

Borough Council of  
**King's Lynn &  
West Norfolk**



# **Licensing Sub Committee Hearing**

## **Agenda**

Wednesday, 25th October, 2023  
at 10.00 am

in the

**Council Chamber  
Town Hall  
Saturday Market Place  
King's Lynn**





**King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX**  
**Telephone: 01553 616200**

Friday 13 October 2023

Dear Member

**Licensing Committee**

You are invited to attend a meeting of the above-mentioned Sub Committee which will be held on **Wednesday, 25th October, 2023 at 10.00 am** in the **Council Chamber, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ** to discuss the business shown below.

Yours sincerely

Chief Executive

**AGENDA**

**1. Apologies for absence**

To receive any apologies for absence.

**2. Items of Urgent Business**

To determine any other items of business which the Chair decides should be considered as a matter of urgency pursuant to Section 100B(4)(b) of the Local Government Act 1972.

**3. Declarations of Interests (Page 5)**

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the member should withdraw from the room whilst the matter is discussed.

**4. To consider a review of a premises licence for The Spice inn, 2 London Road, King's Lynn, PE30 5PY**

- a) **Procedure which will be followed at the Hearing** (Pages 6 - 9)
- b) **Report of the Licensing Officer** (Pages 10 - 60)

To:

**Licensing Sub Committee:** Councillors J Bhondi (Chair), M Bartrum and J Rust.

**Officers:**

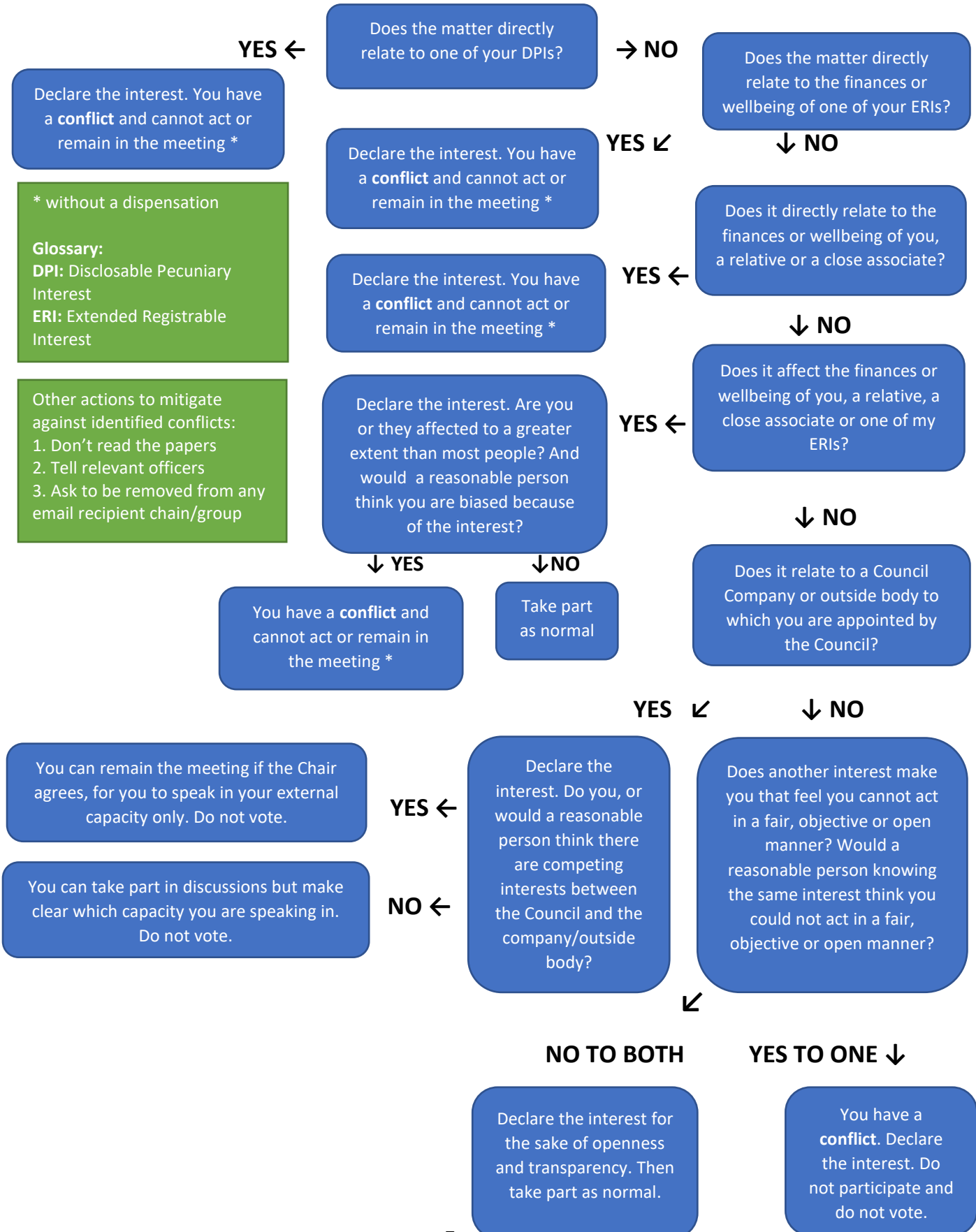
James Arrandale – Legal Advisor

Marie Malt – Licensing Service Manager

# DECLARING AN INTEREST AND MANAGING ANY CONFLICTS FLOWCHART



## START



Declare the interest. You have a **conflict** and cannot act or remain in the meeting \*

\* without a dispensation  
**Glossary:**  
DPI: Disclosable Pecuniary Interest  
ERI: Extended Registrable Interest

Other actions to mitigate against identified conflicts:  
1. Don't read the papers  
2. Tell relevant officers  
3. Ask to be removed from any email recipient chain/group

# Procedure for Determining Licensing Act 2003 Cases

*The hearings will be held in public. The hearing is not adversarial but an examination of the facts by the Members of the Committee. All participants must be courteous at all times. All parties will be given equal maximum time i.e. normally 15 minutes each, in total. Any person may apply for longer time if they immediately notify the licensing authority upon receipt of the Notice of the Hearing and in exceptional circumstances, the licensing authority may extend the maximum time allowed to all parties if the complexity of the application demands. In the event that there are a large number of objections to a particular application, the licensing authority may ask an appropriate number of representatives or a single representative to put forward their views.*

## Introductions

1. The **Chair** of the Committee should read out a statement declaring under which capacity the Committee is sitting.

**This Committee is sitting to consider a matter under the Licensing Act 2003.**

2. The **Chair** will introduce himself and the Members of the Committee.
3. The **Chair** will then introduce and explain the respective roles of
  - (i) the Democratic Services Officer
  - (ii) the Officer representing the Licensing Authority
  - (iii) the Legal Advisor to the Committee
4. The **Chair** should invite all those present to introduce themselves and ask them to indicate if they wish to speak during the hearing.
5. Each party will be asked by the **Chair** whether 15 minutes is sufficient for the presentation of his/her/body's case. (Agreement on the length of time given for each speaker is at the discretion on the Chair).

## The Application for Review of a Premises License

6. The **Legal Advisor** explains the procedure that will be followed at the hearing. All parties to note that any requests or issues should be directed through the Chair.
7. The **Officer representing the Licensing Authority** outlines the review application to the Committee by presenting the report referring to any relevant extracts from the Borough Council's Licensing Policy and any relevant Statutory Guidance.
8. The **Chair** will invite questions from all parties to clarify the content of the Licensing Officer's report.

## The Applicant's Case

9. The **Chair** then invites the Applicant or their representative to make their case. Witnesses may be called but each will be subject to separate questioning (see below).

## Questions

10. Once the Applicant has presented their case, the Chair invites questions to the Applicant or his representative from
  - (i) The Officer representing the Licensing Authority
  - (ii) The respondent (or their representative)
  - (iii) Responsible Authorities (or their representative)
  - (iv) Other persons (or their representatives)
  - (v) Members of the Committee.

11. The Chair will invite questions to the witnesses from the

- (i) The Officer representing the Licensing Authority
- (ii) The respondent (or their representative)
- (iii) Responsible Authorities (or their representative)
- (ii) Other persons (or their representatives)
- (iii) Members of the Committee.

Questions should be relevant to the application and repetition will be discouraged.

### **The Respondent's Case**

12. The **Chair** then invites the respondent or their representative to make their case. Witnesses may be called but each will be subject to separate questioning (see below).

