

MINUTES of a **MEETING** of the **LICENSING SUB COMMITTEE** held on 1 December 2025 at 11.00 am

**Present
Councillors:**

L J Cruwys, F J Colthorpe and
L G J Kennedy

**Also Present
Councillor:**

G DuChesne

**Also Present
Officers:**

Deborah Sharpley (Legal Services Manager), Sarah Hargreaves (Solicitor) Harriet Said (Team Leader (Commercial), Public Health), Thomas Keating (Specialist Lead (Licensing) Officer), Amy Sully (Regulatory Officer) and Angie Howell (Democratic Services Officer)

**Also in
attendance:**

Joy Abraham (Licence Holder), Fiona Hines (Every's Solicitors representing the Licence Holder), Mrs Abraham (Licence Holders wife), Gary Farnan, (Home Office, Licensed Compliance Officer), Marc Loftus-Calvert (Home Office, Chief Immigration Officer), Reese Bose (Home Office, Immigration Officer) and Nicola Webb (Home Office, Immigration Officer).

10 APOLOGIES

There were no apologies for absence.

11 ELECTION OF CHAIR

Councillor L G J Kennedy was elected as the Chair of the Sub-Committee.

12 REVIEW OF A PREMISES LICENCE APPLICATION FOR MUMBAI KITCHEN, 46-48 BAMPTON STREET, TIVERTON, DEVON. EX16 6AH

An application had been received to consider a review of the premises licence for Mumbai Kitchen, 46-48 Bampton Street, Tiverton, Devon. EX16 6AH.

The Chair introduced the Members of the Sub-Committee and officers that were present and explained the process for the Hearing.

There were no declarations of interest.

The Licensing Sub-Committee agreed that the meeting should be heard in a public session although in light of the information and evidence submitted, it may be appropriate, at stages in the meeting, 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 were members of the public and press listening to the open part of the meeting, then the Democratic Services Officer would, at the appropriate time, ask participants to leave the meeting when any exempt or confidential information was discussed.

There would be no time limit for the speakers.

The Sub-Committee confirmed they had received and read the paperwork circulated in advance of the meeting.

The Licensing Officer outlined the contents of the report as follows:-

- The premises 46-48 Bampton Street had been licensed under the Licensing Act since 2005.
- Mr Joy Abraham (JA) was the current Premises Licence Holder and had been since 2020.
- The Designated Premises Supervisor (DPS), Mr Jamal Uddin Ahmed (JUA – DPS) had also been in that role since 2020.
- The Premises License permitted the sale of alcohol as well as late night refreshments.
- The Home Office (Immigration Enforcement) had submitted an application to review the Premises Licence on 24 September 2025 following two previous visits to the site. The first of these was in September 2022 and the second was in November 2024.
- During both of the visits the Home Office had identified issues with illegal working thereby potentially undermining the prevention of crime and disorder licensing objective. This had instigated the review application of the licence submitted previously.
- The Review Pack submitted by the Home Office had provided more details about the issues identified in September 2022 and November 2024.
- The first visit in September 2022 identified one individual working in breach of conditions.
- The second visit on 14 November 2024 identified one person working in breach of conditions and another person working who did not hold the right to work.
- A Sub-Committee was scheduled for 19 November 2025 and the parties due to attend that Hearing were also in attendance today, that being the Home Office (Immigration Enforcement) and the Licence Holder.
- Additional information received had been submitted to Members of the Sub-Committee.

