

## Licensing Sub Committee

Wednesday, 19 November 2025 at 10.00 am

### Membership

Cllr L J Cruwys  
Cllr F J Colthorpe  
Cllr L G J Kennedy

### A G E N D A

*Members are reminded of the need to make declarations of interest prior to any discussion which may take place*

- 1      **Apologies**  
To receive any apologies for absence.
- 2      **Election of Chair**  
To elect a Chair for the Licensing Sub-Committee.
- 3      **Determination of a Premises Licence Application for Mumbai Kitchen, 46-48 Bampton Street, Tiverton, Devon. EX16 6AH** (Pages 5 - 70)  
An application has been received from the Home Office (Immigration Enforcement) for a premises licence to be reviewed under the Licensing Act 2003. The premises is Mumbai Kitchen, 46 – 48 Bampton Street, Tiverton, Devon, EX16 6AH.

The licensing authority (Mid Devon District Council) must hold a hearing to determine the application.

**Stephen Walford**  
Chief Executive  
4 November 2025

## **Guidance notes for meetings of Mid Devon District Council**

### **1. Inspection of Papers**

Any person wishing to inspect minutes, reports, or the background papers for any item on the agenda should contact Democratic Services at [Committee@middevon.gov.uk](mailto:Committee@middevon.gov.uk)

They can also be accessed via the council's website [Click Here](#)

Printed agendas can also be viewed in reception at the Council offices at Phoenix House, Phoenix Lane, Tiverton, EX16 6PP.

### **2. Members' Code of Conduct requirements**

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: Honesty; Integrity; Selflessness; Objectivity; Accountability; Openness; Leadership.

The Code of Conduct can be [viewed here](#):

### **3. Minutes of the Meeting**

Details of the issues discussed, and recommendations made at the meeting will be set out in the minutes. Minutes of meetings are not verbatim.

### **4. Exclusion of Press & Public**

When considering an item on the agenda, the Committee may consider it appropriate to pass a resolution under Section 100A (4) Schedule 12A of the Local Government Act 1972 that the press and public be excluded from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, as defined under the terms of the Act. If there are members of the public and press listening to the open part of the meeting, then the Democratic Services Officer will, at the appropriate time, ask participants to leave the meeting when any exempt or confidential information is about to be discussed. They will be invited to return as soon as the meeting returns to open session.

### **5. Fire Drill Procedure**

If you hear the fire alarm you should leave the building by the marked fire exits, follow the direction signs and assemble at the master point outside the entrance. Do not use the lifts or the main staircase. You must wait there until directed otherwise by a senior officer. If anybody present is likely to need assistance in exiting the building in the event of an emergency, please ensure you have let a member of Democratic Services know before the meeting begins and arrangements will be made should an emergency occur.

### **6. WIFI**

An open, publicly available Wi-Fi network is normally available for meetings held in the Phoenix Chambers at Phoenix House.

## LICENSING SUB COMMITTEE

DATE OF HEARING: 19 NOVEMBER 2025

### DETERMINATION OF AN APPLICATION TO REVIEW THE PREMISES LICENCE FOR MUMBAI KITCHEN, 46 – 48 BAMPTON STREET, TIVERTON, DEVON, EX16 6AH

**Cabinet Member(s):** Cllr David Wulff, Cabinet Member for Community and Leisure

**Responsible Officer:** Simon Newcombe, Head of Housing and Health

**Reason for Report:** An application has been received from the Home Office (Immigration Enforcement) for a premises licence to be reviewed under the Licensing Act 2003. The premises is Mumbai Kitchen, 46 – 48 Bampton Street, Tiverton, Devon, EX16 6AH.

The licensing authority (Mid Devon District Council) must hold a hearing to determine the application.

**RECOMMENDATION:** That this review application be decided in accordance with the licensing objectives.

**Financial Implications:** The potential cost of defending an appeal in the courts.

**Legal Implications:** If there is an appeal against the decision Mid Devon District Council (the Council) could find itself bearing the costs.

**Risk Assessment:** If the decision is not reasonably and lawfully made it could be overturned on appeal to the Magistrates' Court.

**Equality Impact Assessment:** No equality issues identified for this report.

**Relationship to Corporate Plan:** Not applicable

**Impact on climate change:** Not applicable

**Additional information relevant to this application:** None

## 1.0 INTRODUCTION AND THE REVIEW PROCESS

1.1 The Licensing Act 2003 ('the Act') introduced a new concept into licensing legislation – that of a premises licence review and it is a key part of the licensing process.

1.2 At any stage following the grant of a premises licence, a responsible authority (see below), or any other person, such as a resident living in the vicinity of the

premises, may ask a licensing authority to review a licence because of a matter arising in connection with one or more of the licensing objectives. The licensing objectives are:

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

1.3 The process of applying for a review of a licence under the Act is prescribed by regulation and requires the applicant to copy the application to the licence holder, the relevant licensing authority and all responsible authorities. The responsible authorities are:

- Police
- Fire Service
- Environmental Health (nuisance / health and safety)
- Planning Authority
- Licensing Authority
- Health and Safety Executive
- Weights and Measures (Trading Standards)
- the body responsible for Child Protection
- the local Director of Public Health
- Home Office

1.4 On receipt of the application the licensing authority is obliged to advertise it by displaying a notice prominently at its offices and at the premises subject to the review, so passers-by may read it. A notice must also go on the licensing authority's website.

1.5 Any of the responsible authorities and any other person then have 28 days to make a representation.

1.6 Guidance produced under Section 182 of the Act ("S182 Guidance") gives a brief overview as to when and why the Home Office (Immigration Enforcement) became a responsible authority. It states:

*'The Immigration Act 2016 made the Secretary of State a responsible authority in respect of premises licensed to sell alcohol or late night refreshment with effect from 6 April 2017. In effect this conveys the role of responsible authority to Home Office Immigration Enforcement who exercises the powers on the Secretary of State's behalf. When Immigration Enforcement exercises its powers as a responsible authority it will do so in respect of the prevention of crime and disorder licensing objective because it is concerned with the prevention of illegal working or immigration offences more broadly'. (Paragraph 9.25)*

## **2.0 PREMISES AND HISTORY**

- 2.1 Mumbai Kitchen is located at 46 – 48 Bampton Street, Tiverton, Devon, EX16 6AH. The premises has held a licence since the enactment of the Act in 2005. The premises licence number is MDV PR0074.
- 2.2 According to records, the premises has been known as Mumbai Kitchen since 2020.
- 2.3 The current premises licence holder is Mr Joy Abraham. He has held the licence since it was known as Mumbai Kitchen in 2020.
- 2.4 The current Designated Premises Supervisor (DPS) is Mr Jamal Ahmed and he has held this position since 2020.
- 2.5 A copy of the premises licence is attached to this report as **Annex 1**. It contains details of the licensable activities (and times) permitted and the conditions to which the premises must operate.
- 2.6 A copy of the plan for the premises is attached to this report as **Annex 2**.