### **Questions**

13. Once the respondent has presented their case, the **Chair** invites questions to the respondent or their representative from the

- (i) The Officer representing the Licensing Authority
- (ii) The applicant (or their representative)
- (iii) Responsible Authorities (or their representative)
- (iii) Other persons (or their representatives)
- (iv) Members of the Committee.

14. The **Chair** will invite questions to the witnesses from the

- (i) The Officer representing the Licensing Authority
- (ii) The applicant (or their representative)
- (iii) Responsible Authorities (or their representatives)
- (iii) Other persons (or their representatives)
- (iv) Members of the Committee.

### **Responsible Authorities**

15. The **Chair** then invites Responsible Authorities or their representative to make their case. Witnesses may be called but each will be subject to separate questioning (see below).

### **Questions**

16. Once the Responsible Authorities have presented their case, the **Chair** invites questions to the them or their representative from

- (i) The Officer representing the Licensing Authority
- (ii) The applicant (or their representative)
- (iii) The respondent (or their representative)
- (iv) Any other Responsible Authorities (or their representative)
- (v) Other persons (or their representative)
- (vi) Members of the Committee.

17. The **Chair** will invite questions to the witnesses from the

- (i) The Officer representing the Licensing Authority
- (ii) The applicant (or their representative)
- (iii) The respondent (or their representative)
- (iv) Any other Responsible Authorities (or their representative)
- (ii) Other persons (or their representatives)
- (iii) Members of the Committee.

Questions should be relevant to the application and repetition will be discouraged.

## Other Persons

18. Each of the other persons or their representatives wishing to address the Committee may do so in an order determined by the **Chair**. They too must be willing to be questioned by other parties in the same order. Other persons may not however question each other. Questions should be relevant to the application and repetition will be discouraged.

This will operate as follows:

- each party will present his/her/body's case
  - each party's witnesses (if any) will give evidence in support of the party's case
  - firstly, each party and, secondly, their witnesses may be questioned by other parties, prior to questioning by Members of the Committee.
19. The Officer representing the Licensing Authority, the applicant (or their representative), the respondent (or their representative) and Responsible Authorities (or their representatives) will be invited to ask relevant questions of those parties (or the parties' representatives).

## Summing Up

20. The **Chair** then invites the Officer representing the Licensing Authority to sum up their case. They may comment upon what has been said but no new evidence should be introduced. Each party will be allowed 5 minutes to sum up.
21. The **Chair** then invites the respondent (or their representative) to sum up their case. They may comment upon what has been said but no new evidence should be introduced. Each party will be allowed 5 minutes to sum up.
22. The **Chair** then invites the Responsible Authorities (or their representatives) to sum up their case. They may comment upon what has been said but no new evidence should be introduced. Each party will be allowed 5 minutes to sum up.
23. The **Chair** then invites the other persons (or their representatives) to sum up their case. They may comment upon what has been said but no evidence should be introduced. Each party will be allowed 5 minutes to sum up.
24. The **Chair** then invites the applicant (or their representative) to sum up their case. They may comment upon what has been said but no new evidence should be introduced. They also will be allowed 5 minutes to sum up.

## Reaching and Making a Decision

25. **The Chair** will ask the Council's Legal Advisor to address the Committee on any outstanding matters.
26. The **Chair** will then thank all those who have spoken and invite the Committee to retire to consider the application, accompanied by the Legal Advisor and Democratic Services Officer (who will take no part in the decision).
27. The Committee will then debate the case presented to them at the hearing and will seek to reach a decision and reasons for their decision.
28. Once a decision has been made, **the Chair** will invite the **Legal Advisor** to announce in public any legal advice he/she has given in private.
29. **The Chair** will read out the decision and the reasons for the decision (unless the Committee is unable to reach a determination at the conclusion of the hearing).
30. **The Chair** will explain that all parties will be notified of the outcome of the decision and reasons for the decision in writing.



31. If the Committee is unable to reach a decision, the **Chair** will explain that all parties will be notified as soon as possible (but within 5 working days) of the decision and the reasons for such.

**NOTE**

A decision may be deferred to:-

1. Receive further documentation referred to in the meeting
  2. Enable a site visit to take place
  3. Invite the Applicant or his representative to appear if they had not done so at the meeting (only once)
- No further debate may be heard on further documentation or at a site visit
  - Adjournments should generally be granted if to refuse would deny applicant a fair hearing.

# Borough Council of King's Lynn & West Norfolk

## Report to Licensing Sub-Committee under the Licensing Act 2003

Date of Hearing: 25<sup>th</sup> October 2023

### Application for Review of a Premises Licence

- The Spice Inn, 2 London Road, King's Lynn, Norfolk, PE30 5PY
- Licence Holder: Mr Abdul SHAHIN
- Premises Licence Number WNPL009517

### Introduction

1. At any stage, following the grant of a premises licence, a 'responsible authority' or 'other person' may apply to the licensing authority to review the premises licence because of matters arising at the premises in connection with any of the four licensing objectives. These four licensing objectives are:

- the prevention of crime & disorder,
- public safety,
- the prevention of public nuisance, and
- the protection of children from harm

### Current Premises Licence

2. The current premises licence for The Spice Inn was granted on the 11<sup>th</sup> April 2014. A copy of this licence is attached to this report at Appendix 1 and shows the times and activities authorised along with the licence conditions.

### The Review Application

3. Home Office Immigration Enforcement has made an application to review the premises licence for The Spice Inn under 'the prevention of crime and disorder' licensing objective. A copy of the review application and supporting evidence is attached at Appendix 2.

### Representation from Responsible Authorities

*Section 13(4) of the Act defines the 'Responsible Authorities' as the statutory bodies that must be sent copies of an application.*

4. The Home Office, as a responsible authority has made the review application. There are no comments from the remaining responsible authorities, namely:

<u>Responsible Authority</u>	<u>Comments Received</u>
Norfolk Constabulary	None
CS&NN (BCKLWN)	None
Norfolk Fire Service	None
Norfolk Trading Standards	None
Norfolk Safeguarding Children's Board	None
Public Health	None
Planning (BCKLWN)	None
Health & Safety (BCKLWN)	None
Licensing Authority (BCKLWN)	None

## **Representations from ‘Other Persons’**

*As well as responsible authorities, any other person can play a role in a number of licensing processes under the 2003 Act. This includes any individual, body or business that are entitled to make representations to applications. Representations made must relate to the licensing objectives.*

5. There are no representations from ‘other persons’ to consider.

## **Notices**

6. The Borough Council is responsible for advertising a review application by way of a notice in a specified form at the premises and on the Borough Council’s website. This notice has to be displayed for 28 consecutive days and should have been displayed on the premises between the 7<sup>th</sup> of September 2023 and the 4<sup>th</sup> of October 2023. A notice was displayed on the Borough Council’s website and at the Council offices for the same period. A copy of this notice is attached to this report at Appendix 3.

## **Plans**

7. A location map is attached at Appendix 4 showing the general location of The Spice Inn, 2 London Road, King’s Lynn, Norfolk, PE30 5PY.

## **Borough Council of King’s Lynn & West Norfolk’s Licensing Policy**

8. The current Statement of Licensing Policy was approved by Full Council on the 14<sup>th</sup> January 2021 and the following extracts may be relevant to this application:

### **3.0 Fundamental principles**

3.1 The 2003 Act requires that the Council carries out its various licensing functions so as to promote the following four licensing objectives:

- (a) the prevention of crime and disorder,
- (b) public safety,
- (c) the prevention of public nuisance, and
- (d) the protection of children from harm.

3.2 Nothing in this ‘Statement of Policy’ will:

- (a) undermine the right of any individual to apply under the terms of the 2003 Act for a variety of permissions and to have any such application considered on its own merits;
- (b) override the right of any person to make representations or to seek a review of a licence.

### **7.0 Review Process**

7.1 The review process represents a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a premises licence. At any stage, following the grant of a premises licence, a responsible authority, or an interested party, may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.

7.3 In every case, the representation must relate to particular premises for which a premises licence is in existence and must be relevant to the

promotion of the licensing objectives. After a licence or certificate has been granted or varied, a complaint relating to a general (crime and disorder) situation in a town centre should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.

- 7.4 The Borough Council recognises that the promotion of the licensing objectives relies heavily on a partnership between licence holders, authorised persons, interested parties and responsible authorities in pursuit of common aims. It is therefore equally important that reviews are not used to drive a wedge between these groups in a way that would undermine the benefits of co-operation. It is good practice for authorised persons and responsible authorities to give licence holder's early warning of their concerns about problems identified at the premises concerned and of the need for improvement. A failure to respond to such warnings is expected to lead to a decision to request a review.
- 7.5 Where the request originates from other persons – e.g. a local resident, residents' association, local business or trade association – the Borough Council will first consider whether the complaint made is relevant, vexatious, frivolous or repetitious.