- On 16 November, the Home Office visited the premises for a third time and found three people working illegally. Two of those individuals were working in breach of conditions and a third person did not have the right to work.
- As a result of the issues found during that visit, Immigration Officers served a Closure Notice on the premises under Schedule 6 of the Immigration Act 2016.
- There was a prescribed process that followed which was for Immigration Officers to apply to the Magistrates Court for an Illegal Working Compliance Order. This was granted on 17 November 2025.
- The respondent to that Compliance Order was Mr Maroof Ahmed (MA) and the order set out a number of conditions that he must do or put in place, including for example work checks and keeping documents associated with those right to work checks.
- MA was not the Premises Licence holder and he was not the DPS. He was essentially the restaurant manager and had also been identified as the owner of the business in a number of news articles online.
- The Licensing Team received notification of the Compliance Order from the Court on 18 November 2025 and, as a consequence of Section 167 of the Licensing Act 2003, the order initiated a further review of the Premises Licence.
- In light of that, the Licensing Sub-Committee arranged for 19 November was postponed and re-arranged for 1 December 2025.
- This additional time ensured the Licensing Authority complied fully with the requirements of Section 167 of the Licensing Act 2003; ensured that all parties in attendance could submit additional information; and allowed the Sub-Committee sufficient time to have time to consider the additional information received.
- Following the notification of the Compliance Order the Licensing Team placed the requisite notices on the premises of Mumbai Kitchen at 46-48 Bampton Street, in the reception area of the Council Offices and on the Council's website. All parties involved were also notified.
- As a result of the Compliance Order there was a period of seven days for representations that ran from 19 – 25 November 2025. One representation had been received from the Home Office (Immigration Enforcement) which had been circulated to the Licence Holder, Legal Services and Members of the Sub-Committee. It was also attached to the agenda pack as a supplementary report.
- Since the Compliance Order was issued it was understood that Immigration Officers and MA had reached an agreement whereby the information regarding the right to work of staff would be sent to the Immigration Officers who then confirmed that particular individuals had the right to work. As a result, the restaurant had been open since the Compliance Order was made.
- The Sub-Committee must have regard to the Licensing Act 2003 Policy and must also have regard to the guidance produced under Section 182 of the Licensing Act.

- The options to the Sub-Committee were:-
 - a) Take no action.
 - b) Issue an informal warning to the licence holder and/or to recommend improvement within a particular period of time.
 - c) Modify the conditions of the premises licence temporarily (for a period of up to 3 months) or permanently.
 - d) Exclude a licensable activity from the scope of the licence temporarily (for a period of up to 3 months) or permanently.
 - e) Remove the DPS from the licence.
 - f) Suspend the licence for a period not exceeding three months.
 - g) Revoke the licence.
- The Sub-Committee was a public meeting, however there was provision within the regulations, to move the Hearing to a private session should there be a requirement to discuss personal or confidential information.

The following questions were raised:-

Cllr L Cruwys - Would the restaurant close if the Licence were to be revoked?

It was explained that the premises would not close, however, it would prevent them from having licensable activities under the authorisation of that Premises Licence. It would prevent the sale of alcohol and providing late night refreshments.

How long would the revocation last?

It was explained that it would be permanent. However, anyone, including the current Licence Holder, could apply for a licence at any time and that it must be considered on its own individual merits as an application. In theory, it could be the same person.

The Chair invited the Home Office to make their representations. Mr Gary Farnan (GF), Licensed Compliance Officer began by asking Members of the Sub-Committee if they had read the submission packs. It was confirmed that all Members had received and read them.

GF informed the Sub-Committee of the following:-

- The ability to work illegally was a key driver of illegal immigration. It encouraged people to break EU Immigration Laws and provided a practical means for migrants to remain unlawfully in the UK. It encouraged people to abuse the legal sponsored visa routes and encouraged others to take risks in trying to enter the UK illegally by putting their lives in the hands of unscrupulous people, leaving them vulnerable to exploitative employers.
- Illegal working resulted in businesses that were not playing by the rules and undercutting legitimate businesses that were acting lawfully.
- It also negatively impacted the wages of lawful workers and could be linked to other labour market abuse, such as tax evasion, a breach of national minimum wage and exploitative working conditions.
- Employing illegal workers undermined the licencing objectives, specifically the prevention of crime and disorder.

