

Premises Licence Review

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

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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,

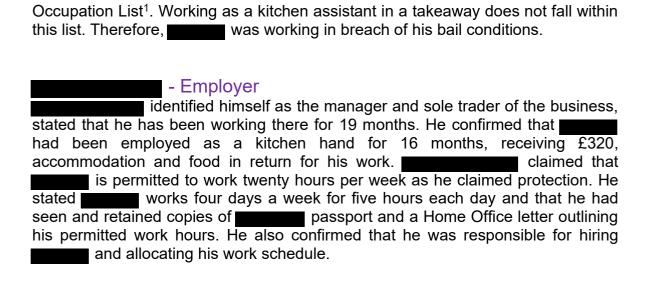
was encountered working in the kitchen premises as he was packing food in takeaway boxes and was dressed in branded uniform.



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 should have also assigns his duties and pays him. Freceived £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



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¹ 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". 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, 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.

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

stated he does not work at

When guestioned in relation to

accommodation.

Additional Concerns

Immigration officers also encountered a 15-year-old male in the kitchen premises 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.
Guidance on GOV.UK regarding Child Employment ² 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 claimed to be unaware of this as the 15 – year old male works between 17:00hrs and 22:00hrs per shift.

² 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. 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, which have 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.

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, admitted to calling individuals to help when needed and paying them informally, further confirming the lack of compliance with employment and immigration regulations. was also given a civil penalty for employing a person who's 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 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		
14 November 2024		
		I

Encounter		
Details		
Type of work	Visit	
Visit reference		
Created by		
ProntolD		
Time	18:15	
Created at geolocation	Easting 295895	
	Northing 112622	
Creation date	01-09-2022 18:15:28	
Main Identity		
Identity source/type	Declared	
Full name		
Date of birth		
Gender	Male	
Nationality	BGD Bangladesh	
Country of birth		
Place of birth		
Languages		
Languages spoken	English	
Interpreter used?	No	
Encounter		
Encountering officer		
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	Systems checked	Person Check
	Result of checks	Further submissions put in as of 22/12/2021
	Does the person have an open absconder status on Atlas Person Alerts?	
	Status returned by system checks	
Identity Documentation		
Document 1	Identity	
	Document type	
	Document reference	
	Issuing authority	
	Document issue date	
	Document expiry date	
	Country of issue (if different from nationality above)	
	Is the person the rightful holder of the document?	
	Is the document falsified?	
	Is the document in the possession of the Home Office?	•
	Suspected fraudulent	
	In transit details	
	Photos	

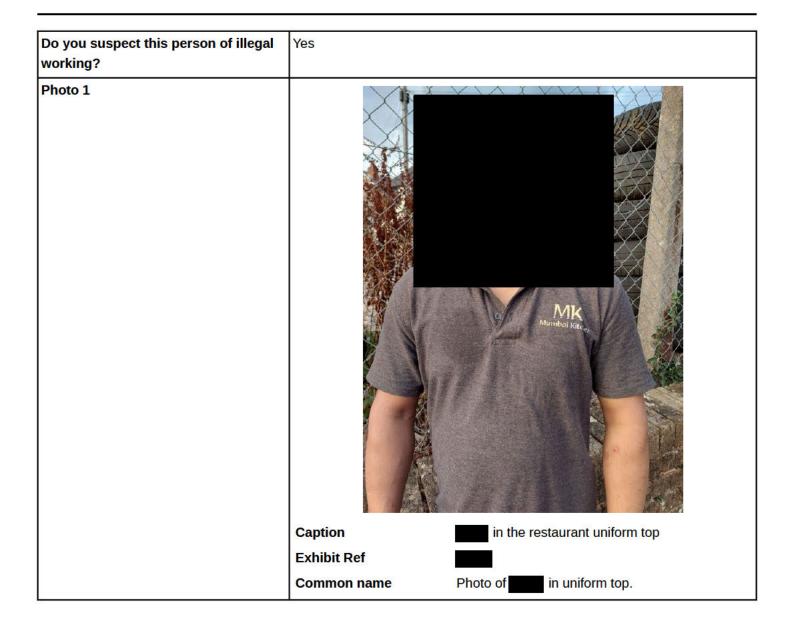
Notes

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 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		
Created by		
ProntolD		
Subject CIDPID/CEPR		
Subject name		
Subject DOB		
Subject gender	Male	
Subject nationality	BGD Bangladesh	
Time	18:40	
Created at geolocation	Easting 295543	
	Northing 112709	
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		
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.	

