claim is still outstanding, and [REDACTED] was provided an ARC card with permission to work within the Shortage Occupation List.

[REDACTED] was observed by officers packing food orders in the kitchen. [REDACTED] claimed that he wasn't working at the Spice Room, instead he claimed he was

watching the cook who is his friend. [REDACTED] was asked whether the owner had given him permission to enter the business's kitchen, [REDACTED] could not confirm.

Yarum Islam confirmed that [REDACTED] works at the restaurant, his job is to pack customer orders. She claims to have seen documents proving permission to work, which she claimed to be European Union Settlement Scheme documents. It must be noted there is no evidence of [REDACTED] making any application under the Settlement Scheme. Nor has [REDACTED] made any other attempts to regularise his stay other than a claim at the airport on arrival.

A record of the interview with [REDACTED] is exhibited as '**RM001/081122**' in Appendix A of this review pack.

A record of the interview with [REDACTED] is exhibited as '**Exhibit GG-08102022**' in Appendix A of this review pack.

A record of the interview with [REDACTED] is exhibited as '**Exhibit GG-08102022**' in Appendix A of this review pack.

## Reasons for Review

This business has (again) employed three persons with no right to work in the UK.

The license holder has again failed to meet the licensing objectives of the prevention of crime and disorder, as illegal working has been identified at this premises.

Despite the fact that, as an employer, the licence holder should have been fully aware that all employers have a responsibility to prevent those without lawful immigration status from working in the UK, following an earlier licence Review Hearing on 8 November 2018 these Conditions were specifically added to the premises licence. It is therefore reasonable to conclude that, prior to this earlier Review hearing, people without lawful status had also been employed at the restaurant.

Section 36 and Schedule 4 of the Immigration Act 2016 (the 2016 Act) amended the Licensing Act 2003 (the 2003 Act) to introduce immigration safeguards in respect of licensing applications made in England and Wales on or after 6 April 2017. The intention is to prevent illegal working in premises licensed for the sale of alcohol or late-night refreshment.

As stated, all employers have a responsibility to prevent those without lawful immigration status from working in the UK:

The ability to work illegally is often the main driver of illegal migration. Working in the UK without the requisite permission (“illegal working”) encourages people to break our immigration laws and provides the practical means for migrants to remain in the UK unlawfully. It often results in abusive and exploitative behaviour, the mistreatment of unlawful migrant workers, tax evasion and illegal housing conditions, including modern slavery in the most serious cases. It can also undercut legitimate businesses and have an adverse impact on the employment of people who are in the UK lawfully

Once again, the employer has either failed to complete the necessary pre-employment checks as per the license conditions or has knowingly flouted the rules by employing [REDACTED] outside of the Shortage Occupation List [REDACTED]

[REDACTED] It is an offence to work when a person is disqualified to do so, and such an offence can only be committed with the co-operation of a premises licence holder or its agents. In this case, all employees had outstanding claims. Claimants are issued Application Registration Cards (ARC), these cards clearly state the holder’s employment restrictions. The [shortage occupation list](#) shows the occupations and the minimum rates of pay applicable for someone to be employed in that role. The license holder could have checked this list by conducting a quick search online.





Example of an ARC card where work is permitted in a shortage occupation. “No work, no public funds” is the most common condition.

A Civil Penalty Referral Notice was issued against the employer for the employment of 3 individuals with no right to work in the UK.

A civil penalty of £20,000 was issued to Yarkam Limited for the employment of two individuals with no right to work in the United Kingdom. No civil penalty was issued for the employment of [REDACTED], as he had provided a fake Residence Permit valid from 28/07/21 to 30/11/23. The Employer had copied both sides and established a statutory excuse.

The employer had undertaken some checks for [REDACTED] and [REDACTED], but these were not carried out correctly and did not provide a stat excuse. They had copied both sides of the Application Registration Card (ARC) but did not consider the information on the cards. The employer could have conducted some basic research on the conditions of employment which would have shown that employment at the restaurant was prohibited. Alternatively, the employer could have obtained a Positive Verification Notice (PVN) from the Employer Checking Service (ECS), who would have advised that they were both only allowed to work in roles on the Shortage Occupation List (SOL). Neither role they were undertaking was included on the SOL.

It must be noted that Annex 3 condition 4 states:

4. The premises licence holder will work with an independent immigration compliance business to carry out checks on the Home Office website and verify identification documents such as right to work documents to ensure that all new members of staff can be legally employed.