### **Guidance Issued Under Section 182 of the Licensing Act 2003**

*Under Section 4 of the Act, Licensing Authorities must have regard to guidance issued under Section 182. The current Guidance was issued by the Home Office in August 2023 and offers advice to Licensing authorities on the discharge of their functions under the Act.*

9. The following extracts may be relevant to this application and assist the Licensing Sub-Committee:

#### **The review process**

- 11.1 The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.
- 11.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.
- 11.4 In addition, the licensing authority must review a licence if the premises to which it relates was made the subject of a closure order by the police based on nuisance or disorder and the magistrates' court has sent the

authority the relevant notice of its determination, or if the police have made an application for summary review on the basis that premises are associated with serious crime and/or disorder.

- 11.7 In every case, any application for a review must relate to particular premises in respect of which there is a premises licence or club premises certificate and must be relevant to the promotion of one or more of the licensing objectives. Following the grant or variation of a licence or certificate, a complaint regarding a general issue in the local area relating to the licensing objectives, such as a general (crime and disorder) situation in a town centre, should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time, could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co operation.

#### **Powers of a licensing authority on the determination of a review**

- 11.16 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.
- 11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.
- 11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate. Similarly,

licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker.

11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
- revoke the licence.

11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

11.21 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may

result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

### **Reviews arising in connection with crime**

- 11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises; money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. 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.
- 11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.
- 11.26 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 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. These are the use of the licensed premises:
- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;

- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;
- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter;
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

11.28 It is envisaged that licensing authorities, the police 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.

### **Hearings**

9.37 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation.

9.39 The licensing authority should give its decision within five working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it. This will be important if there is an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to such conditions that are consistent with the operating schedule. Any conditions imposed must be appropriate for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition that is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety.



## Determination

10. Having regard to the review application, the Licensing Sub-Committee are requested to consider this report and any submissions submitted by the licence holder and those making representations and take such steps as it considers appropriate for the promotion of the licensing objectives. These steps are:

- (a) To do nothing;
- (b) To modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition);
- (c) To exclude a licensable activity from the scope of the licence, for example, to exclude the sale of alcohol;
- (d) To remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- (e) To suspend the licence for a period not exceeding three months;
- (f) To revoke the licence.

11. The Sub-Committee are reminded that full reasons for its decision must be given as all parties have a right of appeal against that decision to the Magistrates' Court. Such an appeal must be made within 21-days beginning with the day on which the parties are notified by the Borough Council of the decision which is being appealed.

*Marie Malt*

### Marie Malt

Licensing Service Manager  
Legal Services, Governance & Licensing  
11<sup>th</sup> October 2023

#### Appendix:

1. Copy of Current Premises Licence.
2. Copy of Review Application.
3. Copy of Review Notice.
4. Location Plan.

#### Background Papers:

1. The Licensing Act 2003
2. Borough Council's Statement of Licensing Policy (14 January 2021)
3. Guidance issued under Section 182 of the Licensing Act 2003 (August 2023)

LICENSING ACT 2003  
**PREMISES LICENCE**

**WNPL009517**

Appendix 1 to  
 Report to Licensing Sub-Committee  
 Re: Spice Inn  
 Dated 11th October 2023

LICENSING AUTHORITY

Borough Council of  
**King's Lynn &  
 West Norfolk**



Legal Services and Licensing  
 Kings Court  
 Chapel Street  
 Kings Lynn  
 Norfolk  
 PE30 1EX  
 Tel: 01553 616200  
 Fax: 01553 691663  
 Web: [www.west-norfolk.gov.uk](http://www.west-norfolk.gov.uk)  
 Email: [ehlicensing@west-norfolk.gov.uk](mailto:ehlicensing@west-norfolk.gov.uk)

Part 1 – Premises Details

**The Spice Inn**

2 London Road  
 King's Lynn  
 Norfolk  
 PE30 5PY

Telephone Number:

**01553 277814**

Where the Licence is time limited the dates:

**Not applicable**

Licensable Activities authorised by the licence:

the sale of alcohol by retail  
 provision of late night refreshment

The times the licence authorises the carrying out of licensable activities:

the sale of alcohol by retail

Description	From To
Monday to Sunday	11:00 - 00:00

provision of late night refreshment (Indoors)

Description	From To
Monday to Sunday	23:00 - 00:00

The opening hours of the premises:

Monday to Sunday	11:00	00:00
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Where the licence authorises supplies of alcohol whether these are on and /or off supplies:

Alcohol is supplied for consumption both **ON** and **OFF** the Premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

<b>Registered number of holder, for example company number, charity number (where applicable)</b>	
<b>Name address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:</b>	
<b>Personal Licence number and issuing authority of Personal Licence held by Designated Premises Supervisor (where the premises authorises for the supply of alcohol):</b>	
<b>Personal licence Number: Licensing Authority:</b>	
<b>Licensing Service Manager</b>	
<b>Original Issue date of Premises Licence: 11th April 2014</b>	
<b>Date of last change: 11th April 2014</b>	

<b>ANNEXES</b>
<b>ANNEX 1 – MANDATORY CONDITIONS</b>
<p>1. Under Section 19(2) of the Licensing Act 2003, no supply of alcohol shall be made under this premises licence at a time when there is no designated premises supervisor in respect of the premises licence, or at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.</p> <p>2. Under Section 19(3) of the Licensing Act 2003 every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.</p> <p>3. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:</p> <ul style="list-style-type: none"> <li>(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or drink as much alcohol as possible (whether within a time limit or otherwise);</li> <li>(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;</li> </ul>

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5. The premises licence holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either a holographic mark, or an ultraviolet feature.

6. The responsible person must ensure that where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:

- (a) beer or cider: ½ pint;
- (b) gin, rum, vodka or whisky: 25ml or 35ml; and
- (c) still wine in a glass: 125ml;

These measures must be displayed in a menu, price list or other printed material which is available to customers on the premises and if a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

7. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. For the purposes of this condition 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; 'permitted price' is the price found by applying the formula -  $P = D + (D \times V)$  where; P is the permitted price; D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol; and V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol. A 'relevant person' means the holder of the premises licence, the designated premises supervisor (if any) in respect of such a licence, or the personal licence holder who makes or authorises a supply of alcohol under such a licence. 'Value added tax' means value added tax charged in accordance with the Value Added Tax Act 1994.

The permitted price must be rounded up to the nearest penny.

A change to the permitted price which would apply as a result of a change to the rate of duty or VAT charged in relation to alcohol would not apply until the expiry of the period of 14 days beginning on the day on which the change in the rate of duty or VAT takes effect.

## **ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

8. The licence holder shall maintain records of all refusals of the sale of alcohol and other incidents that may occur at the premises in a book that will be kept for that purpose. The refusals / incident book will be produced for inspection upon reasonable request from representatives of the Police or the Licensing Authority.

9. Alcoholic beverages may only be sold at or from the premises as ancillary to a substantial meal.

10. The following policy for telephone or internet sales of alcohol will be in place and relayed to customers at the time of ordering. In the case if internet sales this policy will be clearly displayed on the web pages used for this facility and be reinforced using prompts when customers attempt to purchase alcohol as part of their meal order. The policy will inform customers that:

