

Licensing Act 2003 - Premise Licence Review - 121276

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To Whom it may concern

I write on behalf of Cambridgeshire Constabulary in relation to the Home Office, Immigration Enforcement, Alcohol Licensing Team, request to review the Premises Licence of **Tavan Restaurant, 77 Lincoln Road, Peterborough, PE1 2SH** – 121276 refers.

Cambridgeshire Constabulary as a responsible authority, supports the Home Office recommendation to revoke the premises licence due to the seriousness of criminal activity identified within the review documentation.

I also would also like to make you aware of The High Court decision of East Lindsey District Council v Abu Hanif (t/a Zara's restaurant and takeaway) it is a stark reminder that there can be consequences for employers who employ illegal workers, even if they are not convicted of an offence.

[Employing illegal workers? You could lose your alcohol licence, even if you are not convicted - Lexology.](#)

The Home Office recommendation is supported by guidance issued under section 182 of the Licensing Act 2003

11.24 “...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.”

11.26 “...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.”

11.27 “There is a certain criminal activity that may arise in connection with licensed premises, which should be treated particularly seriously.....”

- for employing a person who is disqualified from that work by reason of their immigration status in the UK.

11.28 “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.”

Other articles of interest

The Government offers advice regarding checking a job applicant's right to work via [Checking a job applicant's right to work - GOV.UK \(www.gov.uk\)](#)

<https://www.hospitalitylaw.co.uk/authorities-crack-illegal-workers/>

“... Illegal working both undercuts British workers and may cause dishonest employers to take advantage by paying poorly and ignoring health and safety measures...”

Respectfully

Paul

PC 2094 Paul HAWKINS

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