- The Home Office (Immigration Enforcement) did not just drive around looking for businesses to target. They were intelligence-led and there must be significant concerns for them to take action following incoming intelligence.
- Mumbai Kitchen had previously been visited by Immigration Enforcement in 2022 and 2024, which had resulted in two civil penalties for a total of three illegal workers. The two civil penalties totalling £70,000 remained unpaid which had been referred to a debt collection agency.
- The Home Office did not routinely seek a Licence Review, but there would in selected cases where there were heightened concerns. There were serious concerns with the running of these premises.
- On 23 September 2025, the Licencing Compliance Team requested a Licence Review of Mumbai Kitchen. Whilst awaiting a Licence Review Hearing to discuss concerns, Immigration Enforcement carried out another intelligence led enforcement visit on 16 November 2025.
- This had resulted in another three illegal workers being found on the premises and due to the seriousness of repeated instances of illegal working a Closure Notice was served.
- This led to an Illegal Working Compliance Order being made in the Magistrates Court for a period of 12 months.
- JA, the Premises Licence Holder, had stated he was not aware of his own legal duties towards the Licencing Authority and left the day-to-day licencing responsibilities solely to the DPS.
- The DPS was JUA, who he also stated had not really been involved with the business.
- JA also raised his own concerns about the accuracy of the management of his premises in promoting the licencing objectives, prevention of crime and disorder in respect of the illegal working which represented significant failure to uphold the fundamental licencing objectives.
- It was clear, by the recent increase in the numbers of illegal workers on the premises, that Mumbai Kitchen was failing to prevent crime and MA had failed to take responsibility as the restaurant manager. His continued failure to carry out any of the relevant checks before employing workers was a serious matter.
- The right to work checks were incumbent on all employers. These could take a few minutes to conduct, were free of charge and there was ample free support and guidance online. In this case, all illegal workers would have failed at the very first step.
- The history of these premises demonstrated that there was no compliance with immigration regulations and employees continued to be remunerated by free food and accommodation, which led to exploitation. Had the relevant checks been conducted, Mumbai Kitchen would have avoided the two initial civil penalties, as well as a potential third civil penalty if they had taken prompt action once aware of the Licence Review prompted by the Home Office.
- Under Section 15 of the Immigration, Asylum and Nationality Act 2006, employers could face a civil penalty if they were found to employ an illegal worker. The Section 182 guidance, paragraphs 11.27 and 11.28 summarised that immigration offences were particularly serious and a Licensing Sub-Committee should consider revocation even at the first instance.
- The Licence Holder was ultimately responsible for upholding the licencing objectives. It was particularly concerning that the Licence Holder in his statement, made a claim of taking steps to rectify the situation at the premises. However, 15 days ago, three more illegal workers were found and a Closure Notice was served.

- Given the circumstances it was considered appropriate and proportionate to revoke the premises licence. While revocation had a financial impact, it was necessary to promote the licensing objectives and prevent further crime and disorder.
- The role of the Home Office was to bring those concerns to the attention of the Licensing Authority and for Members of the Sub-Committee to answer to the electorate representing the interests of local people.

The following questions were raised:-

Ms Fiona Hines (FH), Everyys Solicitors representing JA - Could Mr Marc Loftus-Calvert (MLC), Chief Immigration Officer confirm that he had been engaging directly with MA regarding the right to work checks since the 16 November when the third raid took place on the premises and confirm that Illegal Compliance Order deadlines had been complied with. It was confirmed that MLC had spoken to MA who had sent details of the staff that he was employing.

There had been some instances where some workers did not have the right to work, and MA had been informed of that. It was pleasing to see that some changes were underway. The first visit under the Compliance Order was not due until the New Year and that would be the first test as to whether MA continued to work towards getting everything in order.

Cllr F J Colthorpe – How soon in the New Year would the visit take place?

It was confirmed that as part of the Illegal Working Compliance Order Conditions, Immigration Enforcement had asked for a condition whereby they would visit Mumbai kitchen bi-monthly for the duration of the Compliance Order. The first visit would be in January 2026. The purpose of the visit would be to inspect right to work checks.

Cllr L Kennedy - What was the total of the fixed penalties owed?

It was explained that at present £70,000 was still owed and the debt had been referred to a debt collection agency. There was also a potential for another £180,000 penalty for the three workers (whose employment had been discovered 15 days ago). No information could be provided with regard to the stage the debt recovery process has reached. The Civil Penalty Team would deal with that.

The Chair invited the applicant to present their case. FH informed the Sub-Committee of the following:-

- JA would like to apologise. This was a moment of complete devastation when the situation came to light in September 2025; until then JA did not know anything about the occurrences in 2022 or 2024. He was attending today in order for Members of the Sub-Committee to meet him and ask questions and engage directly with him.
- JA was a gentle, upstanding, community-minded individual who worked really hard to try and bring business into Tiverton, to create business opportunities and to work within the law.