## **3.0 REVIEW APPLICATION SUBMITTED BY THE HOME OFFICE (IMMIGRATION ENFORCEMENT)**

- 3.1 The application to review the premises licence was received by the licensing authority on 24 September 2025. A copy is attached as **Annex 3**. The application was accompanied by a 'review pack', and this is attached as **Annex 4**.
- 3.2 The review application stated that:

*'We have grounds to believe the license holder has failed to meet the licensing objectives of prevention of crime and disorder, as illegal working has been identified at this premises.'*
- 3.3 The review pack (**Annex 4**) submitted by the Home Office (Immigration Enforcement) contains details of two visits made to the premises by Immigration Officers on 1 September 2022 and 14 November 2024.
- 3.4 On 1 September 2022 they have said that one person was found working in breach of conditions.
- 3.5 On 14 November 2024 they have said that one person was working in breach of conditions, and another person did not hold the right to work.
- 3.6 The review pack also contains additional information and reasons for the review, but this will not be repeated in this report as it can be seen in full within **Annex 4**.

#### **4.0 RESPONSIBLE AUTHORITIES**

- 4.1 The application to review the premises licence was sent to all responsible authorities.
- 4.2 No representations were received from any responsible authority.

#### **5.0 OTHER PERSONS**

- 5.1 The Act allows 'other persons' to make representations provided they are relevant to one or more of the licensing objectives. Representations may be positive or negative in that they can either be in support of the application to review or alternatively, in support of the premises subject of the review.
- 5.2 No representations were received from other persons.

#### **6.0 OFFICER COMMENTS AND REQUESTS FOR ADDITIONAL INFORMATION**

##### Crime and disorder and immigration related issues

- 6.1 The S182 Guidance states that licensing authorities '*should look to the police as the main source of advice on crime and disorder*'. (Paragraph 2.1). The Police have not made a representation in this case.
- 6.2 The S182 Guidance goes on to say that there is '*certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises.... for employing a person who is disqualified from that work by reason of their immigration status in the UK*'. (Paragraph 11.27)
- 6.3 '*It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered*'. (Paragraph 11.28)

##### Home Office (Immigration Enforcement) – request for information

- 6.4 The S182 Guidance highlights that it is good practice for responsible authorities to discuss concerns with licence holders. Specifically, it states:

*'Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be*

*encouraged and reviews should not be used to undermine this co-operation’.*  
(Paragraph 11.10)

- 6.5 The Home Office (Immigration Enforcement) should provide the licensing authority with details of any conversations / correspondence they have had with the premises licence holder (Mr Joy Abraham) prior to submitting this review application. For example, did they have any dealings with him following the compliance issues found at the premises in either 2022 or 2024?
- 6.6 It is felt the Sub-Committee would find this helpful because, in accordance with the S182 Guidance, it could demonstrate the licence holder was given a clear warning and opportunity for improvement. Failure on the part of the licence holder to heed such warnings would be a relevant consideration.
- 6.7 Conversely, if the licence holder has not received any correspondence or information regarding the issues previously found at the premises from the Home Office (Immigration Enforcement), that could indicate good practice has not been followed in this case. The Sub-Committee will need to consider if the licence holder has been (or should have been) given the opportunity to address the issues directly, following visits to the premises which identified compliance issues.
- 6.8 This point is made because the review pack (**Annex 4**) does not appear to cover this. There is no information concerning conversations / correspondence with the licence holder. It instead mentions the manager of the premises, who is a third party that is neither the licence holder nor DPS.
- 6.9 The Home Office (Immigration Enforcement) should also confirm why, in this case, they felt it necessary to submit the review application some 10 months after the most recent visit to the premises. Have there been any further concerns or issues since the visit in 2024?
- 6.10 It is noted that the S182 Guidance confirms that *‘licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker’* (Paragraph 11.18). From the information received, it does not appear that the licence holder has been subject to a civil immigration penalty. The Home Office (Immigration Enforcement) should confirm why the licence holder was not subject to such penalties and if this in any way reflects culpability (or lack thereof) with regards to the potential offences.

Premises licence holder - request for information

- 6.11 The above does not negate the fact that the licence holder has responsibility for ensuring the premises operates in accordance with the relevant legislation (and in a manner that would promote the four licensing objectives). This responsibility would include ensuring staff, particularly key staff such as managers and the DPS, are competent and appropriately trained.

- 6.12 Mr Joy Abraham should provide the licensing authority with details of what was in place, from his perspective, to ensure the relevant right to work checks were undertaken at the premises (if any).
- 6.13 He should also confirm what information, if any, he received from the Home Office (Immigration Enforcement) following the visits undertaken in 2022 and 2024. Furthermore, was he made aware of any issues by staff working at the premises and if not, when and how did he become aware of the previous compliance issues?
- 6.14 If staff at the premises failed to notify him of immigration issues being identified at the premises, he should, if not already, reflect on why this was the case and explain what action, if any, has been taken to address this.
- 6.15 He should also provide details of what he has in place now to ensure the premises complies with its obligations to conduct right to work checks.

## **7.0 LICENSING POLICY**

- 7.1 The Act requires the Council, as the licensing authority, to formally adopt a policy setting out how it will deal with its duties under the Act. The Policy must be considered in its entirety, but in order to help proceedings, the following information is highlighted in advance of the hearing.
- 7.2 *In carrying out its licensing function the Licensing Authority must promote the following four licensing objectives:*
- *The prevention of crime and disorder*
  - *Public Safety*
  - *The prevention of public nuisance*
  - *The protection of children from harm (Paragraph 2.2)*
- 7.3 *Any application for a review should be treated seriously. Responsible Authorities will aim to give licensees early warning of any concerns identified at a premises, and talk to the Licence or Certificate holder to establish whether there are any steps they may be willing to take to rectify the situation. (Paragraph 4.48)*
- 7.4 *When considering a review of a Premises Licence or Club Premises Certificate, the Licensing Authority will expect the applicants for the review to provide evidence of infringements of licensing regulations, failure to comply with licence conditions and/or of failure to promote the licensing objectives. (Paragraph 4.50)*
- 7.5 *The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. The Licensing Authority will work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a Premises Licence holder to undertake right to work checks on all staff employed*



*at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises. (Paragraph 8.8)*

- 7.6 The Sub-Committee must have regard to the policy when making their decision and it can be viewed in full here:

<https://www.middevon.gov.uk/business/licensing/statement-of-licensing-policy-licensing-act-2003/>

## **8.0 GOVERNMENT GUIDANCE**

- 8.1 The Sub-Committee are also obliged to have regard to the S182 Guidance. The most recent version of this was published in February 2025. Sections of this have already been highlighted above and other sections are highlighted below. The full Guidance can be viewed here:

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

- 8.2 *The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that evidence of a right to work check, either physical or digital (e.g. a copy of any document checked as part of a right to work check or a clear copy of the online right to work check) are retained at the licensed premises. (Paragraph 2.6)*
- 8.3 *A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective. (Paragraph 11.24)*
- 8.4 *Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go*

*beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them. (Paragraph 11.25)*

- 8.5 *Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder. (Paragraph 11.26)*

## **9.0 DETERMINATION AND OPTIONS**

- 9.1 The S182 Guidance states:

- 9.2 *The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives. (Paragraph 11.16)*

- 9.3 *The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder. (Paragraph 11.17)*

- 9.4 *However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker. (Paragraph 11.18)*

- 9.5 *Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:*

- *modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;*

- *exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);*
  - *remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;*
  - *suspend the licence for a period not exceeding three months;*
  - *revoke the licence. (Paragraph 11.19)*
- 9.6 *In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review. (Paragraph 11.20)*
- 9.7 *For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual. (Paragraph 11.21)*
- 9.8 *Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives. (Paragraph 11.22)*
- 9.9 *Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence. (Paragraph 11.23)*

- 9.10 The Sub-Committee has five working days from the conclusion of the hearing to make a decision.