It is considered that the license holder has failed to meet the condition by accepting the ARC card and residence permit before employing the workers.

Immigration Enforcement submits that for commercial reasons those engaged in the management of the premises employed illegal workers and, in light of the fact there

has already been an earlier Review Hearing which itself imposed specific conditions related to right to work checks, all of which have been ignored, then a warning or other activity falling short of a review is deemed to be inappropriate.

For this reason, Immigration Enforcement has proceeded straight to review.

## Outcome Sought

The objective of the Licensing Act 2003 (the Act) is to provide a clear, transparent framework for making decisions about applications by individuals or businesses wishing to sell or supply alcohol or provide certain types of regulated entertainment and late-night refreshment.

There are four licensing objectives which underpin the Act, and which need to be taken into account and promoted throughout the licensing process.

The licensing objectives are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Illegal workers are those subject to immigration control who either do not have leave to enter or remain in the UK, or who are in breach of a condition preventing them taking up the work in question. It is an employer's responsibility to be aware of their obligations and ensure they understand the immigration landscape to avoid the risk of prosecution, the imposition of a civil penalty or their revocation/suspension of their premises licence.

Since 1996 it has been unlawful to employ a person who is disqualified from employment because of their immigration status. A statutory excuse exists where the employer can demonstrate they correctly carried out document checks, i.e., that they were duped by fake or forged documents.

The Immigration Act 2016 came into force in July 2016 and its explanatory notes state that "these offences were broadened to capture, in particular, employers who deliberately did not undertake right to work checks in order that they could not have the specific intent required to 'knowingly' employ an illegal worker".

Since 2016 an employer may be prosecuted not only if they knew their employee was disqualified from working but also if they had reasonable cause to believe that an employee did not have the right to work: what might be described as wilful ignorance where either no documents are requested, or none are presented despite a request. This means an offence is committed when an employer 'ought to have known' the person did not have the right to work.

Since 2016 it has also been an offence to work when disqualified from doing so. It is obvious that without a negligent or wilfully ignorant employer, an illegal worker cannot work. Such an employer facilitates a criminal offence and Home Office (Immigration Enforcement) highlights this as relevant irrespective of whether a civil penalty is imposed, or a prosecution launched for employing an illegal worker.

The Spice Room under the control of Mrs Yarum Islam and the DPS Mr Mohhamad Abdul Ali have employed three illegal workers. This business has clearly failed to meet the prevention of crime and disorder objective by again failing to carry out the necessary pre-employment checks to make sure that the people employed at the premises have the right to work in the UK.

The license holder is aware of their responsibilities to uphold the licensing objectives as they are clearly defined as part of the premises license application and had been specifically added as conditions to the premises licence on 08 November 2018 following a review of the premises licence.

Immigration Enforcement asks that the premises licence be revoked. The licence holder has failed to comply with the conditions previously imposed on the licence at the review hearing in November 2018 and we feel that there is no other course of action open to the sub-committee but to revoke the licence.

This submission and appended documents provide the licensing subcommittee with background arguments and information pertinent to that contention. These provide the sub-committee with a sound and defensible rationale as to why it should revoke the licence.

# Appendix A – Supporting Evidence

MG11 IO [REDACTED] 081122

Illegal Working Interview [REDACTED] – Exhibit RM001/081122

MG11 CIO [REDACTED] 081122

Illegal Working Interview [REDACTED] – Exhibit GG-08102022

Illegal Working Interview [REDACTED] – Exhibit GG-08102022

Witness Statement IO [REDACTED] – Exhibit JW08102022

Updated Premises Licence following Review hearing November 2018.

Licensing Sub Committee decision letter 05-11-2018

**WITNESS STATEMENT**

**Criminal Procedure Rules, r 27.2: Criminal Justice Act 1967, s.9: Magistrates' Court Act 1980, s.5B**

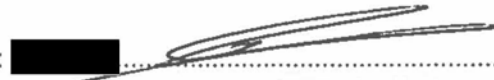
URN 

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Statement of: [REDACTED] .....

Age if under 18: ..... (if over 18 insert 'over 18') Occupation: Immigration Officer .....

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: [REDACTED]  ..... Date 8/11/22.....