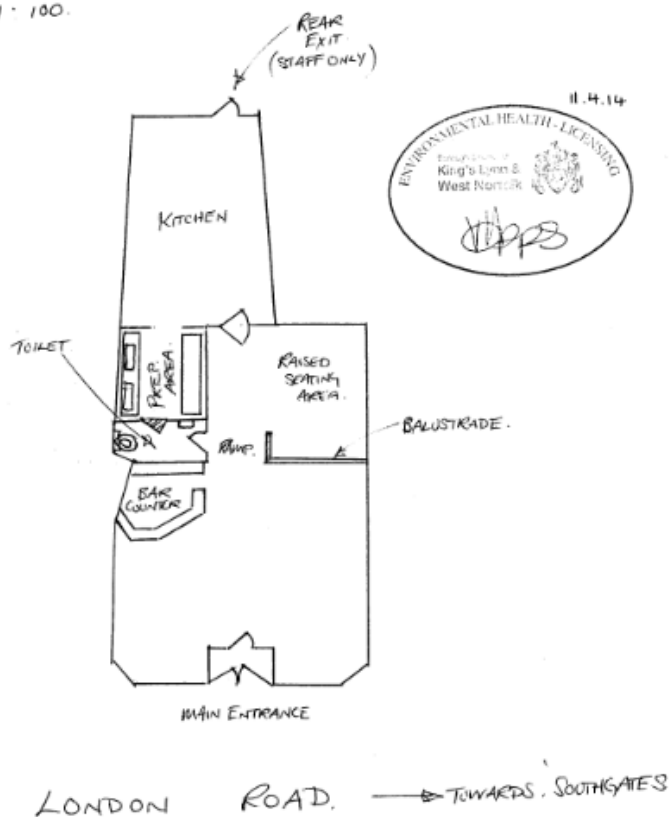
- a) Telephone/internet sales of alcohol may only be made by persons 18 years of age or over using a valid credit or debit card.
- b) Alcohol may only be purchased to accompany a substantial meal.
- c) No more than one alcoholic beverage can be ordered to accompany any one complete meal.
- d) At the point of delivery a credible form of identification will be required for examination by the delivery operative. Deliveries of alcohol will only be completed once they have been signed for by person 18 years of age or over. (Only a photo driving licence or passport will be accepted for age verification purposes.)
- e) If this policy cannot be complied with alcohol orders/deliveries will not be completed.

### ANNEX 3 – CONDITIONS ATTACHED AFTER A HEARING

None.

### ANNEX 4 – AUTHORISED PLANS

SPICE INN.  
2, LONDON ROAD  
KING'S LYNN  
NORFOLK  
PE30 5PY  
19. FEBRUARY 2014.  
SCALE. 1 : 100.



ORIGINAL

# PREMISES LICENCE SUMMARY

Borough Council of  
**King's Lynn &  
West Norfolk**



Legal Services and Licensing  
Kings Court  
Chapel Street  
Kings Lynn  
Norfolk  
PE30 1EX  
Tel: 01553 616200  
Fax: 01553 691663  
Web: [www.west-norfolk.gov.uk](http://www.west-norfolk.gov.uk)  
Email: [ehlicensing@west-norfolk.gov.uk](mailto:ehlicensing@west-norfolk.gov.uk)

## Part 1 – Premises Details

### The Spice Inn

2 London Road  
King's Lynn  
Norfolk  
PE30 5PY

Telephone Number:

01553 277814

Where the Licence is time limited the dates:

Not applicable

### Licensable Activities authorised by the licence:

the sale of alcohol by retail  
provision of late night refreshment

### The times the licence authorises the carrying out of licensable activities:

#### the sale of alcohol by retail

Description	From To
Monday to Sunday	11:00 - 00:00

#### provision of late night refreshment (Indoors)

Description	From To
Monday to Sunday	23:00 - 00:00

### The opening hours of the premises:

Monday to Sunday	11:00	00:00

### Where the licence authorises supplies of alcohol whether these are on and /or off supplies:

Alcohol is supplied for consumption both **ON** and **OFF** the Premises

## Part 2

### Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

--

Registered number of holder, for example company number, charity number (where applicable)

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:

State whether access to the premises by children is restricted or prohibited:

Licensing Service Manager

ORIGINAL



*[Insert name and address of relevant licensing authority and its reference number (optional)]*  
Licensing Authority: **Borough Council of Kings Lynn and West Norfolk**

**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 Home Office Immigration Enforcement**.....

**apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 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	
Spice Inn, 2, London Road, Norfolk	
Post town Kings Lynn	Post code (if known) PE30 5PY

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>
Mr Abdul Shahin

<b>Number of premises licence or club premises certificate (if known)</b>
WNPL009517

**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**

Home Office Immigration Enforcement Alcohol Licensing Team Lunar House 40 Wellesley Road Croydon CR9 2BY
Telephone number (if any)
E-mail address (optional) IE.Alcoholreviews@homeoffice.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
  - 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)

Grounds for review:  
We have grounds to believe the license holder has failed to meet the licensing objectives of prevention of crime and disorder, as illegal working has been identified at this premises.

Section 36 and Schedule 4 of the Immigration Act 2016 (the 2016 Act) amended the Licensing Act 2003 (the 2003 Act) to introduce immigration safeguards in respect of licensing applications made in England and Wales on or after 6 April 2017. The intention is to prevent illegal working in premises licensed for the sale of alcohol or late-night refreshment.

The Home Secretary (in practice Home Office (Immigration Enforcement)) was added to the list of Responsible Authorities (RA) in the licensing regime, which requires Home Office (Immigration Enforcement) to receive premises licence applications (except regulated entertainment only licences and applications to vary a Designated Premises Supervisor (DPS)), and in some limited circumstances personal licence applications. In carrying out the role of responsible authority, Home Office (Immigration Enforcement) is permitted to make relevant representations and objections to the grant of a licence or request a review of an existing licence as a responsible authority where there is concern that a licence and related licensable activity is prejudicial to the prevention of immigration crime including illegal working.

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

Please refer to accompanied review pack for detailed information

**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**

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

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**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    Raj Hundal  
 .....

Date            06 September 2023  
 .....

Capacity    **Responsible Authority**.....

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 6) <b>Alcohol Licensing Team</b> <b>Lunar House</b> <b>40 Wellesley Road</b>	
<b>Post town</b> <b>Croydon</b>	<b>Post Code</b> <b>CR9 2BY</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) IE.Alcoholreviews@homeoffice.gov.uk</b>	

**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.



Home Office

## Premises Licence Review

Spice Inn  
2 London Road  
Kings Lynn  
Norfolk  
PE30 5PY

# Contents

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# Case Summary

On 27 July 2023, the East of England Immigration Compliance and Enforcement (ICE) team visited Spice Inn, 2 London Road, Kings Lynn, Norfolk, PE30 5PY. The visit was conducted based on intelligence that the business was employing illegal workers. Entry to the premises was gained under Section 179 Licensing Act 2003. Following questioning, one [redacted] males were arrested as they had no legal basis to live or work in the UK.

A referral has been made to the Civil Penalty Compliance Team in relation to the illegal working.



# Licensed Premises History

The premises licence number is WNPL009517 and is held by Mr [REDACTED]  
[REDACTED]. The licence was issued on 11 April 2014.

The designated premises supervisor (DPS) is Mr [REDACTED]  
[REDACTED].

The licence permits the sale of alcohol for consumption on and off the premises.  
Monday to Sunday 11:00 – 00:00 and the provision of late-night refreshment  
Monday to Sunday 23:00 – 00:00.

The company registration number for Spice Inn Restaurant LTD is 12496219.  
Companies House shows that it was incorporated on 4 March 2020 and dissolved  
on 22 August 2023.

## Enforcement Visit: 27 July 2023

Upon entering the premises at 17:40, Immigration Officers encountered six individuals present at the business.

Immigration Officers arrested the following four individuals:

██████████

██████████ was encountered at the rear of the kitchen in a staff only area. ██████████ told the officer that he had last entered the UK on a visa 17 years ago. Home Office checks revealed that ██████████ had an appeal outstanding against a refused leave to remain application. ██████████ held no permission to work in the UK.

██████████ stated that he does not work at the restaurant, despite being in a staff only area of the restaurant. However, when the employer, ██████████ was spoken to on the phone he told the officer that ██████████ was a pot washer in the restaurant and then stated that ██████████ was a chef.



Application Registration Card (ARC) provided by ██████████ to officers which shows ██████████ cannot work in the UK.

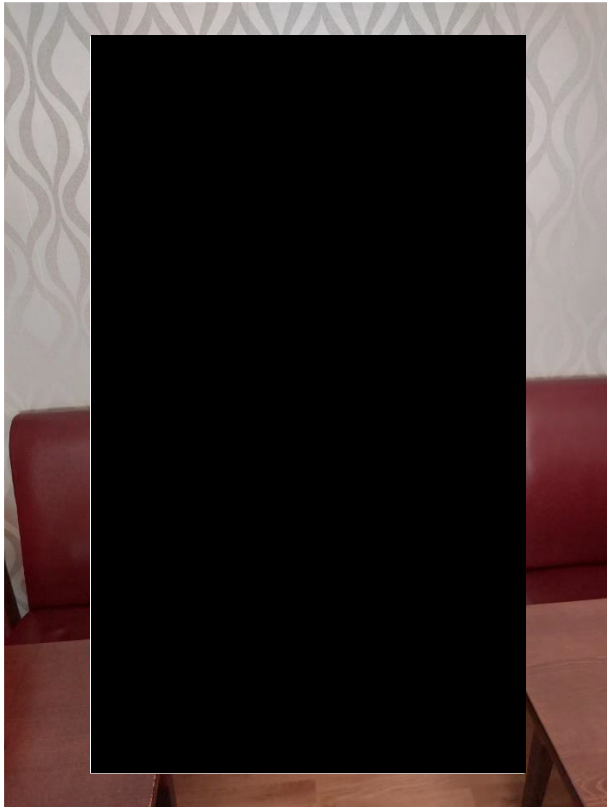
██████████

██████████ was encountered in the kitchen preparing food. ██████████ admitted to officers that he had no permission to work. Home Office checks revealed that ██████████ entered the UK with a visa as a visitor. This visa was valid from 06 August 2010 and expired on 06 February 2011. ██████████ had failed to leave the UK or regularise his permission to remain in the country.

