



# STROUD DISTRICT COUNCIL

Council Offices • Ebley Mill • Ebley Wharf • Stroud • GL5 4UB  
Telephone 01453 766321 • Facsimile 01453 750932  
www.stroud.gov.uk

## LICENSING ACT 2003

### REVIEW OF PREMISES LICENCE

#### ZAIKA (FORMERLY GATE OF INDIA)

|                                  |  |
|----------------------------------|--|
| <b>PREMISES ADDRESS</b>          | ZAIKA (FORMERLY THE GATE OF INDIA), 8<br>HIGH STREET, STONEHOUSE, GL10 2NA |
| <b>LICENCE HOLDER</b>            | MR MONSUR ASAD   |
| <b>APPLICATION<br/>REFERENCE</b> | 19/00949/LAREV   |
| <b>DATE OF HEARING</b>           | 16 <sup>th</sup> SEPTMBER 2019   |
| <b>DATE OF DECISION</b>          | 16 <sup>th</sup> SEPTEMBER 2019  |
| <b>DECISION</b>                  | LICENCE REVOKED  |

#### PRESENT:

Cllrs. John Jones (Chair), Nigel Prenter, Darren Loftus (Panel)

Mike Wallbank (Solicitor) (Clerk to the Panel)  
Rachel Andrew (Principal Licensing Officer)  
Sophia Rice (Licensing Officer)

Julia Lockie (Home Office, Immigration Enforcement)

The Premises Licence Holder did not attend and provided no representation.

#### BACKGROUND

On 25<sup>th</sup> July 2019, Stroud District Council ("the Council"), being the relevant Licensing Authority, received an application from Home Office Immigration Enforcement (Immigration Enforcement) for a review of the Premises Licence under Section 51 of the Licensing Act 2003. The review request is based on an incident where persons were discovered to be employed at the Premises whilst not entitled to work in the UK.

#### REPRESENTATIONS

#### IMMIGRATION ENFORCEMENT

Ms Lockie stated that on 21<sup>st</sup> June 2019, a visit to the Premises carried out by Immigration Enforcement revealed the presence of 3 persons suspected to be

employed whilst having no entitlement to work in the UK. This is in the context of a total number of staff of 6. Civil Penalties totalling £30,000 were subsequently assessed in respect of 2 of those persons. Ms Lockie said that the discovery of such unlawful working demonstrated a failure to meet the licensing objective of the prevention of crime and disorder and requested that the Panel revoke the Premises Licence

## **DECISION**

The Panel decided to **REVOKE** the Premises Licence.

The Panel had regard to what was said by Immigration Enforcement. Although the Panel recognises that the premises licence holder and designated premises supervisor has changed since the offences took place, the Panel regarded the offending as serious and noted that they had not heard from either the previous or current Premises Licence Holder or management. They therefore had received no representations as to how the management of the Premises intended to address the offending behaviour which had taken place.

The Panel also had regard to the Licensing Act Statutory Guidance issued under S.182 of the Licensing Act 2003. Having regard to paragraph 11.26 of that document, which in summary states that it may be in the best interests of the community to take appropriate steps to remedy problems even where the best efforts of the licence holder and premises staff have been made to address the problem. In this case, there is no evidence of any attempt to address the problem. The Panel also had regard to paragraph 11.28, which provides that revocation of the licence should be seriously considered where the crime prevention objective is being undermined, even in the first instance. Having regard to that together with the serious nature of the offending, the Panel felt it had no alternative than to revoke the premises licence.

*Mike Wallbank  
Clerk to the Panel  
17<sup>th</sup> September 2019*