Tick if witness evidence is visually recorded  (supply witness details on rear)

I am employed by the Home Office as an Immigration Officer at the Immigration & Enforcement Unit, Floor 2, 31-33 Newport Road, Cardiff, CF24 0AB.

At approx 1932 on the 8<sup>th</sup> OCTOBER 2022 at THE SPICE ROOM, 3 OXFORD ST, MORETON-ON-MARSH, GL56 0LA, I attended, along with colleagues from the Cardiff enforcement Team, the aforementioned premises.

Access was gained via Section 179 of the 2003 Licensing Act.

Intelligence was received that immigration offenders may be working on the premises.

At approx. 2046 I commenced an illegal working Q & A with [REDACTED] which I now produce as exhibit reference RM001/081122.

Signature: [REDACTED]  ..... Signature witnessed by:.....

**WITNESS STATEMENT**

Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s. 9, Magistrates Court Act 1980 S.5B

Statement of

URN:

Age if under 18

Over 18

(if over 18 insert 'over 18') Occupation:

Chief Immigration Officer

This statement (consisting of: 3 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature:

Date:

08/11/2022

Tick if witness evidence is visually recorded  (supply witness details on rear)

I am employed by the Home Office as a Chief Immigration Officer at the Immigration & Enforcement Unit, Floor 2, General Buildings, 31-33 Newport Road, Cardiff, CF24 0AB.

On SATURDAY 8<sup>TH</sup> OCTOBER 2022, at approximately 19:38hrs, I attended the address of; THE SPICE ROOM, 3 OXFORD STREET, MORETON ON MARSH, GL56 0LA, along with colleagues from the Cardiff Enforcement Team. Intelligence had been received stating that the above-named business was employing two male illegal workers. Entry to the premises was gained by the Officer in Charge of the visit, Immigration Officer [REDACTED]. Power of entry to the premise was under Section 179 of the licensing act 2003.

During the visit I questioned two individuals who were suspected of working illegally at the premise and had been encountered by Immigration Officer [REDACTED] in the business kitchen. Immigration Officer [REDACTED] had taken their details during the visit to ascertain their status in the UK and relayed to me that both individuals had no permission to work.

The first individual; [REDACTED] national, was questioned by me using a Home Office approved interpreter as follows.

Q) HOW LONG HAVE YOU BEEN WORKING HERE?

A) I DON'T HAVE ANYWHERE TO STAY. SO I LIVE HERE BUT I DON'T WORK HERE.

Q) DO YOU HELP OUT AT THIS BUSINESS?

A) I'M OLD I DON'T WORK HERE.

Q) WHEN MY COLLEAGUE ENTERED THE KITCHEN YOU WERE SEEN PACKING THE FOOD ORDERS. CAN YOU CONFIRM IF YOU WORK OR HELP OUT AT THIS BUSINESS?

A) NO I DON'T WORK OR HELP OUT AT THIS BUSINESS.

Q) HOW LONG HAVE YOU LIVED AT THIS ADDRESS?

A) 6 TO 7 YEARS.

Q) TO CLARIFY, WHEN MY COLLEAGUE ENTERED THE KITCHEN YOU WERE OBSERVED PACKING FOOD ORDERS. ARE YOU ABLE TO TELL ME WHY YOU WERE LOCATED IN THE BUSINESS

KITCHEN?

A) I HAVE DIABETES AND WHY I FEEL HUNGRY I EAT. I JUST MOVED THE BAG.

Q) HAVE YOU EVER BEEN ENCOUNTERED AT THIS BUSINESS BY IMMIGRATION OFFICERS?

A) YES AGES AGO.

Q) WHO GAVE YOU PERMISSION TO EAT FROM THE BUSINESS KITCHEN?

A) THE OWNER ALLOWS ME. THEIR NAME IS MOHAMMED AMIN.

Q) DO YOU UNDERSTAND THAT YOU CURRENTLY HAVE NO PERMISSION TO WORK IN THE UK?

A) YES I UNDERSTAND.

The second individual; [REDACTED] born [REDACTED] national, was questioned by me using a Home Office approved interpreter as follows.

Q) HOW LONG HAVE YOU BEEN WORKING HERE?

A) I DON'T WORK HERE.

Q) DO YOU HELP OUT AT THIS BUSINESS?

A) NO.

