



REVIEW HEARING - LICENSING OFFICER'S REPORT

PREMISES NAME: India Palace

PREMISES ADDRESS: 13-15 Church Street, Wotton-Under-Edge, GL12 7HB

LICENCE HOLDER: Mr Firuj Miah

REVIEW APPLICANT: Home Office Immigration Enforcement

REVIEW REF: 21/00041/LAREV

HEARING DATE: 31 March 2021

APPENDICES

- Appendix A** Current Premises Licence
- Appendix B** Review Application
- Appendix C** Review Pack
- Appendix D** Immigration Enforcement Supporting Evidence
- Appendix E** Police Representation
- Appendix F** Representation supporting Review
- Appendix G** Representations supporting the Licence Holder

BACKGROUND

- 1.1 India Palace is a restaurant in Wotton-Under-Edge that has operated at this location for many years.
- 1.2 A premises Licence has been in place for India Palace since the Licensing Act came into force in 2005. The 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 in summary are:
 - Sale by retail of Alcohol
 - Monday to Saturday -10:00 to 24:00 (Midnight)
 - Sunday - 12:00 to 23:30

 - Late Night Refreshment
 - Monday to Saturday - 23:00 to 24:00 (Midnight)
 - Sunday - 23:00 to 23:30



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- 1.4 Mr Firuj Miah has been the licence holder and designated premises supervisor since 2005.

2 APPLICATION FOR REVIEW

- 2.1 An application for a review of the premises licence for India Palace has been made by Home Office Immigration Enforcement. It 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 19th October 2019 during which illegal working was identified. The Review Application is Appendix B.
- 2.2 The Home Office have provided a review pack with full details of the visit and subsequent actions, this is Appendix C.
- 2.3 Immigration Enforcement have provided extra information and evidence in support of their review application. This is Appendix D.

3 REPRESENTATIONS

- 3.1 The Police have made representation supporting the review application. They give information about Mr Miah's home address being incorrect on the premises licence and his personal licence. They feel that, as he is the licence holder and designated premises supervisor, this shows poor management. They also consider he has shown blatant disregard for the law in relation to immigration offences. The Police representation is Appendix E.
- 3.2 A further representation supporting the review application has been made by a resident. This is Appendix F.
- 3.3 Sixteen representations have been made by persons in support of the premises. The representations say that the premises are valuable to the local community and are run in a responsible manner. These are Appendix G.

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:



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- 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)