

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Wednesday, 23 April 2014 in the Council Chamber, Runcorn Town Hall

Present: Councillors Wallace (Chairman), Fry, Howard, K. Loftus, A. Lowe and G. Stockton.

Apologies for Absence: Councillors Fraser, P. Hignett, Lea and McDermott

Absence declared on Council business: None

Officers present: G. Ferguson, L. Davies, K. Cleary and J. Tully

Also in attendance: Councillor C. Loftus. Councillor Nelson arrived after the commencement of the hearing and took no part in the proceedings.

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

REG18 APPOINTMENT OF CHAIRMAN

The Committee was advised that Councillor Wallace would be Chairman for the meeting.

RESOLVED: That Councillor Wallace be appointed Chairman for the duration of the meeting.

Councillor Wallace
Vice Chairman of the Committee
(in the Chair)

REG19 MINUTES

The minutes of the meeting held on 17 March 2014 were taken as read and signed as a correct record.

REG20 APPLICATION FOR THE REVIEW OF THE PREMISES LICENCE RELATING TO THE RAJ TANDOORI 210 WARRINGTON ROAD WIDNES

The Committee was advised that Cheshire Constabulary had submitted an application under section 51 Licensing Act 2003 to review the Premises Licence at Raj

Action

Tandoori, 210 Warrington Road, Widnes. The Premises Licence permits Late Night Refreshment between the hours of 23.00 and 04.00 each day, the supply of alcohol (on and off the premises) between the hours of 10.00 and 03.15 each day and the hours the premises are open to the public are 10.00 to 04.00 each day. The Premises Licence holder (and Designated Premises Supervisor) Shahid Muddsar was not in attendance at the hearing.

Following introduction by the Chairman, the Council's legal representative outlined the procedures to be followed. The Committee heard representations from:

1. The applicant who were represented by Ian Seville, Cheshire Police Licensing Officer.

2. Witnesses:

Bill Seabury – Alcohol Licensing Enforcement Officer
Community Safety Partnership; and

Christopher Webb – UK Border Agency Immigration
Officer.

Written witness statements had previously been circulated to the Committee members and the Premises Licence Holder. The witnesses called by Ian Seville confirmed the accuracy of the statements at the hearing. One of the statements had been provided by PC Chris Carney. PC Carney was unable to attend the hearing and the statement was given by Bill Seabury who had also been present at two of the inspections of the premises.

Members were advised that the review was requested by Cheshire Constabulary due to the premises persistently using immigrant workers who were either visiting the country illegally or working in contravention of their entry visas as employees.

On three occasions officers from various agencies had visited the premises and found them to be almost totally staffed by workers who did not have the necessary working visas or were in the country unlawfully.

The relevant law relating to preventing illegal working was clearly set out in Sections 15 to 25 of the Immigration, Asylum and Nationality Act of 2006. Specific offences were set out in section 21 of the Act. The actions taken at the premises were in direct contravention of the above legislation and with regard to the Licensing Act 2003, were

contrary to the Prevention of Crime and Disorder Licensing Objective.

The Committee considered that it was necessary to take the following step in respect of the premises licence.

RESOLVED: That the Premises Licence be revoked.

Meeting ended at 6.10 p.m.