Q) MY COLLEAGUE ENCOUNTERED YOU IN THE BUSINESS KITCHEN PACKING FOOD ORDERS. CAN YOU CLARIFY WHAT YOU WERE DOING IN THE BUSINESS KITCHEN?

A) I WASN'T DOING ANYTHING IN THE KITCHEN. I JUST CAME DOWN TO THE KITCHEN.

Q) DO YOU LIVE HERE AT THIS ADDRESS?

A) NO I DON'T.

Q) WHAT WERE YOU DOING IN THE BUSINESS KITCHEN?

A) I WAS JUST WATCHING THE COOK.

Q) WHO ALLOWED YOU TO ENTER THE BUSINESS KITCHEN?

A) I JUST WENT IN TO SEE MY FRIEND WHO WORKS IN THE KITCHEN.

Q) DID THE BUSINESS OWNER KNOW YOU WERE IN THE BUSINESS KITCHEN?

A) I'M NOT SURE THEY SAW ME GO IN THE KITCHEN.

Q) HOW DO YOU SUPPORT YOURSELF IN THE UK?

A) I LIVE WITH MY AUNT.

Q) DO YOU UNDERSTAND THAT YOU CURRENTLY HAVE NO PERMISSION TO WORK IN THE UK?

A) YES.

Signature: [REDACTED]

**Witness contact details**

URN : / / /

Name of witness: CIO [REDACTED] .....

Home address: C/O 31-33, NEWPORT ROAD, CARDIFF ..... Postcode: CF24 0AB

Email address: [REDACTED] Mobile: .....



Home telephone number: ..... Work telephone number: .....

Preferred means of contact (specify details for vulnerable/intimidated witnesses **only**): .....

Gender: Male ..... Date and place of birth: .....

Former name: ..... Ethnicity Code (16 + 1): .....

**DATES OF WITNESS NON-AVAILABILITY:** .....

**Witness care**

- a) Is the witness willing to attend court? Yes  No  If 'No', include reason(s) on form **MG6**.
- b) What can be done to ensure attendance? .....
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? (*youth under 18; witness with mental disorder, learning or physical disability; or witness in fear of giving evidence or witness is the complainant in a sexual offence case*)  
 Yes  No  If 'Yes', submit **MG2** with file in anticipated not guilty, contested or indictable only cases.
- d) Does the witness have any particular needs? Yes  No  If 'Yes', what are they? (*Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?*)

**Witness Consent (for witness completion)**

- a) The Victim Personal Statement scheme (victims only) has been explained to me: Yes  No
- b) I have been given the Victim Personal Statement leaflet Yes  No
- c) I have been given the leaflet "Giving a witness statement to the Home Office...." Yes  No
- d) I consent to police having access to my medical record(s) in relation to this matter (*obtained in accordance with local practice*) Yes  No  N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes  No  N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings if applicable, e.g. child care proceedings, CICA Yes  No  N/A
- g) **Child witness cases only.** I have had the provision regarding reporting restrictions explained to me. Yes  No  N/A
- I would like the CPS to apply for reporting restrictions on my behalf. Yes  No  N/A

*I understand that the information recorded above will be passed on to the Witness Service, which offers help and support to witnesses pre-trial and at court.*

Signature of witness: ..... PRINT NAME: .....

Signature of parent/guardian/appropriate adult: ..... PRINT NAME: .....

Address and telephone number if different from above: .....

Statement taken by (*print name*): CIO [REDACTED] Station: CARDIFF

Time and place statement taken: CARDIFF ICE OFFICE 08/11/2022

**WITNESS STATEMENT**

Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s. 9, Magistrates Court Act 1980 S.5B

Statement of

URN:

Age if under 18

Over 18

(if over 18 insert 'over 18') Occupation:

Immigration Officer

This statement (consisting of: 3 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature:

Date:

08/11/2022

Tick if witness evidence is visually recorded  (supply witness details on rear)

I am a Home Office Immigration Officer (IO) based in Immigration Compliance and Enforcement (ICE) Cardiff Office. I am an arrest trained uniformed officer and conduct arrest enquiries as part of my role.

On Monday 8<sup>th</sup> November 2022 I was on duty, and I was Officer in charge. Part of my role is prepare, plan and execute visits to premises or residential addresses to investigate immigration offences and take appropriate action where necessary.