██████████ stated he has been working at the premises for almost a year as a waiter/working in front of house. ██████████ told the officer he works a minimum of four to five days a week but that there is no fixed time, he helps out when it is busy.

██████ was given this job by ██████████, and he found the job from the Job Centre. ████████ stated he receives accommodation, food, and a little money (£40-50 a week) for working at the restaurant. ████████ stated that ██████████ did not ask to check his right to work or immigration status before he was offered the job and that ████████ knew he had no permission to work in the UK.

When spoken to, ██████████ stated that he was awaiting paperwork from ████████ and confirmed that ████████ is a waiter at the restaurant.



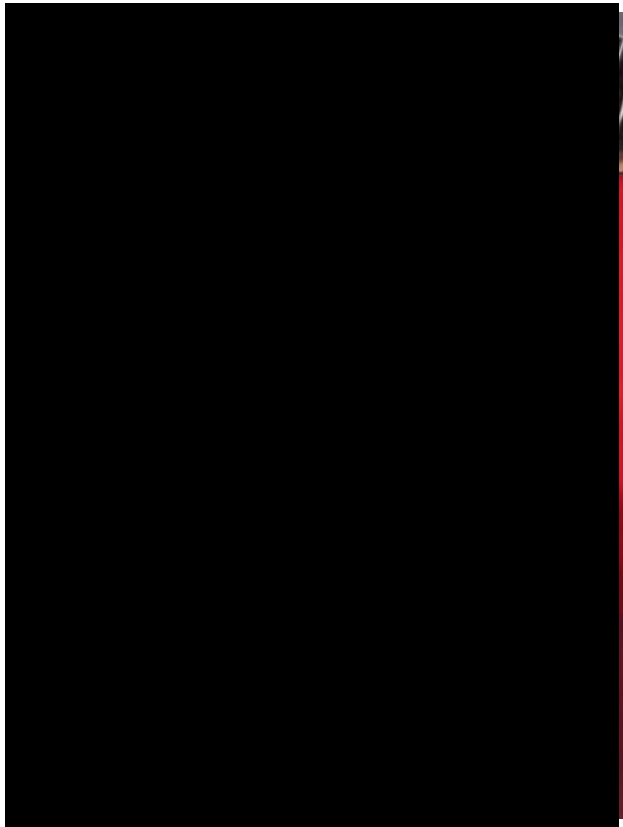
Photograph of ████████ taken at the restaurant wearing his waiter's uniform.

██████████

██████████ was encountered in the kitchen wearing chef's whites and an apron, he told officers that he had a visitors' visa. Home Office checks revealed that ████████ had entered the UK on a visit visa which was valid from 25 July 2022 and expired on 25 January 2023. ████████ had failed to leave the UK or regularise his permission to remain in the country. This visitor visa did not give him the right to work.

██████ stated he had been working at the restaurant for two months and is paid £150 a week and gets accommodation provided. ████████ told the officer that ██████████ gave him the job and tells him what days/hours to work. ████████ stated that ██████████ did not check his right to work or immigration status before being given the job.

When spoken to, [REDACTED] initially stated that [REDACTED] was visiting the restaurant as he is a family friend but does not work there. When asked why [REDACTED] would be wearing chef's whites if he did not work there, [REDACTED] stated that he was not sure and that he's 'probably cooking for himself'. However, [REDACTED] later stated that [REDACTED] was a chef at the restaurant.



Photograph of [REDACTED] wearing chef's whites and an apron at the restaurant.

[REDACTED]

[REDACTED] was encountered in the kitchen. Home Office checks revealed that [REDACTED] had entered the UK on a working holiday visa which expired on 23 November 2010. [REDACTED] had failed to leave the UK or regularise his permission to remain in the country.

[REDACTED] stated that he had been working at the restaurant for two years and that he works all roles in the restaurant and works when he is needed, up to five days a week. [REDACTED] told the officer he is paid £150 a week in cash and receives food as payment. [REDACTED] stated that the owner, [REDACTED] gave him the job, tells him what to do/what hours to work and pays him. [REDACTED] did not think that any checks had been done on his right to work or immigration status and that he did not provide any documents.

When spoken to, [REDACTED] stated that [REDACTED] was a relative and lives upstairs in the accommodation and that he did not work at the restaurant, despite [REDACTED] admitting to working at the restaurant. Furthermore, an employee that was cleared

of illegal working informed officers that all the four individuals under arrest (including [REDACTED] are employees of the restaurant and all work at the business.

[REDACTED]

[REDACTED] was identified as the manager by all members of staff and confirmed he was the business owner, [REDACTED] was not present at the restaurant but was spoken to over the phone.

When asked if right to work checks are completed, [REDACTED] stated that he normally asks for staff 'to provide details but it's a new business'. When asked if he had done all right to work checks for all the staff present at the restaurant, [REDACTED] replied 'some yes some no I'm waiting for checks'. [REDACTED] further stated that he has allowed staff to begin employment without checking any right to work documents because he needed staff. [REDACTED] also told the officer that he visits the restaurant every week and verbally tells staff members what to do and when they need to work. [REDACTED] also confirmed that accommodation above the restaurant is provided for free for employees, food is included, and that staff are paid hourly depending on what role they do.

## 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 four illegal workers encountered at the premises out of a total of six staff members present. The business owner/manager [REDACTED] was spoken to by officers where he admitted he had not completed the required right to work checks for his staff members because he needed staff as the business was 'new' - although there is nothing to suggest this is the case. [REDACTED] has been the licence holder and DPS since 2014 and was the director of the dissolved Spice Inn (Norfolk) Ltd on Companies House from 2018 to 2020. Therefore, [REDACTED] has played a key role in this business for nearly ten years. [REDACTED] has deliberately overlooked the rules and laws in place to prevent crime and disorder by failing to check his employees' permission to work to save himself time and money.

Furthermore, [REDACTED] stated he typically pays his employees between £9-10 an hour which is lower than the National Living Wage of £10.42 an hour.

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. 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.

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 an illegal worker where there is reason to believe this is the case.

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 straight to review.

# 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.

The license holder would have been aware of his responsibilities to uphold the licensing objectives as they are clearly defined as part of the premises license application.

The use of illegal labour provides an unfair competitive edge and deprives the UK economy of tax revenue. Illegal workers are often paid below the minimum wage (itself an offence) and National Insurance payments are not paid. The main draw for illegal immigration is work and low-skilled migrants are increasingly vulnerable to exploitation by criminal enterprises; finding themselves in appalling accommodation and toiling in poor working conditions for long hours for little remuneration.

A firm response to this criminal behaviour is required to ensure that the licence holder and/or its agents are not allowed to repeat the exercise and in particular, in the interests of the wider community to support responsible businesses and the jobs of both UK citizens and lawful migrants. It is also required to act as a deterrent to others who would otherwise seek to seek an unfair competitive advantage, exploit workers and deny work to the local community, evade the payment of income tax and (unlawfully) inflate their profits to the expense of others.

