

London Borough of Lambeth

**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 Licensing Authority.....

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
ZB Retail 24 41 Streatham Hill	
Post town London	Post code (if known) SW2 4TP

Name of premises licence holder or club holding club premises certificate (if known)
Rashid Akhter and Shamim Rashid

Number of premises licence or club premises certificate (if known)
Prem385

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

Bina Patel
Licensing Manager
London Borough of Lambeth
3rd floor Civic Centre
London
SW2 1EG

Telephone number (if any)
0207926 4103

E-mail address (optional)
bpatel@lambeth.gov.uk

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

- Please tick one or more boxes ✓
- 1) the prevention of crime and disorder **X**
 - 2) public safety
 - 3) the prevention of public nuisance
 - 4) the protection of children from harm

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

The Licensing Authority is seeking a review of the premises licence following the arrest by Immigration officers of an illegal worker employed and found to be working at the premises in the early hours of Saturday 3rd November and another employee who has no right to work in the UK

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

On Friday 2nd and Saturday 3rd November 2018, Officers from Lambeth Council led a joint Police, Licensing, Public Protection and Immigration operation to inspect off licensed premises in areas with disproportionate criminal offences that are associated with off licensed premises. The aim of the operation was to carry out compliance visit to these premises.

ZB Retail 24 is licensed for sale of alcohol for consumption off the premises for 24 hours. The premises was visited just before 01:30 hours by officers from Lambeth Licensing, the Police and Public Protection.

Two individuals named as Mr Nasir Hazarbas and Mr Saif Ullah were working at the premises. Mr Hazarbas's identity could not be verified as he had no proof of identity on him. Following compliance checks of licence conditions and good practice, Immigration officers were requested to carry out further checks on these individuals.

Immigration checks on the individual who claimed to be Mr Hazarbas, confirmed his identity officer as Rafiullah Nabizada. Immigration checks revealed that he was liable to be removed from the UK as an illegal entrant to the UK with no right to work and he was arrested by Immigration officers at the premises

Immigration checks on Mr Ullah revealed that he previously had an entrepreneur visa, which allowed him to work for himself, but he is not permitted to work for someone else. He currently has an outstanding application with the Immigration service and has no right to work in the UK.

Mr Ullah was instructed to close the premises and wait for the owner of the premises who was contacted on the phone and ask to return to the premises.

According to Section 11.26 – 11.28 of the Revised Guidance under section 182 of the Licensing Act 2003;

“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.

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. One of which is 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.

I attach witness statements from Licensing, Police and Immigration officers to support this application.

Conclusion

Employing an illegal worker is a criminal offence which engages the prevention of crime and disorder licensing objective and I will therefore request that the premises licence be revoked.

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

None

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 **X**
- I understand that if I do not comply with the above requirements my application will be rejected **X**

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

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 
.....

Date 3rd December 2018
.....

Capacity Licensing Manager
.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6) Licensing Authority London Borough of Lambeth 3 rd floor Civic Centre	
Post town London	Post Code SW2 1EG
Telephone number (if any) 0207926 4103	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) bpatel@lambeth.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.