- He was nothing less than gutted that this had happened and realised that there was no excuse. It was explained in the information submitted by JA ahead of the previously scheduled hearing, how it came to be that he did not know about this and, as such, had not been taking appropriate steps, being at a distance from the business. He absolutely recognised that being so distant was not the right way to go about his role.
- The Home Office's criticisms were absolutely fair and JA has taken major steps since September 2025 to work to ensure he was fully informed about his obligations. He was currently undertaking training to obtain a Personal Licence for which there were 13 or 14 modules to complete. With running the business and trying to help with rectifying the issues he had a lot going on. There was a suggestion from the Home Office that he had not moved quickly enough to try and do this; he was working as quickly as he could. His ultimate goal was to apply for a Personal Licence in order that he was properly informed and could really perform his role well.
- JA absolutely accepted that not doing this sooner was a failing on his part. Had he done so, he would have understood the risks in the business and what he was responsible for, he would have been more closely engaged and would have been able to prevent this situation arising.
- JA did not know about the issues before the Home Office application for a review of his licence. Once aware he took steps to organise training for himself. MA had also attended one day training in London for alcohol licencing and was currently doing his test.
- There had been a lot of work in the business over the last few weeks including staff training, improving compliance generally and regularising employment contracts. While not a legal requirement to have written employment contracts, JA considered it important that these were in place. These are things that JA has been working on with MA informally.
- However, it was abundantly clear that this had not been enough to ensure to resolve the issues in MA's business. As at 16 November there were still problems within the business, particularly with right to work checks and there was no excuse for that. JA absolutely recognised that this was a problem. The Illegal Working Compliance Order was the gold standard of ensuring that those checks should now be properly carried out.
- The prospects of MA continuing to fail to engage with this properly were now remote in the way that they were not before the Order came into place. In addition to that, JA had now served, in his capacity as the Director of the Landlord Company, a Section 146 Notice on the tenant, that being MA's wife.
- It was clear to JA that MA could not and was not carrying out his duties properly with the process of carrying out proper employment checks and this must now be carried out by a professional third party expert. He was not comfortable with MA continuing in this role of being responsible for immigration checks. If this did not change within the next 21 days or if JA was not satisfied, he would take steps to terminate the lease of the premises granted by XLM Properties Limited (XLM) to MA's wife.
- Since 16 November 2025 JA and his wife had provided an enormous amount of support in assisting with the immigration checks. It was clear that even in these last 10 days, MA could not manage those necessary checks without support.
- The mechanism now was that XLM and JA, as the Premises Licence Holder, would be responsible for carrying out the immigration checks going forward.

- Illegal working was wrong on many levels and in no way did JA condone what had happened in MA's business. JA asked that the Sub-Committee deal with the matter not by revocation of the licence, but by the other measures that were in place. The Illegal Working Compliance Order was in place for a year and there would be a professional third party in place to carry out the checks to ensure compliance.
- JA wanted to work together to find a way through the implications for the business, the staff and suppliers.

JA informed the Sub-Committee of the following:-

- JA had taken on the property in 2017 when it had been uninhabitable. It had taken nearly three years to renovate it.
- MA was running The Ganges restaurant next door. It was a very hard time due to COVID and he had given a good impression and there had been positive reviews, for example, as he had supplied food to the hospital and was mentioned in the press, including Devon Live.
- MA had asked to rent the building and for a lease to be granted to his wife with a view that, in the future, the lease could be assigned to MA.
- MA had informed JA that he should employ a DPS and had introduced JUA-DPS. As far as JA was aware, there had been no issues with MA's business. On 26 September 2025 Thomas Keating (TK) (Licensing) had contacted JA whilst JA was in London. TK explained that a Notice would be put up on the restaurant window. JA had thought at the time that TK had meant the building next door as they had applied for an alcohol licence.
- The next morning TK had called to say that somebody had taken the Notice down and requested that it be put back up. JA had asked for clarification on the address of the restaurant, and it had been confirmed that it was 46-48 Bampton Street.
- Only at this point had JA appreciated the issues and returned to Tiverton from London the following day. JA had then met with TK who informed JA about the Home Office visits in 2022 and 2024 and in September 2025. On becoming aware of the issues and the seriousness of the situation, JA instructed FH to advise him. JA and his wife had also been working hard to try to resolve the issues.
- JA has been trying to complete his Premises Licence Holder training and staff at Mumbai Kitchen had also undertaken full mandatory training.
- JA was devastated when the Home Office had visited again on 16 November 2025 and discovered further issues. MA had informed him that one person would be leaving that day and that three other people had the right to work for 20 hours.
- JA totally agreed with the Home Office and offered his apologies. He wished to work with the Sub-Committee and wanted to do his best for the community in Tiverton. If he had not worked hard to renovate 46-48 Bampton Street, it would likely have remained an empty premises. If MA did not now take the situation seriously, he would take steps to terminate the lease. However, he would like to give him an opportunity to remedy the situation first.

The following questions were raised by GF:-

Had JA completed his training for the Personal Licence?

It was explained that he had not yet finished it due to the number of modules (13 or 14) which would take time to complete, in between other commitments. JA was hoping to be ready for the exam next week.

Why had it taken so long as he had said he signed up for the training on 1 October?