L., .	<u> </u>
Who tells you what days/ hours to work?	The boss tells me every day what I have to do, he is called
Remuneration	
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?	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.
Pre-employment Checks	
What name does the employer know you as?	
Did you show documents before being offered the job? If so, what?	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.
Additional Questions	
No details provided.	
Photographs	
No photographs.	
Declaration	
I confirm that I have understood all the qu	estions and that the details are true and correct.
Interviewee signature	
Observations	
Observations	

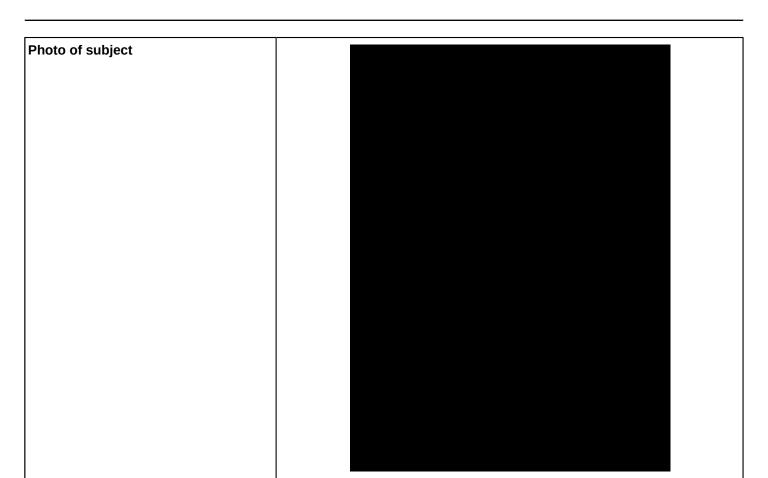


Illegal Working - Employ	er	
Details		
Type of work	Visit	
Visit reference		
Created by		
ProntolD	Other	
Subject CEPR	Unknown	
Employer		
Time	18:56	
Created at geolocation	Easting 295595	
	Northing 112721	
Creation date	01-09-2022 18:55:42	
Language of Interview		
What language is the interview carried 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	
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	

Declaration by Employer I confirm that I have understood all the questions and that the details are true and correct. Signed by Observations

Encounter		
Details		
Type of work	Visit	
Visit reference		
Created by		
ProntolD		
Time	19:30	
Created at geolocation	Easting 295542	
	Northing 112706	
Creation date	14-11-2024 19:30:45	
Main Identity		
Identity source/type	Biographic	
Full name		
Date of birth		
Gender	Male	
Nationality	Bangladesh	
Country of birth		
Place of birth		
Languages		
Languages spoken	Bengali	
Interpreter used?	Yes	
Interpreter details		
Does the individual understand the interpreter?	Yes	
Encounter		
Encountering officer		
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 ongong 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	
Photo of Subject		
Do you want to take a photograph of the subject?	Yes	
Powers used	Paragraph 18(2) Schedule 2 Immigration Act 1971	



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Identity Documentation

Document 1

Identity

Document type

Document reference

Issuing authority

Document issue date

Document expiry date

Country of issue (if

different from

nationality above)

Is the person the

rightful holder of the

document?

Is the document

falsified?

Is the document in the

possession of the Home

Office?

Suspected fraudulent

In transit details

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

Illegal Working - Employee	
Details	
Type of work	Visit
Visit reference	
Created by	
ProntolD	
Subject CEPR	
Subject name	
Subject DOB	
Subject gender	Male
Subject nationality	Bangladesh
Time	20:18
Created at geolocation	Easting 295557
	Northing 112720
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	
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.

Does anyone tell yoy 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.
Remuneration	
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
Pre-employment Checks	
What name does the employer know you as?	In terms of paperwork they call me
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 carf
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 hhelp out here and there.
Additional Questions	
No details provided.	
Photographs	
No photographs.	
Declaration	
I confirm that I have understood all the qu	estions 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
Observations	
Observations	Was seen working in the kitchen with an aapron on which was taken off and hidden on the side. Seen by multiple officers working in thr kitchen and moving meat from a cooker to the side.

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

Encounter	
Details	
Type of work	Visit
Visit reference	
Created by	
ProntolD	
Time	19:32
Created at geolocation	Easting 295588
	Northing 112726
Creation date	14-11-2024 19:31:59
Main Identity	
Identity source/type	Declared
Full name	
Date of birth	
Gender	Male
Nationality	Bangladesh
Country of birth	
Place of birth	
Languages	
Languages spoken	Bengali
Interpreter used?	Yes
Interpreter details	
Does the individual understand the interpreter?	Yes
Encounter	
Encountering officer	
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

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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	Systems checked Result of checks Does the person have No an open absconder status on Atlas Person Alerts? Status returned by system checks
Photo of Subject	
Do you want to take a photograph of the subject?	No
Identity Documentation	
Document 1	Identity Document type Document reference Issuing authority Document issue date Document expiry date Country of issue (if different from nationality above) Is the person the rightful holder of the document? Is the document falsified? Is the document in the possession of the Home Office? Suspected fraudulent

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

Freetext	
Details	
Type of work	Visit
Visit reference	
Created by	
Address	Mumbai Kitchen , 46-48 Bampton Street , Tiverton, EX16 6AH (Visit Address)
Subject CEPR	Unknown
Subject name	
Subject DOB	
Subject gender	Male
Subject nationality	Bangladesh
Time	20:00
Created at geolocation	Easting 295572
	Northing 112719
Creation date	14-11-2024 20:00:16
Is this entry related to a Critical Incident?	No
Entry	
Title	Claimed Status.
Text	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. Claims had application in in 2022 but had no outcome. ATLAS shows HR in 2022 refused, no further applications. 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. Bail variation in Aug 2022 no work.
Photographs	
No photographs.	

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

Photographs	
No photographs.	