

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

Julie Beilby BSc (Hons) MBA

Gibson Building
Gibson Drive
Kings Hill, West Malling
Kent ME19 4LZ
West Malling (01732) 844522

NB - This agenda contains proposals, recommendations and options. These do not represent Council policy or decisions until they have received proper consideration through the full decision making process.

Contact: Democratic Services
committee.services@tmbc.gov.uk

8 August 2023

To: MEMBERS OF THE LICENSING AND APPEALS PANEL
(Copies to all Members of the Council)

**NB ONLY MEMBERS
OF THE PANEL MAY
PARTICIPATE**

Dear Sir/Madam

Your attendance is requested at a meeting of the Licensing and Appeals Panel to be held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Wednesday, 16th August, 2023 commencing at 10.00 am

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

PART 1 - PUBLIC

1. Apologies for absence
2. Declarations of Interest

Decisions to be taken under Delegated Powers in accordance with paragraph 3, part 3 of the Constitution

3. Application for a Premises Review - Desh, 68 - 70 High Street, 5 - 32
West Malling ME19 6LU

The Panel is asked to consider a review of a premises licence under section 51 of the Licensing Act 2003.

4. Urgent Items

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive

5. Exclusion of Press and Public 33 - 34

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information

PART 2 - PRIVATE

Decisions to be taken under Delegated Powers in accordance with paragraph 3, Part 3 of the Constitution

6. Urgent Items

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

MEMBERSHIP

Cllr M Taylor (Chair)

Cllr C J Williams

Cllr B Banks

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TONBRIDGE & MALLING BOROUGH COUNCIL

LICENSING & APPEALS COMMITTEE

16 August 2023

Report of the Director of Central Services and Deputy Chief Executive

Part 1- Public

Delegated

1 APPLICATION FOR REVIEW OF A PREMISES AT DESH, 68-70 HIGH STREET, WEST MALLING, KENT, ME19 6LU

1.1 Executive summary

1.1.1 The Licensing & Appeals Committee sitting as a Panel is asked to consider an application for the review of a premises licence made under section 51 of the Licensing Act 2003 in relation to the premises known as Desh, 68-70 High Street, West Malling, Kent, ME19 6LU.

1.1.2 This Review follows a visit from the Home Office Immigration Officers from Southeast ICE Team to the premises on the 24 May 2023.

Three works were initially identified as possible immigration offenders. Two of these workers were arrested and interviewed. There was insufficient evidence to establish if the third worker was working in breach of their student visa and no further action was taken.

1.2 Background and Introduction

1.2.1 Desh was formally known as Gandhi Tandoori and the current premises licence is held by Mr Sheikh Alam. Desh has a premises licence under the provisions of the Licensing Act 2003, which authorises the following activities -

Licensable Activity	Days and Times
Sale of Alcohol	Sunday 12:00 - 23:30
	Monday to Saturday 10:00 - 00:00
	Christmas Day 12:00 - 22:30
Recorded Music	Sunday 12:00 - 23:30
	Monday to Saturday 10:00 - 00:00
	Christmas Day 12:00 - 22:30

1.2.2 A copy of the current premises licence is shown at **Annex 1**.

- 1.2.3 An application for a review of the premises licence for Desh was received from Mr Andrew Tutton on 23 June 2023. This review application can be seen at **Annex 2**.
- 1.2.4 A redacted copy of the witness statement from the Officer in charge can be seen at **Annex 3**.
- 1.2.5 The Licensing Authority placed pale blue A4 notices at the premises for a period of 28 days running from the 21 June 2023 until the 19 July 2023. In addition, a notice was placed on the Council's Notice board and details publish on the website.
- 1.2.6 At any stage, during the 28 day public consultation period, a responsible authority, or other party, may make representations in connection with any of the four licensing objectives namely:-
- Prevention of crime and disorder
 - Prevention of public nuisance
 - Public safety
 - Protection of children from harm

Provided that the grounds for the application for review are relevant to the promotion of the licensing objectives and, in the case of applications by other parties, are not vexatious, frivolous or repetitive, a hearing must be held to review the licence.

1.3 The Application

- 1.3.1 The application was made by Andrew Tutton, Immigration Officer, Southeast Immigration Compliance & Enforcement (ICE) Team, Immigration Enforcement
- 1.3.2 The grounds for the review are based on the following licensing objectives:
- The prevention of crime and disorder
- 1.3.3 Representations received from statutory consultees:

Fire Safety	No comments received
Trading Standards	No comments received
Social Service	No comments received
Police	No comments received
Environmental Health	Comments received. This is shown at Annex 4
Health & Safety	No comments received

Planning	No comments received
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1.3.4 During the 28 day consultation period, the licensing department have received no representations.

1.4 Reasons for referral

1.4.1 The Licensing Authority must, where an application under section 51 of the Licensing Act 2003, has been received hold a hearing to consider the application and any relevant representations that may have been received. Such applications are heard by the Council's Licensing Sub- Committee.