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 engaging in criminal activity by 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 A – Officer Records

Illegal\_Working\_Employee\_ [REDACTED]

Illegal\_Working\_Employee\_ [REDACTED]

Illegal\_Working\_Employee\_ [REDACTED]

Illegal\_Working\_Employee\_ [REDACTED]

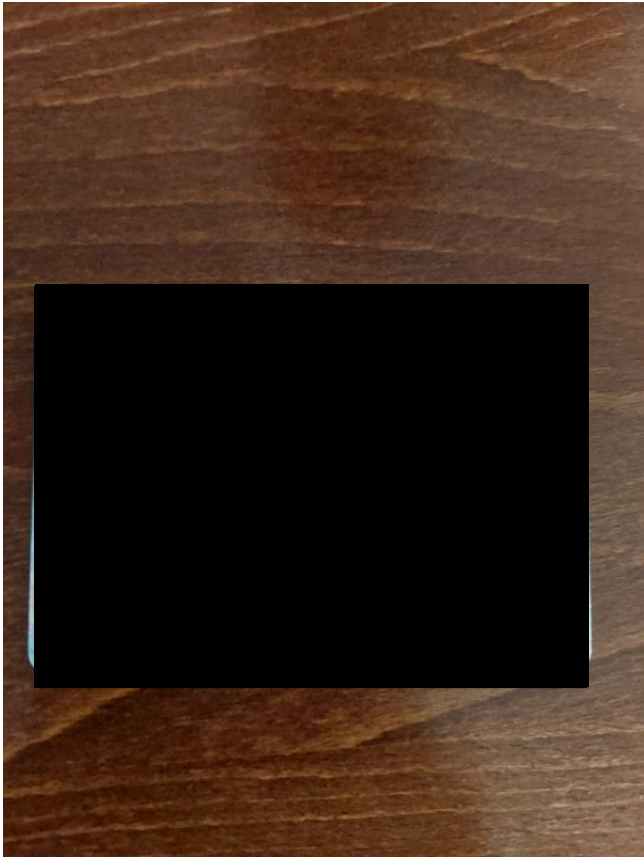
Illegal\_Working\_Employer\_ [REDACTED]

QA\_ [REDACTED]

QA\_ [REDACTED]



<b>Illegal Working - Employee</b>					
<b>Details</b>					
Type of work	Visit				
Visit reference	██████████				
Created by	██████████				
ProntoID	██				
Subject CIDPID/CEPR	██████████				
Subject name	██████████				
Subject DOB	██████████				
Subject nationality	██████████				
Subject gender	Male				
Time	18:00				
Created at geolocation	<table border="0"> <tr> <td><b>Easting</b></td> <td>562134</td> </tr> <tr> <td><b>Northing</b></td> <td>319648</td> </tr> </table>	<b>Easting</b>	562134	<b>Northing</b>	319648
<b>Easting</b>	562134				
<b>Northing</b>	319648				
Creation date	27-07-2023 18:00:38				
<b>Language of Interview</b>					
What language is the interview carried out in?	English				
Interpreter used?	No				
<b>Obligation</b>					
How long have you been working at this business?	I don't work here				
What is your job role/ what are your duties?	I don't work here				
What days/ hours do you work each week?	I don't work here				
Where do you work?	Sometimes help. I never help here.				
<b>Control</b>					
Who gave you this job (name and role in business)?	I don't work here				
Who tells you what days/ hours to work?	I don't work here				
<b>Remuneration</b>					
How are you paid (money, accommodation, food)?	I don't work here				

How are you paid (money, accommodation, food)?	No I don't get paid I don't work here
Do you pay income tax or have a National Insurance number?	I don't know
<b>Pre-employment Checks</b>	
Does your employer know you're not allowed to work in the UK?	Yes he knows that's why I don't work herw.
Did you show any documents prior to getting the job?	Never shown documents he just knows i can't work
<b>Additional Questions</b>	
Who else works here?	I don't know
<b>Photographs</b>	
ARC card displaying no work permitted	
	Exhibit Ref Af/001

arrested individual

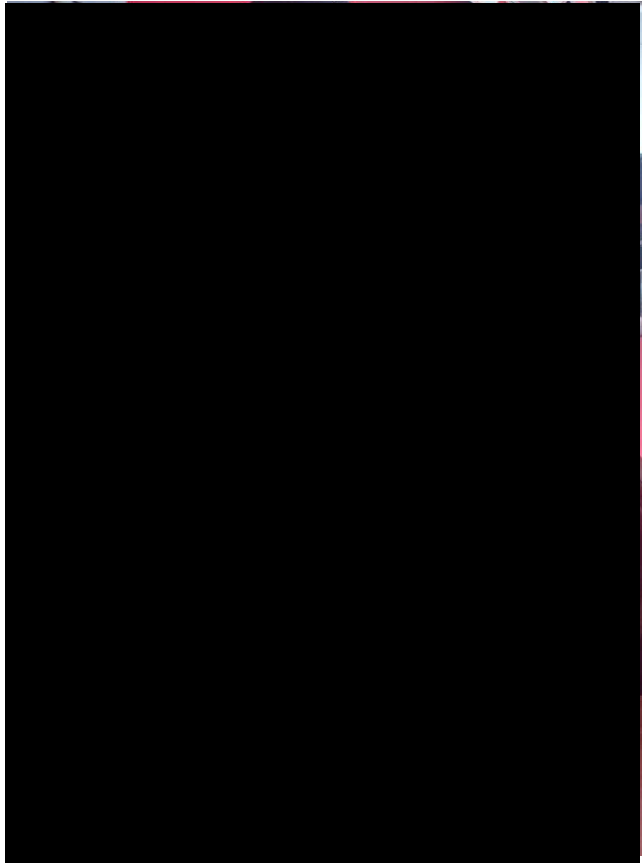


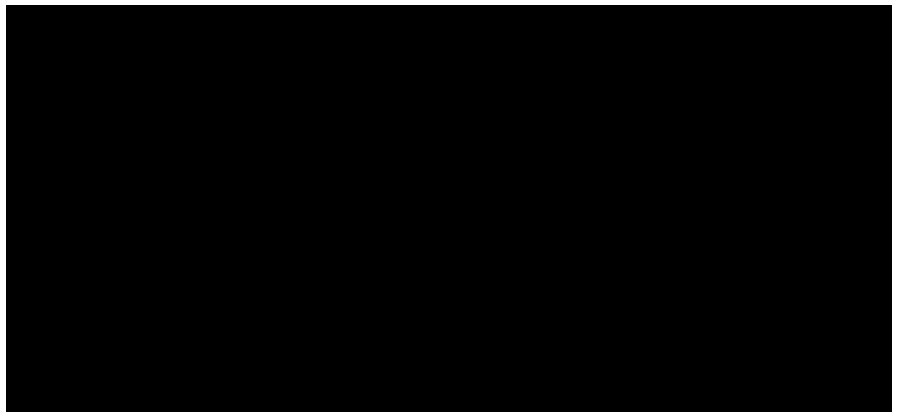
Exhibit Ref

Af/002

**Declaration**

I confirm that I have understood all the questions and that the details are true and correct.

Interviewee signature



27-07-2023 18:07:08

**Observations**

Observations

Individual was in a staff only area. He claimed he doesn't work. He has no right to work but u suspect he does work here. There is no reason for him to be at the rear of the premises.

---

Do you suspect this person of illegal working?	Yes
<b>Management Checks Complete</b>	
Date management checks complete	28-07-2023 11:12:20
Reviewer(s)	██████████

**Illegal Working - Employee**

**Details**

Type of work	Visit				
Visit reference	██████████				
Created by	██████████				
ProntoID	████████████████████				
Subject CIDPID/CEPR	Unknown				
Subject name	██████████				
Subject DOB	██████████				
Subject nationality	███				
Subject gender	Male				
Time	18:11				
Created at geolocation	<table border="0"> <tr> <td><b>Easting</b></td> <td>562133</td> </tr> <tr> <td><b>Northing</b></td> <td>319650</td> </tr> </table>	<b>Easting</b>	562133	<b>Northing</b>	319650
<b>Easting</b>	562133				
<b>Northing</b>	319650				
Creation date	27-07-2023 18:11:12				