It was explained that it was a priority, however, there had been a lot of work with the business ensuring best practice was being followed and then preparing for the hearing today.

Had the DPS been present in the business for the past six weeks as there had been no engagement with him on the premises?

It was confirmed that he had been present when JA had visited the restaurant, however at the moment JUA-DPA was in Bangladesh.

Did JA know that the DPS was responsible for the day-to-day running of the business?

JA confirmed that he did know this.

What staff training had taken place inside the premises?

JA had a file of paperwork. FH explained that JA was showing her certificates contained in the file which listed training completed such as Equality and Diversity, Health and Safety, Care of Substance Hazardous to Health, First Aid, Infection Control, Moving and Handling and Manual Handling and Food Safety Level 2. The certificates were available for inspection should the Members wish to see them.

As there was no DPS on site and no trained Personal Licence Holder, who was dealing with the day-to-day running of the business?

FH accepted that this was a valid point. Alcohol was being sold under delegated authority; however this situation would need to be rectified immediately.

Cllr F J Colthorpe – It was all very confusing who was responsible for what. Could it be explained and did the staff that had received training have the right to work?

FH explained that at the top was JA as the premises holder, the ultimate beneficial owner and landlord of the premises. The restaurant was run by MA and he did not hold any licensing positions or qualifications but was in the process of obtaining a Personal Licence. The DPS was JUA who was responsible for the day-to-day sales of alcohol. He also had a premises in Bournemouth and was in the Tiverton premises from time to time.

The intention going forward was that JUA would be replaced with someone who would be more engaged in the business. It was difficult finding the right individual for this and the next stage would be to speak to the British Association of Innkeepers to find an appropriate individual locally to fill that role.

With regard to staff training, not all of those that were trained were still working at the restaurant. The right to work checks were not carried out before the training was provided.

Cllr L Cruwys – Why had steps not been taken three years ago in 2022 when the first inspection had taken place? It seemed that none of the individuals involved knew what the others were doing.

It was explained again that JA had not been made aware by the Home Office and neither had the Licensing Authority. Both MH and JUA should have informed him but they did not.

Cllr L Cruwys – Did the person employing the staff understand immigration law?

It was confirmed that MA was the restaurant manager and he was the individual running the business and who should have carried out the employment checks. It was clear that he had not been carrying out the checks with any degree of compliance. JA had been working with MA for the past six weeks although it was clear that this was not working, as demonstrated on the further Home Office visit on 16 November 2025. The only sensible way forward was to ensure that someone appropriately trained and qualified would be responsible for the necessary checks. MA was gregarious and great with food and created a lovely restaurant but he did not appreciate or understand compliance. He would advertise on Facebook, interview applicants and being happy with their qualifications would have offered them a job without regard to the requisite checks. He should have carried out the proper checks and asked to see the necessary paperwork. Instead of carrying out checks on the Government website he would have received a letter with the words “Right to Work” and accepted that as sufficient evidence.

One worker who had recently been identified had previously been working during the 2024 visit and his employment had then been confirmed as lawful by the Immigration Team. However, in the interim period he had been going through a process to obtain a Right to Work. In May 2025 his status had changed, meaning that it was no longer lawful for him to work and this had not been noted/updated by MA.

GF confirmed that one of the workers had the right to work for 20 hours a week but limited to working for his own sponsor in the area where he lived in East London. It was clear during the last enforcement visit that he had not actually followed the conditions of his sponsored visa as he was not working for the business in East London. It was clear that he had been working at Mumbai Kitchen (not his sponsor employer) for a whole year which was not lawful.

Cllr F J Colthorpe – Who was responsible for paying the fines incurred?

It was explained that MA, who operated the business as a sole trader, was personally responsible for the financial penalties.

Cllr L Kennedy – Was JUA a restaurateur or a landlord/property owner?

It was explained that JUA - DPS was the DPS for Mumbai Kitchen, although he was currently in Bangladesh. MA was the restaurant manager and business owner.

JA explained that his mortgage repayments relied on the commercial rents payable under the lease. If the business ceased to operate and the lease arrangement was brought to an end this would affect him and his wife financially. They would have to find a new tenant to occupy the premises which would take time.

Deborah Sharpley, Solicitor – With reference to the third-party individual who would be responsible for compliance within the business, what type of individual did JA anticipate this being?

