

Appendix D – Application to Review Premises Licence HDC/PRE00377, Kaaizans

Representation and comment from Responsible Authorities

From - PC 446 Metcalf – Operational Planning and Licensing/ Partnerships and Operational Support, Cambridgeshire Constabulary

To Whom it may concern,  
I write on behalf of Cambridgeshire Constabulary in relation to the Home Office, Immigration Enforcement, Alcohol Licensing Team, request to review the Premises Licence of The Kaaizans Indian Restaurant, 1 Longsands Parade, St. Neots, PE19 1SU.

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

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

[Employing illegal workers? You could lose your alcohol licence, even if you are not convicted - Lexology](#) – Please see appendix D1 for this document

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

11.24 “...*Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority’s role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.*”

11.26 “...*The licensing authority’s duty is to take steps with a view to the promotion of the licensing objectives and **the prevention of illegal working** in the interests of the wider community and not those of the individual licence holder.*”

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

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

11.28 “*It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.*”

Another article of interest:

The Government offers advice regarding checking a job applicant's right to work via [Checking a job applicant's right to work - GOV.UK \(www.gov.uk\)](https://www.gov.uk) – Please see appendix D2

Respectfully,

From – DS797 Chris Acourt, Cambridgeshire Modern Slavery and Human Trafficking team, Cambridgeshire Constabulary

To whom it may concern

I have been asked to comment on Kaaizans Restaurant, St Neots regarding an upcoming licencing review. I am a Detective Sergeant within Cambridgeshire Constabulary heading up a team that is in place to investigate Modern Slavery offences. I have over 10 years experience working in this field which has involved dealing with a number of complex Modern Slavery and Human Trafficking offences. Modern Slavery is a hidden crime and can be extremely hard to identify. The main reason for this is that victims very rarely come forward and identify themselves as being exploited. This can be for a variety of reasons. Victims often live in fear of the people who are exploiting and will also distrust in persons in authority. In addition to this victims will often become reliant on their exploiters feeling that they have no other choices available to them. Victims will often be poorly educated and have no real understanding of English. This makes them incredibly vulnerable as they are often completely unaware of their rights and entitlements regarding pay and working conditions.

I make the below observations following a visit to Kaaizans Restaurant on the 2<sup>nd</sup> June 2024 by the Immigration and Compliance Enforcement team.

Based on the report provided it shows that the three individuals highlighted both work and sleep at the restaurant. This would be a Modern Slavery red flag due to the concerns about whether the highlighted individuals had any choice about where they live or if it was a condition of their employment. These concerns would remain unless it could be evidenced that they were in receipt of payslips showing they were being paid full minimum wage and highlighting a deduction for the accommodation offset (currently £69.93pw), plus tax and national insurance. I would also expect to see some form of working contract detailing how the accommodation is linked to the employment and what status the employee holds (occupant or tenant).

In this case the 3 highlighted workers had no right to work in the UK, they were all paid in cash and it appears they were not in receipt of payslips or had any contract of employment. This would indicate to me that these workers were particularly vulnerable, and easy targets for exploitation. It cannot be shown how many hours they are actually working, how many days off per week they were having, what they are receiving in respect of holiday pay or what happens if they are off sick.

Although not highlighted by any of the staff there are a number of ways in which victims can be controlled in situations such as this. Workers wishing to leave or complaining about their conditions can be threatened with being reported to the

authorities with a view to be being deported. Victims can also be placed in debt bondage (which can be a perceived debt incurred for accommodation, food, transport or even being given employment). Victims will also often state they fear for families back in their home countries if they come forward to speak to the Police. To me there seems to be a clear disregard in respect of the proper employment of the highlighted staff. It cannot be proven how much the staff were being paid or even if they were being paid at all They have no protection under employment law and would not be contributing towards any form of pension.

It is for these reasons based on the content on the report provided that I fully support the immigration action against the owners.

Kind Regards

From – Kirsty Draycott, Senior Trading Standards Officer, Cambridgeshire and Peterborough Trading Standards.

I can confirm that we have received the below email regarding the application to review the premises licence for Kaaizans, St Neots. We have no comments to make in relation to this application.

Kind regards

From Stephen Browne, Environmental Health Officer, Huntingdonshire District Council

Thank you for consulting me on the application to Review a Premises licence at Kaaizan's, 1 Longsands Parade, St Neots, PE19 1SU.

I have been employed by Huntingdonshire District Council since October 2020 as an Environmental Health Officer having worked in Environmental Health since February 1999. I am a Registered Chartered Environmental Health Practitioner with the Chartered Institute of Environmental Health. In my role at Huntingdonshire District Council, I work in the team responsible for food safety and hygiene. I do not have any representation to make as such for this review.

However, for information purposes, Kaaizan's, 1 Longsands Parade, St Neots, PE19 1SU is a food business registered in the Huntingdonshire District Council area. Our records indicate that the food business operator is [REDACTED]. I attended the premises to undertake an unannounced routine food hygiene inspection on 23 May 2024. The previous inspection had been carried out by me on 10 November 2022.

The details of the food handlers at the inspection on 23 May 2024 were [REDACTED]. These were the same as those at the previous inspection on 10 November 2022.

If you require any further information, then please don't hesitate to contact me.

Kind regards