At 19:28 hours I briefed the following Officers: Immigration Officer [REDACTED], Immigration Officer [REDACTED] and Chief Immigration Officers [REDACTED] who were on the visit to carry out the investigation of into illegal working at The Spice Room, 3 Oxford Street, Moreton-in-Marsh, GL56 0LA.

At 19:32 hours I gained entry to the premises utilising powers to enter under Section 179 of Licensing Act 2003. I explained this fully to Yarum Islam and gave her a copy of the legislation used.

At 20:27 hours I noted the following. I have spoken to the owner listed above and she has confirmed that her CCTV doesn't work and that it isn't recording. The premises has a license and would have conditions for CCTV.

At 20:43 hours I noted the following, Musthak Syed told officers that we were not allowed to interview all three of the gentlemen who we have taken out of the kitchen at the same time as this would severely impact the business. He asked whether we could interview them one at a time as they could continue to work whilst the others got asked questions. It was explained to him that none of them have the right to work and he appeared shocked. He then stopped asking officers and walked back to the bar area.

**Witness contact details**

URN : / / /

Name of witness: IO [REDACTED] .....

Home address: C/O 31-33, NEWPORT ROAD, CARDIFF ..... Postcode: CF24 0AB

Email address [REDACTED] Mobile: .....

Home telephone number: [REDACTED] Work telephone number: .....

Preferred means of contact *(specify details for vulnerable/intimidated witnesses only)*: .....

Gender: Male Date and place of birth: [REDACTED]

Former name: ..... Ethnicity Code (16 + 1): .....

**DATES OF WITNESS NON-AVAILABILITY:** .....

**Witness care**

- a) Is the witness willing to attend court? Yes  No  If 'No', include reason(s) on form **MG6**.
- b) What can be done to ensure attendance? .....
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? *(youth under 18; witness with mental disorder, learning or physical disability; or witness in fear of giving evidence or witness is the complainant in a sexual offence case)*  
Yes  No  If 'Yes', submit **MG2** with file in anticipated not guilty, contested or indictable only cases.
- d) Does the witness have any particular needs? Yes  No  If 'Yes', what are they? *(Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)*

**Witness Consent (for witness completion)**

- a) The Victim Personal Statement scheme (victims only) has been explained to me: Yes  No
  - b) I have been given the Victim Personal Statement leaflet Yes  No
  - c) I have been given the leaflet "Giving a witness statement to the Home Office...." Yes  No
  - d) I consent to police having access to my medical record(s) in relation to this matter *(obtained in accordance with local practice)* Yes  No  N/A
  - e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes  No  N/A
  - f) I consent to the statement being disclosed for the purposes of civil proceedings if applicable, e.g. child care proceedings, CICA Yes  No  N/A
  - g) **Child witness cases only.** I have had the provision regarding reporting restrictions explained to me. Yes  No  N/A
- I would like the CPS to apply for reporting restrictions on my behalf. Yes  No  N/A

*I understand that the information recorded above will be passed on to the Witness Service, which offers help and support to witnesses pre-trial and at court.*

Signature of witness: ..... PRINT NAME: .....

Signature of parent/guardian/appropriate adult: ..... PRINT NAME: .....

Address and telephone number if different from above: .....

Statement taken by *(print name)*: IO [REDACTED] Station: CARDIFF



Time and place statement taken: CARDIFF ICE OFFICE 12/11/2021



Illegal Working - Employee					
<b>Details</b>					
Type of work	Visit				
Visit reference	EV24-844,687				
Created by	[REDACTED]				
[REDACTED]	[REDACTED]				
[REDACTED]	[REDACTED]				
Subject name	[REDACTED]				
Subject DOB	[REDACTED]				
Subject nationality	[REDACTED]				
Subject gender	Male				
Time	20:46				
Created at geolocation	<table border="0"> <tr> <td><b>Easting</b></td> <td>420522</td> </tr> <tr> <td><b>Northing</b></td> <td>232469</td> </tr> </table>	<b>Easting</b>	420522	<b>Northing</b>	232469
<b>Easting</b>	420522				
<b>Northing</b>	232469				
Creation date	08-10-2022 20:46:09				
<b>Language of Interview</b>					
What language is the interview carried out in?	English				
Interpreter used?	No				
<b>Obligation</b>					
How long have you been working here?	I am not working here. I came here to visit the owner. I pay him rent for accommodation. I live here in Gloucester as its cheaper than where I work- Oxford				
why were you observed in the kitchen at the stove cooking?	I came downstairs to cook my own food as I was hungry				
What days/ hours do you work each week?	I am not working here. I was cooking my own food				
<b>Control</b>					
Who tells you what tasks/ duties to do each day?	No one tells me as I don't work here. Just visiting				
<b>Remuneration</b>					
How are you paid (money, accommodation, food)?	I don't get paid as I do not work here. I pay them for rent				