It was explained that JA's requirements regarding future structure of the arrangements, as communicated to MA's wife (the tenant), and whether MA and his wife complied with the requirements would be the litmus test and enable JA to assess whether or not he could be confident that there would be compliance with the lease obligations and right to work checks going forward. If JA was not satisfied with the response, he would serve a Section 146 Notice with a view to forfeiture the lease. An appropriate individual/firm had not been identified yet. It would need to be a law firm or an accountant who was regulated, who was willing to take this on, who was an expert and an independent third party. MA would need that level of support in order to get this right. JA would need to be confident that both the obligations under the lease and the promotion of the licencing objectives was going to work.

The Chair asked if any parties present wished to suggest any conditions to the Sub-Committee.

The Licensing Officer explained that as part of the submissions of the Licence Holder and representatives, they had said that they were willing to have certain conditions placed upon the Licence which ran on from Section 182 guidance.

The Chair invited the Home Office to summarise and address any conditions they required.

GF explained that the Home Office did not wish to be involved in unnecessarily restricting or engineering community services such as successful pubs and restaurants. There were concerns over the way the business was being run. The behaviour needed to be remedied in a significant way to ensure that the issues would not be repeated. It should also be a clear message to other businesses, who were fully compliant with relevant legislation, that satisfactory action had been taken.

It was clear that within the premises that there was no-one who was licenced or trained and responsible for the day-to-day running of the licenced premises and that there was no DPS or Personal Licence Holder to uphold the licensing objectives and legal duties of the premises licence.

The relevant statutory guidance offered some suggestions. The Legal advisor would be able to advise, and the Sub-Committee would have their own views and concerns to consider. The Licence Holder was ultimately responsible for failing to prevent the crime and disorder at the premises. The Home Office considered that the non-compliance posed a wider risk to future undermining the crime and prevention objective. Therefore, the licence should be revoked.

The Chair invited FH or JA to summarise.

FH explained that the Licence Holder recognised that there had been significant and serious failings over the years in relation to the way that the business had been run and that, once aware of the issues, he had taken recent steps informally to try and rectify those and to improve compliance within the business. He had now informed the tenant of the formal steps that will be taken, including the option of serving a Section 146 Notice and the forfeiture procedure that might be employed.

The Licence Holder was aware that there were challenges around finding an appropriate DPS to ensure that, going forward, the business was compliant.

JA was willing to accept a condition requiring that right to work checks be carried out before employment began and for records of those checks to be kept in the premises as per the Section 180 Licensing Act 2003 guidance in the pool of conditions. It would in many ways mirror what was available through the legal working order that was in place now so it would be in addition to that albeit it would have a longer time frame.

Members of the Sub-Committee then retired to reach a decision in private accompanied by the Council's representatives from Legal and Democratic Services.

The Sub-Committee returned and the Chair made the following statement:-

The Sub-Committee had taken into account the following:

- The relevant legislation
- The Council's Statement of Licensing Policy
- The Home Office Revised Guidance issued under section 182 of the Licensing Act 2003
- The two reports of the Licensing Officer and annexes
- The review application and supporting documents provided by the Home Office (Immigration Enforcement) in relation to the hearing set for 19 November 2025 and the supplementary information provided for this hearing
- The information and supporting documents provided by Everys Solicitors on behalf of the licence holder
- The Compliance Order dated 17 November 2025.

In addition, the Sub-Committee has heard the additional information and submissions made today during the hearing.

The Sub-Committee found that on a balance of probabilities it had been shown that illegal working took place at Mumbai Kitchen in Tiverton in December 2022, November 2024 and November 2025.

The Sub-Committee had noted the following:

1. There had been repeated immigration offences committed at the premises over the last three years. This continued notwithstanding the Home Office enforcement visits and the substantial civil penalties imposed.
2. While the licence holder had indicated that he had not been aware of the Home Office enforcement visits, the Sub-Committee believed that he should have been more actively involved in monitoring what happens on his licensed premises.
3. The Designated Premises Supervisor did not appear to have been involved in the day to day running of the business as was required. This reinforced the Sub-Committee's concerns about lack of effective control in the business.
4. Various measures, training etc. had been suggested by the licence holder as being put in place to assist the restaurant business owner. The Sub-Committee's view was that these should have been considered and put in place at a much earlier stage.

Decision:

The Licensing Sub-Committee resolved to revoke the premises licence.

Reason for the decision:

Given the above, the Licensing Sub-Committee believed that the revocation was necessary to ensure that the licensing objective of the prevention of crime and disorder was promoted.

The Legal representative advised that all parties would be notified of the decision in writing and also the rights of appeal.

(The meeting ended 2.05pm)

CHAIR