## **10.0 THE PROCESS FOR THIS HEARING**

- 10.1 The procedures for this hearing can be found online here:  
<https://www.middevon.gov.uk/media/346399/appendix-b-hearing-procedures.pdf>
- 10.2 An 'order of play' document setting out how the hearing will run is attached at **Annex 5**.

## **11.0 APPEAL**

- 11.1 If any party is dissatisfied with the decision made then they have the right of appeal to the Magistrates' Court within 21 days of formal notification of the decision.

### **LIST OF ANNEXES TO THIS REPORT**

Annex 1: Copy of the premises licence  
Annex 2: Copy of the plan for the premises  
Annex 3: Application to review the premises licence  
Annex 4: Review pack - redactions by Home Office (Immigration Enforcement)  
Annex 5: Order of play

**Contact for more information:** Tom Keating ([tkeating@middevon.gov.uk](mailto:tkeating@middevon.gov.uk))

**Circulation of the report:** Legal / Sub-Committee / licence holder and their representative / review applicant

### **List of background papers:**

- Licensing Act 2003 - <https://www.legislation.gov.uk/ukpga/2003/17/contents>
- Section 182 Guidance - <https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003/revised-guidance-issued-under-section-182-of-the-licensing-act-2003-december-2023-accessible-version>
- Mid Devon District Council Licensing Act Policy - <https://www.middevon.gov.uk/business/licensing/statement-of-licensing-policy-licensing-act-2003/>

# Licensing Act 2003 Premises Licence

# MDV PR0074

## LOCAL AUTHORITY



Licensing Section  
Mid Devon District Council  
Phoenix House  
Phoenix Lane  
TIVERTON  
DEVON  
EX16 6PP

## Part 1 - Premises Details

### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

#### Mumbai Kitchen

46-48 Bampton Street, Tiverton, Devon, EX16 6AH.

Telephone 01884 255432

### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- provision of late night refreshment
- the supply of alcohol

### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
I. Late night refreshment (Indoors & Outdoors)	Friday & Saturday	11:00pm	Midnight
J. Supply of alcohol for consumption ON the premises only	Monday to Saturday	10:00am	Midnight
	Sunday	Noon	11:30pm
	Good Friday	Noon	11:30pm
	Christmas Day	Noon	11:30pm
	New Years Eve		Deregulated

### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	Noon	2:00pm
Monday to Thursday	5:30pm	11:00pm
Friday & Saturday	5:30pm	Midnight
Sunday	5:30pm	11:00pm

### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON the premises only

Licensing Act 2003  
**Premises Licence**

**MDV PR0074**

Part 2

**NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE**

Joy Abraham

**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 THE SUPPLY OF ALCOHOL**

Jamal Uddin AHMED

**PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR  
WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL**

Licence No. BH0130197

Issued by Bournemouth

**ANNEXES**

**ANNEX 1 - MANDATORY CONDITIONS**

- 1) No supply of alcohol may be made under the premises 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.
  - 2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 
- 1) (1) The responsible person must ensure that staff on the premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises, and the responsible person is:
    - (i) the holder of a premises licence in respect of the premises,
    - (ii) the designated premises supervisor (if any) under such a licence, or
    - (iii) any individual aged 18 or over who is authorised for the purposes of this section by such a premises licence holder or designated premises supervisor.

(2) 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 a 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 which carries a 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) (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 disability).
  - 2) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available, and the responsible person is:
    - (i) the holder of a premises licence in respect of the premises,
    - (ii) the designated premises supervisor (if any) under such a licence, or
    - (iii) any individual aged 18 or over who is authorised for the purposes of this section by such a

**ANNEXES continued ...**

premises licence holder or designated premises supervisor.

3) The responsible person who is:

- (i) the holder of a premises licence in respect of the premises,
- (ii) the designated premises supervisor (if any) under such a licence, or
- (iii) any individual aged 18 or over who is authorised for the purposes of this section by such a premises licence holder or designated premises supervisor.

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;
- 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.

**ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

Suitable beverages other than intoxicating liquor shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.

Alcohol may be sold or supplied:

- a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10am to midnight.
- b) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: noon to 11:30pm
- c) On Christmas Day: noon to 11:30pm;
- d) On New Year's Eve, except on a Sunday, 10 a.m. to midnight;
- e) On New Year's Eve on a Sunday, noon to 11.30 p.m.
- f) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

The above restrictions do not prohibit during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there when the alcohol was supplied for consumption as ancillary to the meals;

Bar serving area to be manned at all times whilst the premises are open for business.

**ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY**



Signature of Authorised Officer

## LOCAL AUTHORITY



Licensing Section  
Mid Devon District Council  
Phoenix House  
Phoenix Lane  
TIVERTON  
DEVON  
EX16 6PP

## Premises Details

## POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

**Mumbai Kitchen**

46-48 Bampton Street, Tiverton, Devon, EX16 6AH.

Telephone 01884 255432

## WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

## LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- provision of late night refreshment
- the supply of alcohol

## THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
I. Late night refreshment (Indoors & Outdoors)	Friday & Saturday	11:00pm	Midnight
J. Supply of alcohol for consumption ON the premises only	Monday to Saturday	10:00am	Midnight
	Sunday	Noon	11:30pm
	Good Friday	Noon	11:30pm
	Christmas Day	Noon	11:30pm
	New Years Eve		Deregulated

## THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	Noon	2:00pm
Monday to Thursday	5:30pm	11:00pm
Friday & Saturday	5:30pm	Midnight
Sunday	5:30pm	11:00pm

## WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON the premises only

## NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Joy Abraham

29 Lock Close, Sidmouth, Devon, EX10 9GB.

Licensing Act 2003

# Premises Licence Summary

**MDV PR0074**

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

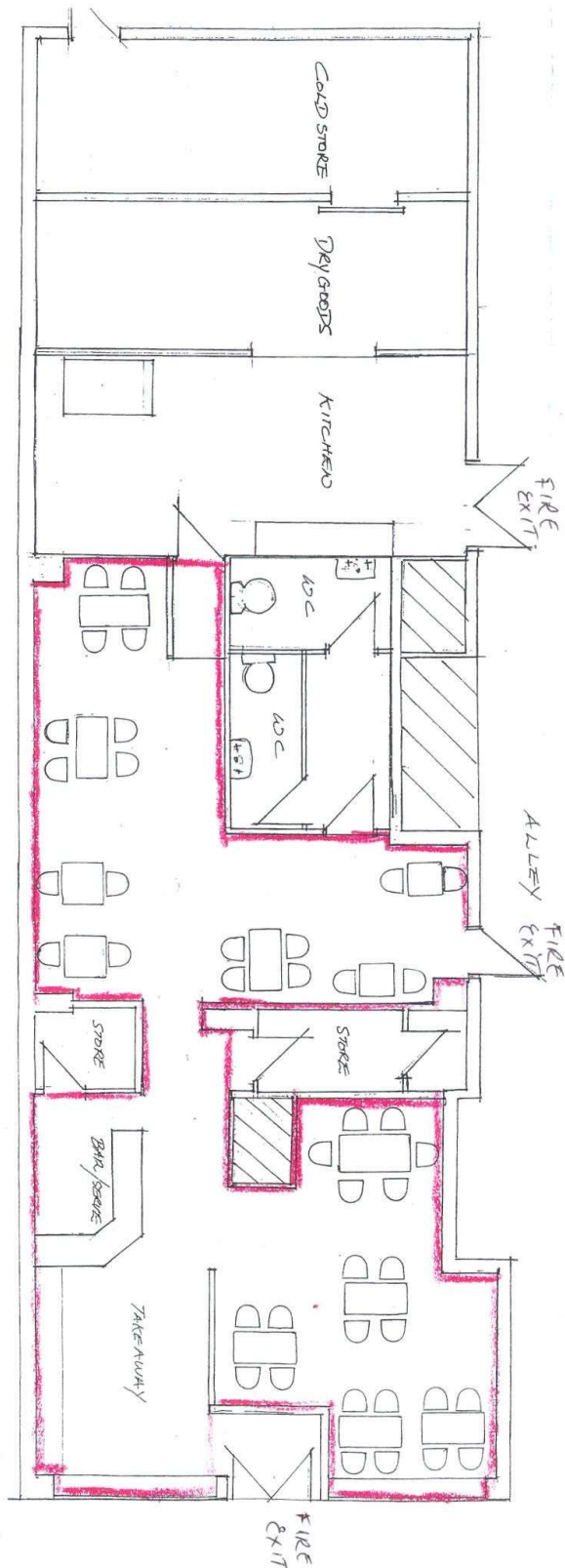
Jamal Uddin AHMED

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Not applicable

**Signature of Authorised Officer**

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SAFFRON RESTAURANT  
46-48 BATUMI STREET  
SCALE 1:100

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Licensing Authority: Mid Devon District Council  
Address: [licensing@middevon.gov.uk](mailto:licensing@middevon.gov.uk)

**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 Home Office Immigration Enforcement**

**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**

**Part 1 – Premises or club premises details**

Mumbai Kitchen  
46 – 48 Bampton Street  
Tiverton

Post town

Devon

Post code

EX16 6AH

**Name of premises licence holder or club holding club premises certificate**

Joy Abraham

**Number of premises licence or club premises certificate**

**MDV PR0074**

**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**

Home Office

**Immigration Enforcement Licensing Compliance Team (IELCT)**

6<sup>th</sup> Floor, 2 Ruskin Square

Dingwall Road

Croydon

CR0 2WF

Telephone number (if any)

E-mail address (optional)

IE.Alcoholreviews@homeoffice.gov.uk

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

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

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

Grounds for review:

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

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.

The Home Secretary (in practice Home Office (Immigration Enforcement)) was added to the list of Responsible Authorities (RA) in the licensing regime, which requires Home Office (Immigration Enforcement) to receive premises licence applications (except regulated entertainment only licences and applications to vary a Designated Premises Supervisor (DPS)), and in some limited circumstances personal licence applications. In carrying out the role of responsible authority, Home Office (Immigration Enforcement) is permitted to make relevant representations and objections to the grant of a licence or request a review of an existing licence as a responsible authority where there is concern that a licence and related licensable activity is prejudicial to the prevention of immigration crime including illegal working.

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

Please refer to accompanied review pack for detailed information

**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
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

**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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**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 S Monawar

.....

Date 24 September 2025

.....

Capacity Responsible Authority.....

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

**Immigration Enforcement Licensing Compliance Team  
6<sup>th</sup> Floor, 2 Ruskin Square  
Dingwall Road**

**Post town  
Croydon**

**Post Code  
CR0 2WF**

**Telephone number (if any)**

**If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) IE.Alcoholreviews@homeoffice.gov.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.

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Home Office

## Premises Licence Review

Mumbai Kitchen  
46 – 48 Bampton Street Tiverton  
Devon  
EX16 6AH

# Contents

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## Case Summary

On 01 September 2022, the South Central Immigration Compliance Enforcement (ICE) team visited Mumbai Kitchen located at 46 – 48 Bampton Street, Tiverton, Devon, EX16 6AH. Entry was gained to the premises by section 179 of the Licensing Act 2003. Officers encountered one male who was working in breach of conditions.

A second enforcement visit took place on 14 November 2024. Entry was gained by section 179 of the Licensing Act 2003 and officers encountered two males. One worker was working in breach of conditions, and the other did not hold the right to work.

## Licensed Premises History

The premises licence number is MDV PR0074. The premises licence is held by Joy ABRAHAM and the Designated Premises Supervisor (DPS) is listed as Jamal Uddin AHMED who holds premises licence number BH0130197 issued by Bournemouth Borough Council.

■■■■■ acts as a sole trader and is listed as director for ■■■■■, ■■■■■, United Kingdom, EX16 6AH. Additionally, Joy ABRAHAM is listed as company director for XLN Investment LTD, this is registered at the same address as the premises. The company is now dissolved.

## Civil Penalty

Following the visit on 01 September 2022 a civil penalty of £10,000 was issued to ■■■■■ on 01 November 2022 in respect of one individual with no right to work. The penalty is unpaid and still outstanding and was referred to a third-party debt collection agency.

Following the visit on 14 November 2024 a civil penalty of £60,000 was issued to ■■■■■ on 26 February 2025 in respect of one individual in breach of work restrictions.

■■■■■ provided further correspondence which was considered and on 30 April 2025 it was decided to maintain the penalty. ■■■■■ provided further correspondence again which was also considered and on 09 May 2025 it was decided to again maintain the penalty. The penalty remains unpaid and has been referred to a third-party debt collection agency.



## Enforcement Visit: 01 September 2022

Entry was gained to the premises at 18:03hrs. Upon entering, immigration officers encountered the following individuals,

██████████  
██████████ was encountered working in the kitchen premises as he was packing food in takeaway boxes and was dressed in branded uniform.



██████████ encountered branded uniform.

During the illegal working interview, ██████████ stated he has been working at the premises for five months, performing various tasks including cooking and washing dishes. He worked six days a week, nine hours each day. ██████████ stated he found the job through an advert on social media and was hired by ██████████, who also assigns his duties and pays him. ██████████ received £150–£200 per week in cash, along with food and accommodation in return for his work. ██████████ stated that the employer asked for his immigration documents but confirmed that he had not provided them.

