



STROUD DISTRICT COUNCIL

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REVIEW HEARING - LICENSING OFFICER'S REPORT

PREMISES NAME: Zaika (Was Gate of India until 20th August 2019)

PREMISES ADDRESS: 8 High Street, Stonehouse, GL10 2NA

LICENCE HOLDER: Mr Monsur Asad (Was Mr Razak Miah until 20th August 2019 – date of transfer application)

REVIEW APPLICANT: Home Office Immigration Enforcement

REVIEW REF: 19/00949/LAREV

HEARING DATE: 16 September 2019

APPENDICES

- Appendix A** Current Premises Licence
- Appendix B** Review Application
- Appendix C** Immigration Enforcement Supporting Evidence

BACKGROUND

- 1.1 Zaika is a restaurant in Stonehouse. During August 2019 it changed name. It was previously called Gate of India and had operated under this name for many years.
- 1.2 The premises licence permits sale of alcohol and late night refreshment (selling of hot food and drink after 23.00 hours). Appendix A is a copy of the current licence.
- 1.3 The times permitted on the licence are:
Sunday to Thursday – 12.00 to midnight
Friday and Saturday – 12.00 to 01.00
- 1.4 Between 2005 and May 2019 the licence holder and designated premises supervisor was Mr Renu Miah.
- 1.5 On 2nd May 2019 an application was made to transfer the licence to Mr Razak Miah and to also name Mr Razak Miah as the designated premises supervisor.
- 1.6 On 14th June 2019 a hearing was held to consider an objection made by the Police to the transfer application. The objection was that the transfer was an attempt to undermine any potential review of another restaurant Rajdoot Tandoori. Illegal working had been identified at Rajdoot Tandoori in December 2018 and April 2019 and at that time Mr Razak Miah was the licence holder at

Rajdoot Tandoori. The Panel decided to grant the transfers for both Gate of India and Rajdoot Tandoori.

- 1.7 On 20th August 2019 an application was made to transfer the licence for the Gate of India to Mr Monsur Asad. Mr Asad has not named a designated premises supervisor on the licence. This means that sale of alcohol cannot take place under the licence until such a time as a new designated premises supervisor is named. Mr Asad has renamed the premises as Zaika and currently allows customers to bring their own alcohol. He has also stated that he normally closes at 23.00.

2 APPLICATION FOR REVIEW

- 2.1 An application for a review of the premises licence for Gate of India, 8 High Street, Stonehouse has been made by Home Office Immigration Enforcement. At the time the review application was submitted the licence was still in the name of Mr Razak Miah. The review application relates to the licensing objective of the prevention of crime and disorder. The review application gives details of an Immigration Enforcement visit to the premises on 21st June 2019 during which illegal working was identified. At this time the licence holder was Mr Razak Miah. The Review Application is Appendix B.

- 2.2 Immigration Enforcement have provided extra information and evidence in support of their review application. This is Appendix C. Immigration Enforcement are aware that there has been a recent transfer application.

3 REPRESENTATIONS

- 3.1 No Representations have been made in relation to this review application.

4 THE HEARING

- 4.1 At the hearing the panel must take such steps it considers appropriate for the promotion of the licensing objectives.

- 4.2 Any decision made by the licensing panel at the review hearing will not come into effect until the end of the period given for appealing against the decision or until the disposal of any appeal. The right of appeal is to the Magistrates Court and must be made within 21 days of being notified of the decision of the panel.

- 4.3 The steps that the licensing panel can take are:

- Modify the conditions of the premises licence
- Exclude a licensable activity (ie sale of alcohol or late night refreshment)
- Remove the designated premise supervisor
- Suspend the licence for a period not exceeding 3 months
- Revoke the licence (NB if the licence is revoked the restaurant can continue to operate but will not be able to sell alcohol or be open after 23.00)