

**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 Caroline LAIRD

(Insert name of applicant)

apply for the review of a premises licence under section 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

EPSOM GRILL
3 Waterloo Road,
EPSOM,
KT19 8AY

Post town

EPSOM

Post code (if known)

KD19 8AY

Name of premises licence holder or club holding club premises certificate (if known)

MR BILAL GILGIL

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

EEBC/11/00232/LAPRE

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**

Please tick ✓ yes

I am 18 years old or over**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

Name and address IO Caroline LAIRD 18876 Immigration Enforcement (South Central) 581 Staines Road Hounslow Middlesex TW4 5DL
Telephone number (if any) 020 8814 5017
E-mail address (optional) Caroline.Laird@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)

One of the licensing objectives which underpins the Licensing Act 2003 is the prevention of crime and disorder and all operators are expected to take steps to promote the licensing objectives.

Home Office (Immigration Enforcement) believe MR BILAL GILGIL is not preventing crime and disorder and therefore should no longer be allowed to hold a premises licence. MR BILAL GILGIL is using his restaurant business to employ illegal workers which is strictly prohibited under the Licensing Act 2003 and Immigration Act 1971(aa).

Employing illegal workers in the UK has the following impact on the community and society as a whole:-

1. It deprives HMRC and the Government of revenue by non-payment of tax and national insurance.
2. It exploits the undocumented by paying them less than the minimum wage and provides no employment or income protection.
3. It encourages other overstayers / illegals to seek similar work.
4. It allows a business to unfairly undercut other businesses by employing cheap labour.
5. Illegal workers are often housed in cramped and unsatisfactory conditions by the employer as part of their working arrangement.



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

EPSOM GRILL is a takeaway in the town of Epsom, Surrey. The premises has a licence to sell hot food (late night refreshments between the hours of 2300-0200 Monday to Sunday).

Home Office (Immigration Enforcement) have received information stating that the employer is knowingly allowing people that have no right to be working in the UK, to be working at the premises.

As a result of this intelligence, Home Office (Immigration Enforcement) together with Officers from Surrey Police planned an Enforcement visit which was conducted on 27 January 2023 with entry being gained by Immigration Officers from South Central ICE under Section 179 of the Licensing Act 2003.

On arrival Immigration Officers encountered a total of 5 people, of which 4 were of Turkish nationality and 1 was from Iran.

2 arrests were made by Immigration officers due to illegal working and checks also showed that these people had entered the UK illegally.

Officers also encountered a minor working at the address, he was in the care of social services and later reunited with a family member.

There was accommodation above the premises, which was only accessible via the shop, in the accommodation there were three rooms. The employees confirmed to Officers during investigation that they did stay in this accommodation.

The Manager at Epsom Grill who was present at the time Officers visited confirmed that they do not do checks on their staff and stated he sometimes pays cash in hand to his employees. He stated that there was no set rate and that this would depend on employee's experience.

He also confirmed to officers when questioned about 1 of his employees that 'he had not made a decision whether he was going to pay him or not' and he confirmed that he was aware that this person has no right to be working in the UK.

A referral notice was served to the manager Bilal GILGIL, and this is currently being considered by the Home Office Civil Penalties team who will decide on whether the business will be issued with a penalty fine.

Revised Home Office guidance issued under section 182 of the Licensing Act 2003 – December 2022 states:

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 and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- *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.



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 ✓

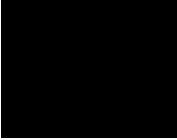
yes

- 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  CLAIRD 18876

Date 24 FEBRUARY 2023

Capacity IMMIGRATION ENFORCEMENT OFFICER

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

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.