Home Office checks confirmed ██████████ entered on a spouse visa valid from May 2011 to August 2013. ██████████ had submitted multiple applications for leave since which were all rejected/refused. He also submitted a claim for protection alongside multiple further submissions. At the time of the enforcement visit, ██████████ had an ongoing appeal, which was refused in December 2022. Although ██████████ had permission to work, his bail conditions restricted him to roles on the Shortage

Occupation List<sup>1</sup>. Working as a kitchen assistant in a takeaway does not fall within this list. Therefore, [REDACTED] was working in breach of his bail conditions.

#### [REDACTED] - Employer

[REDACTED] identified himself as the manager and sole trader of the business, stated that he has been working there for 19 months. He confirmed that [REDACTED] had been employed as a kitchen hand for 16 months, receiving £320, accommodation and food in return for his work. [REDACTED] claimed that [REDACTED] is permitted to work twenty hours per week as he claimed protection. He stated [REDACTED] works four days a week for five hours each day and that he had seen and retained copies of [REDACTED] passport and a Home Office letter outlining his permitted work hours. He also confirmed that he was responsible for hiring [REDACTED] and allocating his work schedule.

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<sup>1</sup> Shortage Occupation List has now been replaced with the Immigration Salary List - <https://www.gov.uk/government/publications/skilled-worker-visa-immigration-salary-list/skilled-worker-visa-immigration-salary-list>

## Enforcement Visit: 14 November 2024

Entry was gained to the premises at 19:29hrs. Upon entering, immigration officers encountered the following individuals,

██████████  
██████████ was encountered as he was working in the kitchen wearing an apron.

An illegal working interview was conducted with the assistance of an interpreter. ██████████ denied working at the premises, instead claimed that he stays at the premises and had “just come to help today”. ██████████ stated he helps out at the premises when he could as they provided him with free accommodation and food. ██████████ claimed not to receive payment, having no set hours and is not instructed by anyone to work. When questioned if he proved his right to work before being offered work ██████████ stated he had shown his ARC card.

Home Office checks showed that ██████████ was granted entry through an overseas domestic worker visa, valid until May 2022. He made a claim for protection in March 2022 which was ongoing at the time of the enforcement visit. His bail conditions permitted work in roles that fall within the Shortage Occupation List. Working as kitchen help in a takeaway does not fall within this list. Therefore, ██████████ was working in breach of his bail conditions.

██████████  
██████████ was encountered in the kitchen and appeared nervous to the presence of immigration officers. When questioned, he claimed to be just visiting the premises and not working.

Home Office checks showed that ██████████ is an overstayer who entered the country on a visit visa – which was valid until October 2007. He made several submissions for leave to remain, which had been refused. At the time of the enforcement visit, he had no outstanding applications or ongoing appeals. ██████████ had never held the right to work in the UK.

### ██████████ – Employer

During the interview, ██████████ confirmed he is the owner of Mumbai Kitchen. He stated that ██████████ his cousin, does not work at the premises, but lives upstairs where he is provided with rent free accommodation. ██████████ acknowledged that he occasionally calls ██████████ to help out in the kitchen when it's busy, describing him as a helper or kitchen porter, and pays him £50–£100 depending on the day. He claimed ██████████ has never formally worked at the business.

When questioned in relation to ██████████ ██████████ stated he does not work at the premises but was living upstairs temporarily as a favour to a family friend. He maintained that ██████████ did not work at the premises but was provided with free accommodation.

## Additional Concerns

Immigration officers also encountered a 15-year-old male in the kitchen premises. [REDACTED] confirmed that the child works twenty hours on a weekly basis – where he does washing up and helps the chefs. The 15-year-old stated that he usually worked from 16.30 – 23.00 and was paid £50 per day which was given to his father. He stated that he would sometimes get only £10 from the money that he received and the rest was given to his father. [REDACTED] claimed to know the 15 – year old worker's parents and that he keeps them informed of his weekly payments.

Guidance on GOV.UK regarding [Child Employment](https://www.gov.uk/child-employment/restrictions-on-child-employment)<sup>2</sup> clearly states that from the age of 14, children may work part time. Children are restricted from working before 07:00hrs or after 19:00hrs and for longer than four hours without taking a break. [REDACTED] claimed to be unaware of this as the 15 – year old male works between 17:00hrs and 22:00hrs per shift.

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<sup>2</sup> <https://www.gov.uk/child-employment/restrictions-on-child-employment>

## Reasons for Review

Section 36 and Schedule 4 of the Immigration Act 2016 amended the Licensing Act 2003 to introduce immigration safeguards in respect of licensing applications made in England and Wales on or after 06 April 2017. The intention is to prevent illegal working in premises licensed for the sale of alcohol or late-night refreshment.

There were three illegal workers encountered at the premises across two enforcement visits. [REDACTED] was found working in the kitchen, performing various duties including cooking and washing dishes. Although he claimed to have permission to work, his visa conditions restricted him to roles on the Shortage Occupation List, which his role did not meet. No formal right to work checks were conducted prior to employment. Additionally, [REDACTED] admitted to receiving payments of £50–£100 depending on the day and being called to help when the business was busy. His visa conditions also restricted him to roles on the Shortage Occupation List, and his duties at Mumbai Kitchen did not comply with those conditions.

[REDACTED] was found in the kitchen and claimed to be visiting. Home Office checks confirmed he is an overstayer with no right to work in the UK. Despite denying employment, his presence in the kitchen during business hours and his behaviour suggested otherwise.

In all cases, no correct right to work checks were conducted, and individuals were allowed to work or assist at the premises without verification of their immigration status. The employer, [REDACTED], admitted to calling individuals to help when needed and paying them informally, further confirming the lack of compliance with employment and immigration regulations. [REDACTED] was also given a civil penalty for employing a person whose bail conditions restricted work only to the Shortage Occupation List. This should have acted as a warning of the consequences of employing illegal workers, however he employed a second person in 2024 where they were restricted to shortage occupations. There were also concerns regarding the employment of a minor past 7pm.

Whether by negligence or wilful blindness illegal workers were engaged in activity on the premises, yet it is a simple process for an employer to ascertain what documents they should check before a person can work. 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. It is also an offence to employ illegal workers where there is reason to believe this is the case. All employers are dutybound by law to conduct these checks, and guidance can be found on the GOV.UK website or by using a search engine. Additional information on how to conduct these checks is available online, this includes the Home Office's official YouTube page.

Furthermore, the use of illegal labour provides an unfair competitive edge and deprives the UK economy of tax revenue. Workers were paid in cash, and it is considered that no tax or National Insurance contributions were made. This exploits

vulnerable individuals and undermines businesses that comply with legal employment standards.

Section 182 guidance at point 11.27 states that certain activity should be treated particularly seriously, and this includes employing someone who is disqualified from that work by reason of their immigration status in the UK. 11.28 of the guidance states that it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Immigration Enforcement submits that for commercial reasons those engaged in the management of the premises employed illegal workers and a warning or other activity falling short of a review is inappropriate; therefore, Immigration Enforcement has proceeded to review the premises licence.