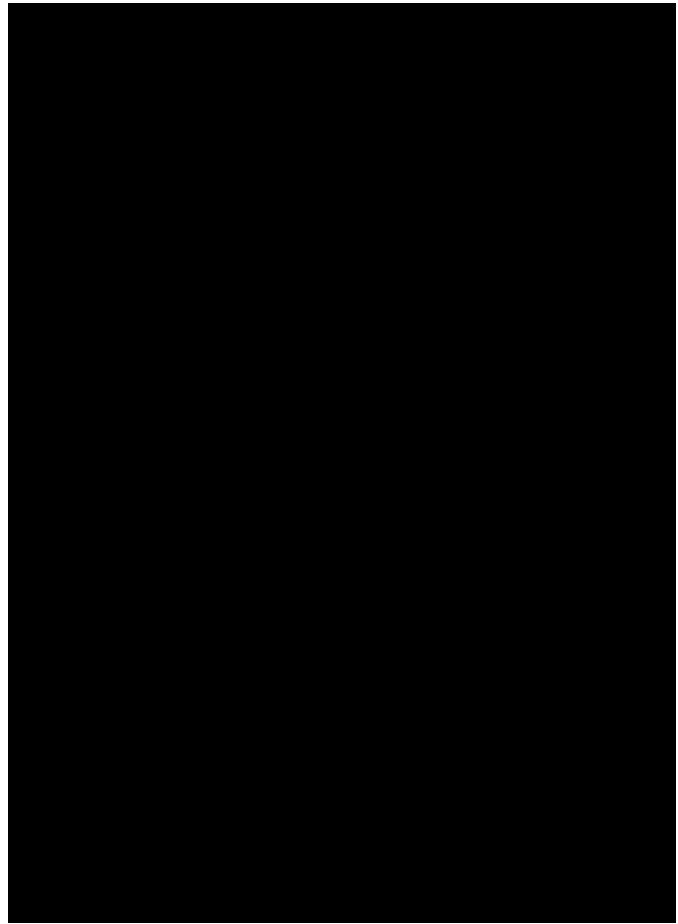
Pre-employment Checks	
what documents did you show the boss to state you could legally work in the UK?	I did not show any documentation as I don't work here
Additional Questions	
No details provided.	
Photographs	
No photographs.	
Declaration	
I confirm that I have understood all the questions and that the details are true and correct.	
Interviewee signature [REDACTED] [REDACTED]	 08-10-2022 20:55:15
Observations	
Observations	Male observed stood at the stove cooking food when I entered the kitchen
Do you suspect this person of illegal working?	Yes

Photo 1



Caption



**COTSWOLD**  
DISTRICT COUNCIL

**Council Offices**

Trinity Road,  
Cirencester,  
Gloucestershire.  
GL7 1PX  
Tel: 01285 623000  
[www.cotswold.gov.uk](http://www.cotswold.gov.uk)

**Reply to :** Andrea Thomas  
Tel: 01285 623000  
Email: [ERS@publicagroup.uk](mailto:ERS@publicagroup.uk)

Your Ref: C/18/01022/PRMA

Date: 8th November 2018

Mrs Y Islam  
3 Oxford Street  
Moreton In Marsh  
Gloucestershire  
GL56 0LA

Dear Sir/Madam,

**LICENSING ACT 2003**  
**Review of a Premises Licence**

Please find attached the updated Premises Licence following the review hearing for the premises of:

Premises Name:	Spice Room Indian Restaurant
Address:	3 Oxford Street Moreton-In-Marsh GL56 0LA
Application Type:	New Premises Licence
Application Reference:	C/18/01022/PRMA

Please can you check that the details contained within the Premises Licence are correct. If there are any clerical errors please notify the licensing section immediately using the contact details above so that the errors can be rectified.

Part B of the Premises Licence must be on display at the premises it relates to at all times.