**Language of Interview**

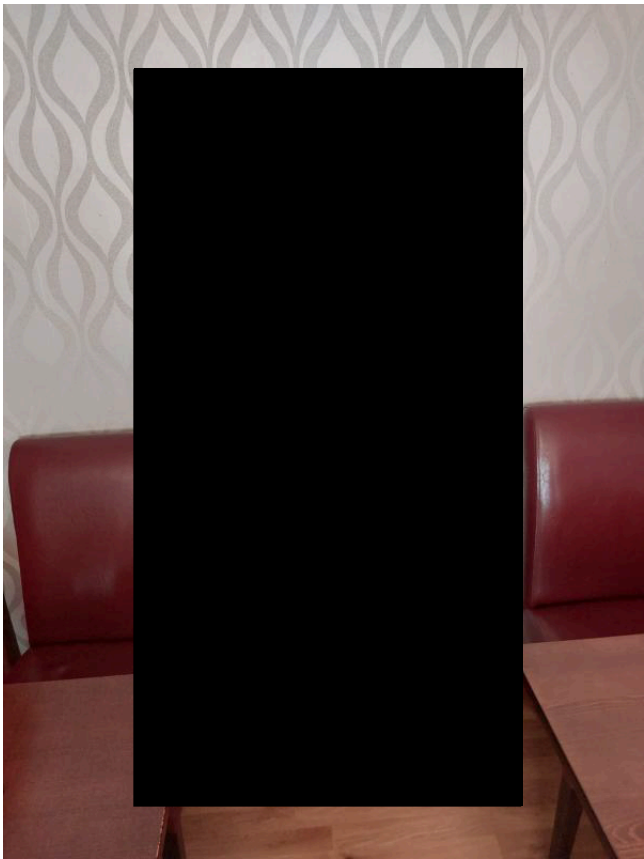
What language is the interview carried out in?	English
Interpreter used?	No

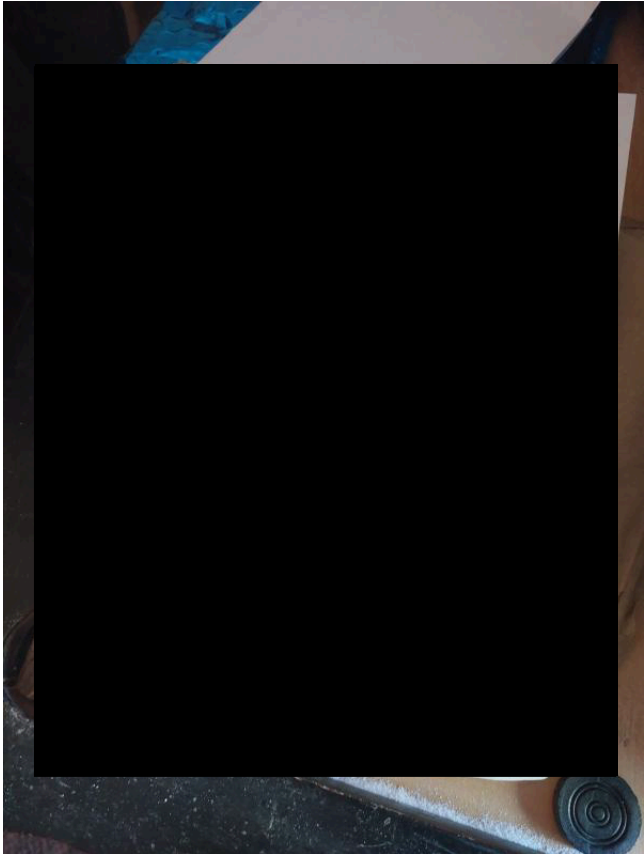
**Obligation**

How long have you been working at this business?	Almost a year
What is your job role/ what are your duties?	Front of house, waiter
Do you work the same hours/ days every week?	No fixed time just help out when busy, I Minimum 4/5 days no fixed time
what was your intention of coming to the UK?	I came because I was in trouble with money and family issue. I just wanted a life

**Control**

Who gave you this job (name and role in business)?	It was a job centre, as I know him ██████████
Who's in charge today?	██████████ he working behind the bar today.
How did you come across the job	From job centre, white Capel
Who supply's you with uniform	No one, I buy it myself

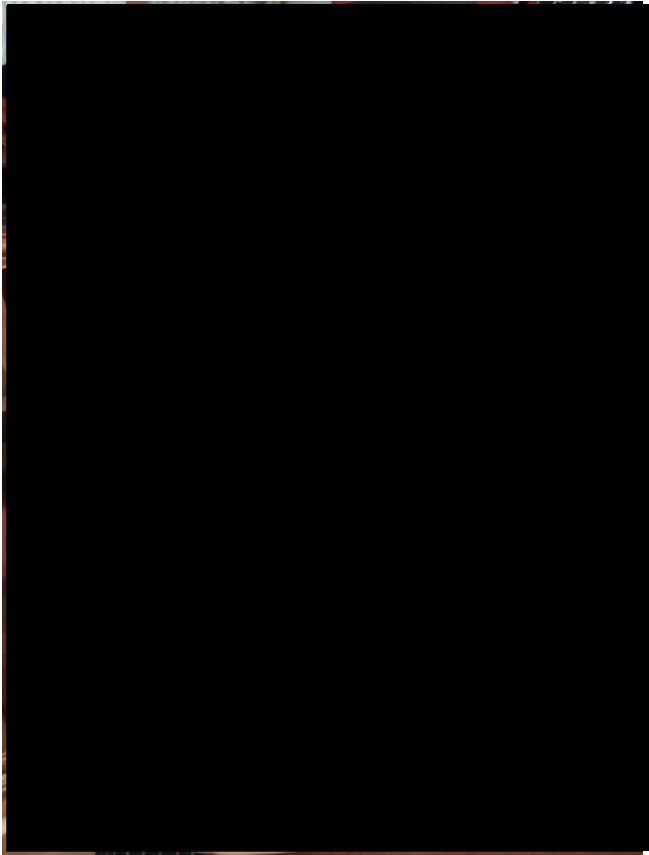
Remuneration	
How are you paid (money, accommodation, food)?	I get accommodation, food and a little money for working here.
If money, how much and how do you receive it?	£40/50 sometimes a week.
do you pay rent?	No its for what I get for helping with work.
do you get cash	Sometimes that sometimes bank transfer
Pre-employment Checks	
Did the employer check your right to work or immigration status before they offered you the job?	No he didn't ask, I should him my pending case that was it.
Does your employer know you're not allowed to work in the UK?	Yes he knew I had no permission
Additional Questions	
No details provided.	
Photographs	
photo of subject	

Declaration	
I confirm that I have understood all the questions 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	No
Observations	
Observations	When entering the premises I located him in the kitchen, he was wearing all black and admitted he worked there. He admitted he had no right to work when asked.
Do you suspect this person of illegal working?	Yes
Photo 1	
	<b>Caption</b> passport photo copy

Illegal Working - Employee					
<b>Details</b>					
Type of work	Visit				
Visit reference	██████████				
Created by	██████████				
ProntolD	██				
Subject CIDPID/CEPR	Unknown				
Subject name	██████████				
Subject DOB	██████████				
Subject nationality	██████████				
Subject gender	Male				
Time	18:08				
Created at geolocation	<table border="0"> <tr> <td><b>Easting</b></td> <td>562136</td> </tr> <tr> <td><b>Northing</b></td> <td>319648</td> </tr> </table>	<b>Easting</b>	562136	<b>Northing</b>	319648
<b>Easting</b>	562136				
<b>Northing</b>	319648				
Creation date	27-07-2023 18:08:09				
<b>Language of Interview</b>					
What language is the interview carried out in?	<input type="text"/>				
Interpreter used?	Yes				
Details of interpreter	Nk				
Does the individual understand the interpreter?	Yes				
<b>Obligation</b>					
How long have you been working at this business?	2 months				
<b>Control</b>					
Who gave you this job (name and role in business)?	██████████				
Is ██████████ here today?	No				
Who tells you what days/ hours to work?	██████████				
<b>Remuneration</b>					
How are you paid (money, accommodation, food)?	£150 per week and I live above here				



<b>Pre-employment Checks</b>	
<b>Did the employer check your right to work or immigration status before they offered you the job?</b>	No
<b>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?</b>	No, he didn't ask and I didn't tell him.
<b>Additional Questions</b>	
No details provided.	
<b>Photographs</b>	
No photographs.	
<b>Declaration</b>	
I confirm that I have understood all the questions and that the details are true and correct.	
Subject has refused to provide a signature.	
<b>Employee read the contents of the interview themselves</b>	No
<b>Contents read back to the employee in the language used during the interview</b>	Yes
<b>Observations</b>	
<b>Observations</b>	Wearing chef whites and apron
<b>Do you suspect this person of illegal working?</b>	Yes

<p>Photo 1</p>	 <p>Caption                      pic</p>
<p><b>Management Checks Complete</b></p>	
<p>Date management checks complete</p>	<p>28-07-2023 11:22:52</p>
<p>Reviewer(s)</p>	<p>[REDACTED]</p>