## 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 and
- the protection of children from harm.

Mumbai Kitchen, under the control of [REDACTED] has been found employing illegal workers. This clearly undermines the licensing objectives. The licence holder Joy ABRAHAM and the DPS Jamal Uddin AHMED would have been aware of their responsibilities to uphold the licensing objectives as they are clearly defined as part of the premises licence application.

Immigration Enforcement asks that the premises licence is **revoked**.

Merely remedying the existing situation (for instance by the imposition of additional conditions or a suspension) is insufficient to act as a deterrent to the licence holder and other premises' licence holders from employing illegal workers and facilitating disqualified immigrants to work illegally.

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 – Supporting Evidence

01 September 2022

[REDACTED]

[REDACTED]

[REDACTED]

14 November 2024

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Encounter	
Details	
Type of work	Visit
Visit reference	[REDACTED]
Created by	[REDACTED]
ProntoID	[REDACTED]
Time	18:15
Created at geolocation	<div>Easting 295895</div> <div>Northing 112622</div>
Creation date	01-09-2022 18:15:28
Main Identity	
Identity source/type	Declared
Full name	[REDACTED]
Date of birth	[REDACTED]
Gender	Male
Nationality	BGD Bangladesh
Country of birth	
Place of birth	
Languages	
Languages spoken	English
Interpreter used?	No
Encounter	
Encountering officer	[REDACTED]
Is this encounter related to a Small Boats event?	No
Is this person the subject of the visit?	No
Prior to Schedule 2 examination, did you suspect an Immigration Offence?	Yes
Why do you suspect the person of an immigration offence?	working in kitchen, matches Intel, no ID
Where was the person located?	Kitchen
Declared immigration status	Further submissions submitted awaiting outcome
How and when did the subject last enter the UK?	N/K

CEPR		
Are there any vulnerabilities/trafficking/safeguarding issues?	No	
Is the subject considered a 'rough sleeper'?	No	
Are you taking enforcement action?	Yes	
References (Person ID, HO Ref, Port Ref, BRP)		
Biographic search results	<p><b>Systems checked</b>                      Person Check</p> <p><b>Result of checks</b>                      Further submissions put in as of 22/12/2021</p> <p><b>Does the person have an open absconder status on Atlas Person Alerts?</b></p> <p><b>Status returned by system checks</b></p>	
<b>Identity Documentation</b>		
Document 1	<p><b>Identity</b></p> <p><b>Document type</b></p> <p><b>Document reference</b></p> <p><b>Issuing authority</b></p> <p><b>Document issue date</b></p> <p><b>Document expiry date</b></p> <p><b>Country of issue (if different from nationality above)</b></p> <p><b>Is the person the rightful holder of the document?</b></p> <p><b>Is the document falsified?</b></p> <p><b>Is the document in the possession of the Home Office?</b></p> <p><b>Suspected fraudulent</b></p> <p><b>In transit details</b></p> <p><b>Photos</b></p>	

## Notes

This male was encountered in the kitchen with other workers, as I entered through the rear of the premises. The kitchen had approximately five people working in it and was extremely busy, with lots of food prep happening. While speaking to members of staff and explaining to them why we were on the premises, I witnessed [REDACTED] packing food into take away boxes according to order receipts. He was also dressed in a grey Mumbai Kitchen polo shirt, with the logo of the premises and MUMBAI KITCHEN written over the left breast. He was the only worker I saw wearing such a top.

## Illegal Working - Employee

### Details

Type of work	Visit
Visit reference	[REDACTED]
Created by	[REDACTED]
ProntoID	[REDACTED]
Subject CIDPID/CEPR	[REDACTED]
Subject name	[REDACTED]
Subject DOB	[REDACTED]
Subject gender	Male
Subject nationality	BGD Bangladesh
Time	18:40
Created at geolocation	<div>Easting 295543</div> <div>Northing 112709</div>
Creation date	01-09-2022 18:40:15

### Language of Interview

What language is the interview carried out in?	Bengali
Interpreter used?	Yes
Details of interpreter	[REDACTED]
Does the individual understand the interpreter?	Yes


### Obligation

How long have you been working here?	5 months
What is your job role/ what are your duties?	I do whatever is required, there is no specification, sometimes I cook sometimes wash dishes etc
What days/ hours do you work each week?	6 days a week, 11 am to 2pm, then 5pm to 11pm, the day off varies.
Do you work the same hours/ days every week?	The hours the same but the day off varies

### Control

Who gave you this job (name and role in business)?	I saw an advert on Facebook showed to me by a friend and that's how I applied for it.
--	---

Who tells you what days/ hours to work?	The boss tells me every day what I have to do, he is called [REDACTED].
<b>Remuneration</b>	
How are you paid (money, accommodation, food)?	Weekly I get cash about £150 - 200, and food and lodging.
If money, how much and how do you receive it?	I get the money cash.
Who pays you?	[REDACTED] the boss
Do you pay income tax or have a National Insurance number?	I don't know. I think I had a national insurance number when I first came here but I have forgotten it.
<b>Pre-employment Checks</b>	
What name does the employer know you as?	[REDACTED]
Did you show documents before being offered the job? If so, what?	[REDACTED] asked me for my immigration papers and I said I would get my solicitors to show them to him. But I haven't done it yet.
Does your employer know you're not allowed to work in the UK?	I told him I think I have a work permit.
<b>Additional Questions</b>	
No details provided.	
<b>Photographs</b>	
No photographs.	
<b>Declaration</b>	
I confirm that I have understood all the questions and that the details are true and correct.	
Interviewee signature [REDACTED] [REDACTED]	[REDACTED]
<b>Observations</b>	
Observations	

<b>Do you suspect this person of illegal working?</b>	Yes
<b>Photo 1</b>	<div data-bbox="726 297 1374 1149"></div> <div data-bbox="579 1167 1527 1319"><p><b>Caption</b> [REDACTED] in the restaurant uniform top</p><p><b>Exhibit Ref</b> [REDACTED]</p><p><b>Common name</b> Photo of [REDACTED] in uniform top.</p></div>

## Illegal Working - Employer

### Details

Type of work	Visit
Visit reference	██████████
Created by	██████████
ProntoID	Other
Subject CEPR	Unknown
Employer	██████████
Time	18:56
Created at geolocation	<div>Easting 295595</div> <div>Northing 112721</div>
Creation date	01-09-2022 18:55:42

### Language of Interview

What language is the interview carried out in?	English
Interpreter used?	No


### Employer Details

What is your position here?	Manager
What are the Companies House and VAT numbers of the business?	Sole trader under my name
How long have you been working here?	19 months
██████████. how long been working here?	16 months
what is he employed to do	Kitchen hand
how much is he paid	£320 accommodation and food
what permissions do you believe he has to work	He is an asylum seeker with work permitted for 20 hours
what hours does he work	4 days 5 hours per day
he has said 6 days 8 hours	That's not true
will your payroll verify this	Yes
what documents you saw	Copy of passport and letter from home office detailing hours allowed to work
you have copies	Yes
to clarify you were responsible for hiring ██████████ and set work hours	Yes

