

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 Alan BECKETT 75984 Divisional Licensing Officer at Colchester

(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

Bengal Diner Fox St	
Post town Colchester, Essex	Post code CO7 7PP

Name of premises licence holder or club holding club premises certificate (if known) Syful ALAM 3 Lutea Close Laindon Essex SS15 4HB

Number of premises licence or club premises certificate (if known) 14/00184/PREMTR
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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 Colchester Police Station 10 Southway Colchester CO3 3BU
Telephone number (if any) 01206 717648
E-mail address (optional) alan.beckett@essex.pnn.police.uk

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

- Please tick one or more boxes ✓
- 1) the prevention of crime and disorder
 - 2) public safety
 - 3) the prevention of public nuisance
 - 4) the protection of children from harm

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

This premise has been granted a premises licence by Tendring District Council authorising the sale of alcohol on and off the premises, performance of dance, provision for dancing, exhibition of film, performance of live music, performance of recorded music and late night refreshment. The current licence is dated 9th April 2014.

The premise operates as an Indian Restaurant and takeaway.

Premises Licence Holder and Designated Supervisor is Mr Syful ALAM and is the holder of a Personal Licence # BAS/PM959 issued by Basildon District Council issued on 25th May 2005.

An intelligence led Immigration Enforcement operation visit was carried at the premises on Thursday 8th March 2018. Their targets were three Bangladesh nationals who were allegedly working illegally at the premises. They were not encountered by officers during the visit but two other males were found to be working who had no right to work in the UK. The correct checks as to their status were not carried out.

This undermines the Prevention of Crime and Disorder Objective of the Licensing Act 2003, the crime committed being the offence of employing an illegal worker under sections 3 + 35 of the Immigration Act 2016

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

In this case two males were encountered by Immigration Enforcement Officers. One was a male Bangladesh national the other was a national of Pakistan. Both were employed at the premises and lived above the Bengal Diner.

It was established by the Immigration Officers that both males were over stayers. The Pakistan national was arrested and bailed to report to the police. The Bangladesh national was arrested and taken into custody at Basildon Police Station. Both males had no right to work in the UK but were employed anyway.

A full supplementary bundle will be submitted within 28 days

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

If you have made representations before relating to the premises please state what they were and when you made them

NONE

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, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

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

.....

Capacity **for and on behalf of Chief Constable of Essex Police**

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Alan BECKETT
Divisional Licensing Officer
10 Southway

Post town

Colchester

Post Code

CO3 3BU

Telephone number (if any) 01206 717648

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) alan.beckett@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.