Attached to the Premises Licence, at Appendix 1, are the current Mandatory Conditions. These Mandatory Conditions are subject to change and it is the licence holder's/Designated Premises Supervisor's responsibility to ensure that they are aware of the most up-to-date Mandatory Conditions. The full up-to-date list can be found on the Cotswold District Council website ([www.cotswold.gov.uk](http://www.cotswold.gov.uk)), under the licensing service area.



**Cotswold District Council** may share information provided to it with other bodies responsible for auditing or administering public funds in order to prevent and detect fraud under Section 6 of the Audit Commission Act 1998.

If you have any queries regarding this matter please do not hesitate to contact us.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Matthew Kirby', written in a cursive style.

**Mr M Kirby**  
**Service Leader**  
**Business Support**

### **Environmental and Regulatory Services**

Cotswold District Council may share information provided to it with other bodies responsible for auditing or administering public funds in order to prevent and detect fraud under Section 6 of the Audit Commission Act 1998

# LICENSING ACT 2003

## PART A –PREMISES LICENCE

**Premises Licence Number**

C/18/01022/PRMA

**Part 1 –Premises Details**

**Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code**

3 Oxford Street  
Moreton-In-Marsh  
GL56 0LA

**Telephone number**

**Where the licence is time limited the dates**

Not applicable

**Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities**

Supply by Retail of Alcohol	Every day	18:00 - 00:00
Performances of Dance	Every day	18:00 - 23:00
Live Music	Every day	18:00 - 23:00
Late Night Refreshment	Every day	23:00 - 00:00

**Non Standard Timings**

**The opening hours of the premises**

Every day 06:30 - 00:30

**Non Standard Timings**

**Where the licence authorises supplies of alcohol whether these are on and / or off supplies**

On and Off



**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder(s) of premises licence**

Mrs Y Islam  
3 Oxford Street  
Moreton In Marsh  
Gloucestershire  
GL56 0LA

E mail



**Registered number of holder, for example company number, charity number (where applicable)**

**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Mr Mohamad Abdul Ali



**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Personal Licence No.: 10/01045/PER

Licensing Authority: Oxford City Council

Signature of Issuing Officer:



Service Leader Business Support

Date of Determination:

5th November 2018

Date of Issue:

8th November 2018

(See Annexes and Plans attached for conditions relating to this Licence)

**Issuing Authority**

**Cotswold District Council, Trinity Road, Cirencester, Glos, GL7 1PX**

## Annex 1 –Mandatory conditions

### 1. Age Verification Policy:

- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.

### 2. Irresponsible Promotions:

- (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
  - (a) Games or other activities which require or encourage, or are designed to require or encourage, individuals to-
    - (i) Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) Drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries significant risk of undermining a licensing objective;
  - (c) Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner that which carries significant risk of undermining a licensing objective;
  - (d) Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

### 3. Free tap water:

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

#### 4. Availability of Certain Measures of Alcohol:

The responsible person must ensure that-

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

- (i) Beer or Cider: ½ pint;
- (ii) Gin, Rum, Vodka or Whisky: 25 ml or 35 ml; and
- (iii) Still wine in a glass: 125 ml; and

(b) These measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) Where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

#### 5. Minimum Pricing

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

#### 6. No retail sale or supply of alcohol may be made under this licence:

- a. at a time when there is no designated premises supervisor in respect of the premises licence, or
- b. at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

7. Every retail sale or supply of alcohol under this must be made or authorised by a person who holds a personal licence.

### **Annex 2 –Conditions consistent with the Operating Schedule**

- 1. Live music and the performance of dance shall be restricted to the hours of 18.00 - 23.00 on any day.

Live music and performance of dance shall only be permitted in the rear restaurant as shown on the attached plan (copy available at the licensing office).

### **Annex 3 –Conditions attached after a hearing by the licensing authority**

1. The employer must carry out checks relating to the right to work of their employees working at the premises and any prospective employees before entering into a contract of employment; the premises licence holder will operate a full HR Management system where all relevant documents as specified by the Home Office, to prove entitlement to work, are stored for each individual member of staff.

2. The employer must retain copies of documents as a result of conducting checks relating to the right to work for a period of 24 months post termination of employment. These must be stored securely by the employer at the premises or a digital copy must be immediately accessible from the premises for ease of inspection by immigration officials, police or licensing officers on request.

3. The employer, or any person appearing to represent the employer, must be able to produce on demand documents relating to the right to work, at the request of a Police officer, Licensing officer or an Immigration officer who enters the premises to carry out an inspection under section 179 (1A) of the 2003 Act.

