

Appendix F

Representations

	Name Contact	Supporting Statement Representation	Date received
1	<p>██████████</p> <p>Operational Planning and Licensing  Partnerships and Operational Support</p> <p>Cambridgeshire Constabulary</p>	<p>To Whom it may concern</p> <p>I write on behalf of Cambridgeshire Constabulary in relation to the Home Office, Immigration Enforcement, Alcohol Licensing Team, request to review the Premises Licence of <b>Indiana Restaurant, 61 High Street, Ramsey, Cambridgeshire, PE26 1AB.</b></p> <p>Cambridgeshire Constabulary as a responsible authority, supports the Home Office recommendation to revoke the premises licence due to the seriousness of criminal activity identified within the review documentation.</p> <p>I also would also like to make you aware of The High Court decision of East Lindsey District Council v Abu Hanif (t/a Zara’s restaurant and takeaway) it is a stark reminder that there can be consequences for employers who employ illegal workers, even if they are not convicted of an offence.</p> <p><a href="#">Employing illegal workers? You could lose your alcohol licence, even if you are not convicted - Lexology</a></p> <p>The Home Office recommendation is supported by guidance issued under section 182 of the Licensing Act 2003</p> <p>11.24 “...Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority’s role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.”</p> <p>11.26 “...The licensing authority’s duty is to take steps with a view to the promotion of the licensing objectives and <b>the prevention of illegal working</b> in the interests of the wider community and not those of the individual licence holder.”</p> <p>11.27 “There is a certain criminal activity that may arise in connection with licensed premises, which should be treated particularly seriously.....”.</p> <p><b>- for employing a person who is disqualified from that work by reason of their immigration status in the UK.</b></p>	16.06.2023

		<p>11.28 <i>“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></p> <p>Other articles of interest</p> <p>The Government offers advice regarding checking a job applicant’s right to work via <a href="http://www.gov.uk">Checking a job applicant's right to work - GOV.UK (www.gov.uk)</a></p> <p><a href="https://www.hospitalitylaw.co.uk/authorities-crack-illegal-workers/">https://www.hospitalitylaw.co.uk/authorities-crack-illegal-workers/</a></p> <p><i>“... Illegal working both undercuts British workers and may cause dishonest employers to take advantage by paying poorly and ignoring health and safety measures...”</i></p> <p>Respectfully</p>	
2	<p>██████████</p> <p>Cambridgeshire Exploitation Team</p> <p>Cambridgeshire Constabulary</p>	<p>To whom it may concern</p> <p>I have been invited to comment on the Indiaana Restaurant and an upcoming licencing review, my role within Cambridgeshire Constabulary is to investigate Modern Slavery offences. I am one of two experts in the force and wish to highlight some concerns. Modern Slavery is a hidden crime, and extremely hard to identify, and even harder to successfully prosecute through courts. The main reason for this is exploiters target those most vulnerable in our community’s. It is hard for victims to come forward and explain their situation as they become totally reliant on their exploiters for food, work, transport and accommodation.</p>	16.06.2023

		<p>In this case the owners have controlled the accommodation of workers, and their employment. This in normal circumstances would be seen as a red flag in the modern slavery world. These concerns would remain unless it could be fully documented by supporting records:- payslips issued showing full minimum wage being paid with the only deduction being for accommodation at HMRC's offset (currently £63.11pw), tax and national insurance.</p> <p>In this case 5 workers had no right to work in the UK, this means those workers were even more vulnerable, and easy targets for exploitation. The threat of being reported to the authorities could be used as a further means of control. Victims of Modern Slavery Offences will rarely identify themselves to authorities, as even the exploitative situations they find themselves in can be deemed by the victim as being better than what they have previously had. A further tool used by exploiters is debt bondage. This is where a victim feels bound to the exploiter by a perceived debt. This debt is often owed by family and friends in the country of origin to cover the costs of the illegal entry/smuggling into the UK. Victims are told that families/friends in the origin counties will be targeted with violence if they report anything to law enforcement.</p> <p>It is for these reasons and concerns for the location and the belief that exploitation was going on at the location I fully support the immigration action against the owners.</p> <p>Kind Regards</p>	
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