<b>Declaration by Employer</b>	
I confirm that I have understood all the questions and that the details are true and correct.	
Signed by [REDACTED]	[REDACTED]
<b>Observations</b>	
Observations	



Encounter	
Details	
Type of work	Visit
Visit reference	[REDACTED]
Created by	[REDACTED]
ProntoID	[REDACTED]
Time	19:30
Created at geolocation	<div>Easting 295542</div> <div>Northing 112706</div>
Creation date	14-11-2024 19:30:45
Main Identity	
Identity source/type	Biographic
Full name	[REDACTED]
Date of birth	[REDACTED]
Gender	Male
Nationality	Bangladesh
Country of birth	
Place of birth	
Languages	
Languages spoken	Bengali
Interpreter used?	Yes
Interpreter details	[REDACTED]
Does the individual understand the interpreter?	Yes
Encounter	
Encountering officer	[REDACTED]
Is this encounter related to a Small Boats event?	No
Is this person the subject of the visit?	No
Prior to Schedule 2 examination, did you suspect an Immigration Offence?	Yes
Why do you suspect the person of an immigration offence?	Was encountered in the kitchen working with an apron on. he then took off the apron and kitchen. Intelligence suggests that those working on the premises are working illegally and should not be working on the premises.
Where was the person located?	Was located in thr kitchen working with an apron on.

Declared immigration status	Presented arc card current claim still ongoing appeal.	
How and when did the subject last enter the UK?	14 December 2021. Heathrow airport	
CEPR		
Are there any vulnerabilities/trafficking/safeguarding issues?	No	
Are you taking enforcement action?	Yes	
References (Person ID, HO Ref, Port Ref, BRP)		
Biographic search results	Systems checked	Person Check, CID, Atlas
	Result of checks	Shows entrance and asylum claim. Show appeal process ongoing.
	Does the person have an open absconder status on Atlas Person Alerts?	No
	Status returned by system checks	
<b>Photo of Subject</b>		
Do you want to take a photograph of the subject?	Yes	
Powers used	Paragraph 18(2) Schedule 2 Immigration Act 1971	

<p>Photo of subject</p>	<div data-bbox="727 199 1374 1055" style="background-color: black; width: 100%; height: 100%;"></div> <div data-bbox="1042 1072 1054 1099" style="text-align: center;">1</div>
<p><b>Identity Documentation</b></p>	
<p>Document 1</p>	<p>Identity</p> <p>Document type</p> <p>Document reference</p> <p>Issuing authority</p> <p>Document issue date</p> <p>Document expiry date</p> <p>Country of issue (if different from nationality above)</p> <p>Is the person the rightful holder of the document?</p> <p>Is the document falsified?</p> <p>Is the document in the possession of the Home Office?</p> <p>Suspected fraudulent</p> <p>In transit details</p>

	Photos
<b>Notes</b>	
19:41 arrested	
<b>Management Checks Complete</b>	
Date management checks complete	23-11-2024 16:02:17
Reviewer(s)	

## Illegal Working - Employee

### Details

Type of work	Visit
Visit reference	[REDACTED]
Created by	[REDACTED]
ProntoID	[REDACTED]
Subject CEPR	[REDACTED]
Subject name	[REDACTED]
Subject DOB	[REDACTED]
Subject gender	Male
Subject nationality	Bangladesh
Time	20:18
Created at geolocation	<div>Easting 295557</div> <div>Northing 112720</div>
Creation date	14-11-2024 20:18:36

### Language of Interview

What language is the interview carried out in?	Bengali
Interpreter used?	Yes
Details of interpreter	[REDACTED]
Does the individual understand the interpreter?	Yes

### Obligation

How long have you been working at this business?	So I stay here but I don't work here. I just come to help today.
What is your job role/ what are your duties?	I dint have a job role. I just help them.out here and there whatever they need.
What days/ hours do you work each week?	I don't work here. There are no work here. I might work externally on building jobs.
Do you help or work the same hours/ days every week?	I don't have regular hours. I help them outo when I can. They let me stay here because I do not have a place to live and no food. I do not work here.

### Control


Who let's you help out here?	No one really gives me instructions to help out. I request3d to the owner I have no one no accomodation no food and after requesting he let me stay. No one tells me to help but if I see people need help I just help.
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Does anyone tell you when to come down to help?	Nobody tells me to come down and help out.
Who tells you what tasks/ duties to do each day?	I some time ask them if I can do this or that with them.
<b>Remuneration</b>	
How are you paid (money, accommodation, food)?	I was allowed to stay here and eat here not on the basis of me helping out.
Do you get any money for helping out?	No
<b>Pre-employment Checks</b>	
What name does the employer know you as?	In terms of paperwork [REDACTED] they call me [REDACTED]
Did the employer check your right to work or immigration status before they offered you the job?	No
Did you show documents or share a code with the employer to prove your right to work before being offered the job? If so, what did you show and were they originals?	Yes I showed my arc card
Does your employer know you're not allowed to work in the UK?	I think he is aware but I don't work I just help out here and there.
<b>Additional Questions</b>	
No details provided.	
<b>Photographs</b>	
No photographs.	
<b>Declaration</b>	
I confirm that I have understood all the questions and that the details are true and correct.	
Subject has refused to provide a signature.	
Employee read the contents of the interview themselves	Yes
Contents read back to the employee in the language used during the interview	Yes
<b>Observations</b>	
Observations	Was seen working in the kitchen with an apron on which was taken off and hidden on the side. Seen by multiple officers working in the kitchen and moving meat from a cooker to the side.

Do you suspect this person of illegal working?	Yes
<b>Management Checks Complete</b>	
Date management checks complete	23-11-2024 16:04:13
Reviewer(s)	

Encounter	
Details	
Type of work	Visit
Visit reference	[REDACTED]
Created by	[REDACTED]
ProntoID	[REDACTED]
Time	19:32
Created at geolocation	<div>Easting 295588</div> <div>Northing 112726</div>
Creation date	14-11-2024 19:31:59
Main Identity	
Identity source/type	Declared
Full name	[REDACTED]
Date of birth	[REDACTED]
Gender	Male
Nationality	Bangladesh
Country of birth	
Place of birth	
Languages	
Languages spoken	Bengali
Interpreter used?	Yes
Interpreter details	[REDACTED]
Does the individual understand the interpreter?	Yes
Encounter	
Encountering officer	[REDACTED]
Is this encounter related to a Small Boats event?	No
Is this person the subject of the visit?	No
Prior to Schedule 2 examination, did you suspect an Immigration Offence?	Yes
Why do you suspect the person of an immigration offence?	in kitchen on entry, visibly nervous shaking and has no identity doc. fits Intel.
Where was the person located?	Kitchen