4. The premises licence holder will work with an independent immigration compliance business to carry out checks on the Home Office website and verify identification documents such as right to work documents to ensure that all new members of staff can be legally employed.

5. No new member of staff will be able to work at the premises unless they have provided satisfactory proof of identification and right to work.

#### **Annex 4 –Plans**

AS SUBMITTED WITH THE APPLICATION

## LICENSING ACT 2003 PART B –PREMISES LICENCE SUMMARY

Premises Licence Number

C/18/01022/PRMA

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

3 Oxford Street  
Moreton-In-Marsh  
GL56 0LA

Telephone number

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

Supply by Retail of Alcohol	Every day	18:00 - 00:00
Performances of Dance	Every day	18:00 - 23:00
Live Music	Every day	18:00 - 23:00
Late Night Refreshment	Every day	23:00 - 00:00

**Non Standard Timings**

The opening hours of the premises

Every day 06:30 - 00:30

**Non Standard Timings**

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

On and Off



**Part 2**

**Name, (registered) address of holder(s) of premises licence**

Mrs Y Islam  
3 Oxford Street  
Moreton In Marsh  
Gloucestershire  
GL56 0LA

**Registered number of holder, for example company number, charity number (where applicable)**

**Name of designated premises supervisor where the premises licence authorises the supply of alcohol**

Mr Mohhamad Abdul Ali

**State whether access to the premises by children is restricted or prohibited**

**Signature of Issuing Officer:**



**Business Support Service Leader**

**Date of Determination:**

**5th November 2018**

**Date of Issue:**

**8th November 2018**

**Issuing Authority**

**Cotswold District Council, Trinity Road, Cirencester, Glos, GL7 1PX**



Reply to : Michelle Bignell  
Tel : 01285 623000  
Email: [ERS@publicagroup.uk](mailto:ERS@publicagroup.uk)

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[www.cotswold.gov.uk](http://www.cotswold.gov.uk)



**COTSWOLD**  
DISTRICT COUNCIL

8th November 2018

Ref: C/18/01022/PRMA

Dear Sir/Madam

**Licensing Act 2003**

**Premises: Spice Room Indian Restaurant, 3 Oxford Street, Moreton-In-Marsh, GL56 0LA**

I refer to our correspondence concerning the application for the review of the above Premises Licence.

As you are aware this application was considered by the Council's Licensing Sub-Committee held on 5th November 2018. This letter is to formally notify you of the decision of the Council's Licensing Sub-Committee which was to impose the following conditions:-

1. The employer must carry out checks relating to the right to work of their employees working at the premises and any prospective employees before entering into a contract of employment; the premises licence holder will operate a full HR Management system where all relevant documents as specified by the Home Office, to prove entitlement to work, are stored for each individual member of staff.
2. The employer must retain copies of documents as a result of conducting checks relating to the right to work for a period of 24 months post termination of employment. These must be stored securely by the employer at the premises or a digital copy must be immediately accessible from the premises for ease of inspection by immigration officials, police or licensing officers on request.
3. The employer, or any person appearing to represent the employer, must be able to produce on demand documents relating to the right to work, at the request of a Police officer, Licensing officer or an Immigration officer who enters the premises to carry out an inspection under section 179 (1A) of the 2003 Act.
4. The premises licence holder will work with an independent immigration compliance business to carry out checks on the Home Office website and verify identification documents such as right to work documents to ensure that all new members of staff can be legally employed.
5. No new member of staff will be able to work at the premises unless they have provided satisfactory proof of identification and right to work.

In reaching this decision, the Sub Committee took into consideration the written representation(s) from the interested party(ies), and the submissions made by representatives of the interested party(ies) at the hearing. It also took into consideration the submission made by the applicant(s) at the hearing.

**Reply to :** Michelle Bignell  
Tel : 01285 623000  
Email: [ERS@publicagroup.uk](mailto:ERS@publicagroup.uk)

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**COTSWOLD**  
DISTRICT COUNCIL

You have the right of appeal against the decision of the Licensing Authority. Appeals must be made to Gloucestershire Magistrates Court, PO Box 9051, Gloucester, GL1 2XG within 21 days of being notified of this decision.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'MBignell', written over a horizontal line.

Michelle Bignell  
Service Leader (Licensing)