<b>Illegal Working - Employee</b>							
<b>Details</b>							
Type of work	Visit						
Visit reference	██████████						
Created by	██████████						
ProntoID	██						
Subject CIDPID/CEPR	Unknown						
Subject name	██████████						
Subject DOB	██████████						
Subject nationality	██████████						
Subject gender	Male						
Time	18:33						
Created at geolocation	<table style="width: 100%; border: none;"> <tr> <td style="width: 30%;"><b>Easting</b></td> <td style="width: 30%;">562133</td> <td style="width: 40%;"></td> </tr> <tr> <td><b>Northing</b></td> <td>319649</td> <td></td> </tr> </table>	<b>Easting</b>	562133		<b>Northing</b>	319649	
<b>Easting</b>	562133						
<b>Northing</b>	319649						
Creation date	27-07-2023 18:33:27						
<b>Language of Interview</b>							
What language is the interview carried out in?	<input style="border: 1px solid red;" type="text"/>						
Interpreter used?	Yes						
Details of interpreter	Big word						
Does the individual understand the interpreter?	Yes						
<b>Obligation</b>							
How long have you been working at this business?	2 years						
What is your job role/ what are your duties?	What ever is needed. All roles in the restaurant						
What days/ hours do you work each week?	When needed. Up to 5 days per week.						
Do you work the same hours/ days every week?	No when they are busy I work more						
<b>Control</b>							
Who gave you this job (name and role in business)?	The owner ██████████						

Who tells you what days/ hours to work?	██████████
Who tells you what tasks/ duties to do each day?	██████████
<b>Remuneration</b>	
How are you paid (money, accommodation, food)?	£150 in cash per week sometimes changes . Food as well.
If money, how much and how do you receive it?	Cash 150 pounds per week
Who pays you?	The owner
Do you pay income tax or have a National Insurance number?	No
<b>Pre-employment Checks</b>	
What name does the employer know you as?	██████████
Did the employer check your right to work or immigration status before they offered you the job?	No I don't think any checks are done
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?	No I did not show anything
Does your employer know you're not allowed to work in the UK?	No

**Additional Questions**


No details provided.

**Photographs**

No photographs.

**Declaration**

I confirm that I have understood all the questions and that the details are true and correct.

Interviewee signature ( [REDACTED] )	 <p>27-07-2023 18:43:31</p>
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**Observations**

<b>Observations</b>	I encountered this man working in the kitchen and he was very open and honest explaining that he does
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<b>Do you suspect this person of illegal working?</b>	Yes
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**Management Checks Complete**

<b>Date management checks complete</b>	02-08-2023 12:15:25
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<b>Reviewer(s)</b>	[REDACTED]
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**Illegal Working - Employer**

**Details**

Type of work	Visit				
Visit reference	██████████				
Created by	██████████				
ProntoID	Other				
Subject CIDPID/CEPR	Unknown				
Employer	████████████████████				
Time	18:01				
Created at geolocation	<table style="width: 100%; border: none;"> <tr> <td style="width: 30%;"><b>Easting</b></td> <td style="text-align: right;">562138</td> </tr> <tr> <td><b>Northing</b></td> <td style="text-align: right;">319650</td> </tr> </table>	<b>Easting</b>	562138	<b>Northing</b>	319650
<b>Easting</b>	562138				
<b>Northing</b>	319650				
Creation date	27-07-2023 18:01:51				

**Language of Interview**

What language is the interview carried out in?	English
Interpreter used?	No

**Employer Details**

What is your position here?	Business owner
If the business is owned by a company what is the name of the company?	It's a company, my wife is the director
do you complete right to work checks for your staff	Normally yes we ask for them to provide details but it's a new business
have you done checks for all the staff present here	Some yes some no I'm waiting for checks
have you completed checks for ██████████	I'm awaiting paperwork from him
has ██████████ showed you any documents?	He has showed me a letter
did you take a copy of the letter?	No
what does ██████████ do at the business?	He is a waiter
did you complete right to work checks for ██████████?	He is a relative and doesn't work here
what was DEB doing at the business?	He lives there
did you complete right to works for ██████████	No I didn't

what is [REDACTED] role at the business?	Pot washer
did you complete right to work checks for [REDACTED]	No he is a family friend
does [REDACTED] work at the business?	He's visiting
how much do you pay your staff	They're paid by the hour depending on what they do
how much do you pay your waiter's? [REDACTED]	£9-10 an hour
how much do you pay a pot washer?	£9 an hour
are they paid in cash or bank transfer?	Cash
are they allowed to live upstairs for free or do they pay?	No it's free
do you pay your staff by giving them food?	Yes food is included
how many staff are employed at the restaurant	4
did you ask to see any documents before employment began?	It's a new business so I've asked them to start before checking any documents as we needed staff
[REDACTED] who you said is visiting is wearing chef's whites, why is this?	I'm not sure he's probably cooking for himself
so do you allow any visitor to cook in your kitchen?	No but he's more than a visitor he is a relative
what are the names of your chef's and how many do you have?	2, [REDACTED] and [REDACTED]
so [REDACTED] is more than a visitor he is a chef?	Yes a chef
do you have any rotas for your staff?	Normally I'm here so I tell them
you're not here today so how do they know when to work?	I tell them verbally every week when I visit
how many hours per week do your staff work?	Between 20 and 28 hours a week

**Declaration by Employer**

I confirm that I have understood all the questions and that the details are true and correct.

Subject has refused to provide a signature.

Employer read the contents of the interview themselves	No
Contents read back to the employer in the language used during the interview	Yes

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<b>Observations</b>	
Observations	Spoken over phone so unable to sign
<b>Management Checks Complete</b>	
Date management checks complete	28-07-2023 11:11:49
Reviewer(s)	██████████



Q&A					
Details					
Type of work	Visit				
Visit reference	██████████				
Created by	██████████				
ProntolD	██				
Subject CIDPID/CEPR	██████████				
Subject name	██████████				
Subject DOB	██████████				
Subject nationality	<input style="border: 1px solid red;" type="text"/>				
Subject gender	Male				
Time	18:33				
Created at geolocation	<table style="width: 100%; border: none;"> <tr> <td style="width: 30%;"><b>Easting</b></td> <td style="text-align: right;">562134</td> </tr> <tr> <td><b>Northing</b></td> <td style="text-align: right;">319649</td> </tr> </table>	<b>Easting</b>	562134	<b>Northing</b>	319649
<b>Easting</b>	562134				
<b>Northing</b>	319649				
Creation date	27-07-2023 18:33:32				
Language of Interview					
What language is the interview carried out in?	English				
Interpreter used?	No				
Q&A					
Why does the ██████████ say you are a pot washer?	I don't				
Why would he lie about it?	I don't know				
Do you currently work?	No				
Declaration					
Subject has refused to provide a signature.					
Interviewee read the contents of the interview themselves	No				
Contents read back in the language used during the interview	Yes				

**Q&A**

**Details**

Type of work	Visit
Visit reference	[REDACTED]
Created by	[REDACTED]
ProntoID	[REDACTED]
Subject CIDPID/CEPR	[REDACTED]
Subject name	[REDACTED]
Subject DOB	[REDACTED]
Subject nationality	<input type="text"/>
Subject gender	Male
Time	18:36
Created at geolocation	<b>Easting</b> 562134 <b>Northing</b> 319647
Creation date	27-07-2023 18:35:56


**Language of Interview**

What language is the interview carried out in?	English
Interpreter used?	No

**Q&A**

are all the people here under arrest, employees?	Yes they all work
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**Declaration**

Interviewee signature [REDACTED] [REDACTED])	  27-07-2023 18:37:03
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## **Licensing Act 2003 Notice of Application for Review of a Premises Licence**

<b>Premises:</b>	<b>The Spice Inn 2 London Road King's Lynn Norfolk PE30 5PY</b>
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Notice is hereby given that the Borough Council of King's Lynn & West Norfolk has received an application for a Review of the Premises Licence in respect of the above named premises under Section 51 of the Licensing Act 2003.

### **The Grounds of the application for review are:**

Evidence has been obtained that the premises is involved with and is being operated in such a manner which undermines the Prevention of Crime and Disorder.

Anyone who wishes to make representations regarding this application should do so in writing to Legal Services and Licensing, Borough Council of King's Lynn & West Norfolk, King's Court, Chapel Street, King's Lynn, PE30 1EX no later than the **4th October 2023**.

The application can be viewed by arrangement with the Licensing Team at the Council's Office on (01553) 616200.

It is an offence under Section 158 of The Licensing Act 2003 for a person knowingly or recklessly to make a false statement in connection with this application. A person found guilty of such offence is liable on summary conviction to a maximum fine of £5,000.00.

Location Plan

The Spice Inn, 2 London Road, King's Lynn, Norfolk, PE30 5PY