Declared immigration status	Application in in 2022 HR
How and when did the subject last enter the UK?	18 years ago
CEPR	
Are there any vulnerabilities/trafficking/safeguarding issues?	No
Are you taking enforcement action?	No
References (Person ID, HO Ref, Port Ref, BRP)	
Biographic search results	<p>Systems checked</p> <p>Result of checks</p> <p>Does the person have an open absconder status on Atlas Person Alerts? No</p> <p>Status returned by system checks</p>
<b>Photo of Subject</b>	
Do you want to take a photograph of the subject?	No
<b>Identity Documentation</b>	
Document 1	<p>Identity</p> <p>Document type</p> <p>Document reference</p> <p>Issuing authority</p> <p>Document issue date</p> <p>Document expiry date</p> <p>Country of issue (if different from nationality above)</p> <p>Is the person the rightful holder of the document?</p> <p>Is the document falsified?</p> <p>Is the document in the possession of the Home Office?</p> <p>Suspected fraudulent</p>

	In transit details Photos
<b>Notes</b>	
Stated his solicitor told him to wait 2 moreyears and then he'll have been here 20 years and will get status.	
<b>Management Checks Complete</b>	
Date management checks complete	09-12-2024 07:12:46
Reviewer(s)	

<b>Freetext</b>	
<b>Details</b>	
Type of work	Visit
Visit reference	[REDACTED]
Created by	[REDACTED]
Address	Mumbai Kitchen , 46-48 Bampton Street , Tiverton, EX16 6AH (Visit Address)
Subject CEPR	Unknown
Subject name	[REDACTED]
Subject DOB	[REDACTED]
Subject gender	Male
Subject nationality	Bangladesh
Time	20:00
Created at geolocation	<div>Easting 295572</div> <div>Northing 112719</div>
Creation date	14-11-2024 20:00:16
Is this entry related to a Critical Incident?	No
<b>Entry</b>	
Title	Claimed Status.
Text	<p>Stated he'd been advised his solicitor had told him to wait 2 more years and he would get status after 20 years in UK.</p> <p>Claims had application in in 2022 but had no outcome. ATLAS shows HR in 2022 refused, no further applications.</p> <p>Was in kitchen talking to staff member at rear by sink. Claims not working just visiting, lives in Swindon. Spoke to solicitor last a year and half ago.</p> <p>Bail variation in Aug 2022 no work.</p>
<b>Photographs</b>	
No photographs.	

Freetext	
Details	
Type of work	Visit
Visit reference	[REDACTED]
Created by	[REDACTED]
Address	Mumbai Kitchen , 46-48 Bampton Street , Tiverton, EX16 6AH (Visit Address)
Subject CEPR	Unknown
Subject name	[REDACTED]
Subject DOB	[REDACTED]
Subject gender	Male
Subject nationality	Bangladesh
Time	21:04
Created at geolocation	<b>Easting</b> 295596 <b>Northing</b> 112720
Creation date	14-11-2024 21:04:41
Is this entry related to a Critical Incident?	No
Entry	
Title	Police
Text	<p>Police log number: [REDACTED] Police number</p> <p>Phone called was made to police regarding safeguarding concerns of the minor regarding how much he was getting paid.</p> <p>Police asked if he was given the money or was it was given to his father. The subject responded that it was given to his father because it was a lot of money and safer.</p> <p>[REDACTED] asked the subject for his father number, which was given to the police alongside the name of his father.</p> <p>Police said they would be looking into it and any more information regarding the subject to be logged on the police log number.</p> <p>[REDACTED]</p> <p>.</p>

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Photographs
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No photographs.
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<u>ORDER OF PLAY</u>	<u>NOTES</u>
1. <b>Chairman:</b> Introduction to meeting	
2. <b>Chairman:</b> State the reason for the meeting: <ul style="list-style-type: none"> <li>• This is a hearing to determine an application for the review of a premises licence.</li> </ul>	
3. <b>Introductions of:</b> <ul style="list-style-type: none"> <li>• The Chairman of the Sub-Committee</li> <li>• Members of the Sub-Committee</li> <li>• Legal advisor(s)</li> <li>• Member Services Officer (if not already introduced at start)</li> <li>• Licensing Officer</li> <li>• Other Mid Devon District Council Officers</li> </ul>	
4. <b>Chairman:</b> Are there any member interests to declare?	
5. <b>Chairman:</b> <ul style="list-style-type: none"> <li>• To make a decision as to whether the hearing is to be held in public or private session.</li> <li>• Licensing hearings are public hearings unless anyone wishes to make any representations that the meeting should not be public?</li> </ul>	

<p><b>6. Chairman:</b> in relation to time limits for speakers.</p> <ul style="list-style-type: none"> <li>No time limits will be set for this hearing.</li> </ul>	
<p><b>7. Introductions of:</b></p> <ul style="list-style-type: none"> <li>The applicant and any person representing or assisting them.</li> <li>The holder of the premises licence and any person representing or assisting them.</li> </ul>	
<p><b>8. Sub-Committee to consider, if relevant:</b></p> <ul style="list-style-type: none"> <li>Any requests by a party for any other person to appear at the Hearing. Such permission shall not be unreasonably withheld provided proper notice has been given in response to the Notice of the Hearing.</li> </ul>	
<p><b>9. Chairman:</b></p> <ul style="list-style-type: none"> <li>Confirm that the members have received and read the paperwork circulated in advance of the meeting.</li> </ul>	
<p><b>10. Licensing Officer:</b></p> <ul style="list-style-type: none"> <li>To summarise the matter under consideration and present the salient points of the report.</li> </ul>	
<p><b>11. Questions from those present?</b> In order of:</p> <ul style="list-style-type: none"> <li>a) Applicant for review</li> <li>b) Holder of premises licence</li> <li>c) Sub-Committee</li> </ul>	



<b>12. Applicant (or representative):</b> <ul style="list-style-type: none"> <li>To present case in support of the application.</li> </ul>	
<b>13. Questions from those present?</b> In order of: <ul style="list-style-type: none"> <li>a) Holder of the premises licence</li> <li>b) Sub-Committee</li> </ul>	
<b>14. Premises licence holder (or representative):</b> <ul style="list-style-type: none"> <li>To present case in relation to the application.</li> </ul>	
<b>15. Questions from those present?</b> In order of: <ul style="list-style-type: none"> <li>a) Applicant for review</li> <li>b) Sub-Committee</li> </ul>	
<b>16. Chairman:</b> <ul style="list-style-type: none"> <li>Discussion about suggested conditions – if relevant.</li> </ul>	

<p><b>17. Chairman:</b></p> <ul style="list-style-type: none"> <li>• Invite parties to summarise in order of: <ul style="list-style-type: none"> <li>a) Applicant for review</li> <li>b) Premises licence holder</li> </ul> </li> </ul>	
<p><b>18. Chairman</b></p> <ul style="list-style-type: none"> <li>• Sub-Committee will now retire to reach a decision in private accompanied by the Council's representatives from Legal and Member Services.</li> </ul>	
<p><b>19. Chairman on return:</b></p> <ul style="list-style-type: none"> <li>• Members of the Sub-Committee return.</li> <li>• Announce the Sub-Committee's decision and the reasons for the decision.</li> </ul>	
<p><b>20. Legal Officer:</b></p> <ul style="list-style-type: none"> <li>• Outline the rights of appeal and the fact that formal notification of the decision will be sent in the post.</li> </ul>	
<p><b>21. Chairman:</b></p> <ul style="list-style-type: none"> <li>• Close meeting.</li> </ul>	

**Additional notes:**

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