1.4.2 The applicant and other persons that have made representations have been invited to attend the hearing.

1.5 Policy Considerations

1.5.1 The following provisions of the Secretary of State's Guidance appear to be of particular relevance to this application:

Chapter 2 – The licensing objectives

Chapter 9 – Determining applications

Chapter 10 – Conditions attached to premises licence

Chapter 11 – Reviews

1.5.2 The following paragraphs of the Councils' Statement of Licensing Policy apply to this application:

Sections 2 – This section sets out the Licensing objectives.

Section 14 – Review of a premises or club premises certificate

1.6 Legal Implications

1.6.1 Section 4 of the Licensing Act 2003 requires the Licensing Authority to carry out its functions with a view to promoting the following Licensing Objectives -

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance
- d) The protection of children from harm

1.6.2 Section 4(3) of the Licensing Act also requires the Licensing Authority to have regard to its published statement of Licensing Policy and any guidance issued by the Secretary of State under section 182.

- 1.6.3 Section 4(3) of the Licensing Act also requires the Licensing Authority to have regard to the published statement of Licensing Policy and any guidance issued by the Secretary of State under section 182.
- 1.6.4 A determination of an application does not have effect until the time allowed for appeal has elapsed, or where an appeal is made, until the appeal has been disposed of (section 88 (11)).
- 1.6.5 The Licensing Act 2003 section 181 and Schedule 5 makes provision for appeals to be made by the applicant, those making representations and the premises licence holder, against decisions of the Licensing Authority to the Magistrates' Court.

1.7 Options Open to the Panel

- 1.7.1 Having regard to the application and any relevant representations and the letters of support received, the Licensing Authority must take the steps mentioned below as it considers appropriate for the promotion of the licensing objectives (section 52 of the Licensing Act). The steps are
- (a) To modify the conditions of the licence*;
 - (b) To exclude a licensable activity from the scope of the licence;
 - (c) To remove the designated premises supervisor;
 - (d) To suspend the licence for a period not exceeding 3 months;
 - (e) To revoke the licence

*Modification of the conditions of the premises licence can include the alteration or omission of existing conditions or addition of any new conditions, including those that restrict the times at which licensable activities authorised by the licence can take place

1.8 Financial and Value for Money Considerations

- 1.8.1 None unless there is a successful appeal against the Panel decision to the Magistrates' Court. This could result in costs being awarded against the Council.

1.9 Risk Assessment

- 1.9.1 Departure from the Guidance and Policy could lead to an increased risk on an appeal. Similar risks arise if any decision made is not evidence based and proportionate.

1.10 Equality Impact Assessment

- 1.10.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.11 Recommendations

1.11.1 Members are asked to consider the application to Review the licence for the premises known as Dosh and take any action they consider appropriate for the promotion of the Licensing Objectives, using the options outlined in section 1.7.1 of this report.

Background papers:

Licensing legislation
Secretary of State's Guidance
TMBC Licensing Policy

contact:

Katie Shipman
Anthony Garnett

Adrian Stanfield
Director of Central Services and Deputy Chief Executive

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www.tmbc.gov.uk

Schedule 12 Part A

Premises Licence Tonbridge & Malling Borough Council

Regulation 33,34

Premises Licence Number

18/01283/PREM issued 8th October 2018

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Gandhi Tandoori
68 - 70 High Street
West Malling
Kent
ME19 6LU

Telephone number 01732 845600

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Sale of Alcohol
Recorded Music

Times the licence authorises the carrying out of licensable activities

Sale of Alcohol

Sunday	12:00 - 23:30
Monday to Saturday	10:00 - 00:00
Christmas Day	12:00 - 22:30

Recorded Music

Sunday	12:00 - 23:30
Monday to Saturday	10:00 - 00:00
Christmas Day	12:00 - 22:30

The opening hours of the premises

Not applicable

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

Alcohol is supplied for consumption on the Premises

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

Mr Sheikh Alam

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

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Sheikh M B Alam

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Annex 1 – Mandatory conditions

Sale of Alcohol

1. No supply of alcohol may be made under the Premises Licence –
 - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
 - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3. (1) 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.
 - (2) 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.
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) 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
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - 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;
 - 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. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) 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) a holographic mark or
 - (b) an ultraviolet feature.
6. The responsible person shall ensure that –
- (a) 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 –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where 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.

Minimum Drinks Pricing

1. 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.
2. For the purposes of the condition set out in paragraph 1 –
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) “permitted price” is the price found by applying the formula –
$$P = D + (D \times V)$$
Where –
 - (i) P is the permitted price
 - (ii) D is the amount 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
 - (iii) 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;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
 - (i) The holder of the premises licence
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4.
 - (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
 - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.
3. Where
 - (a) The film classification body is not specified in the licence, or
 - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,admission of children must be restricted in accordance with any recommendation made by that licensing authority.
4. In this section “children” means any person aged under 18; and “film classification body” means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

Door supervision (except theatres, cinemas, bingo halls and casinos)

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
 - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of the Act.
2. But nothing in subsection (1) requires such a condition to be imposed:
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
 - (b) in respect of premises in relation to:
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
3. For the purposes of this section:
 - (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.
 - a. ph 8 of that Schedule.

Annex 2 – Conditions consistent with the Operating Schedule

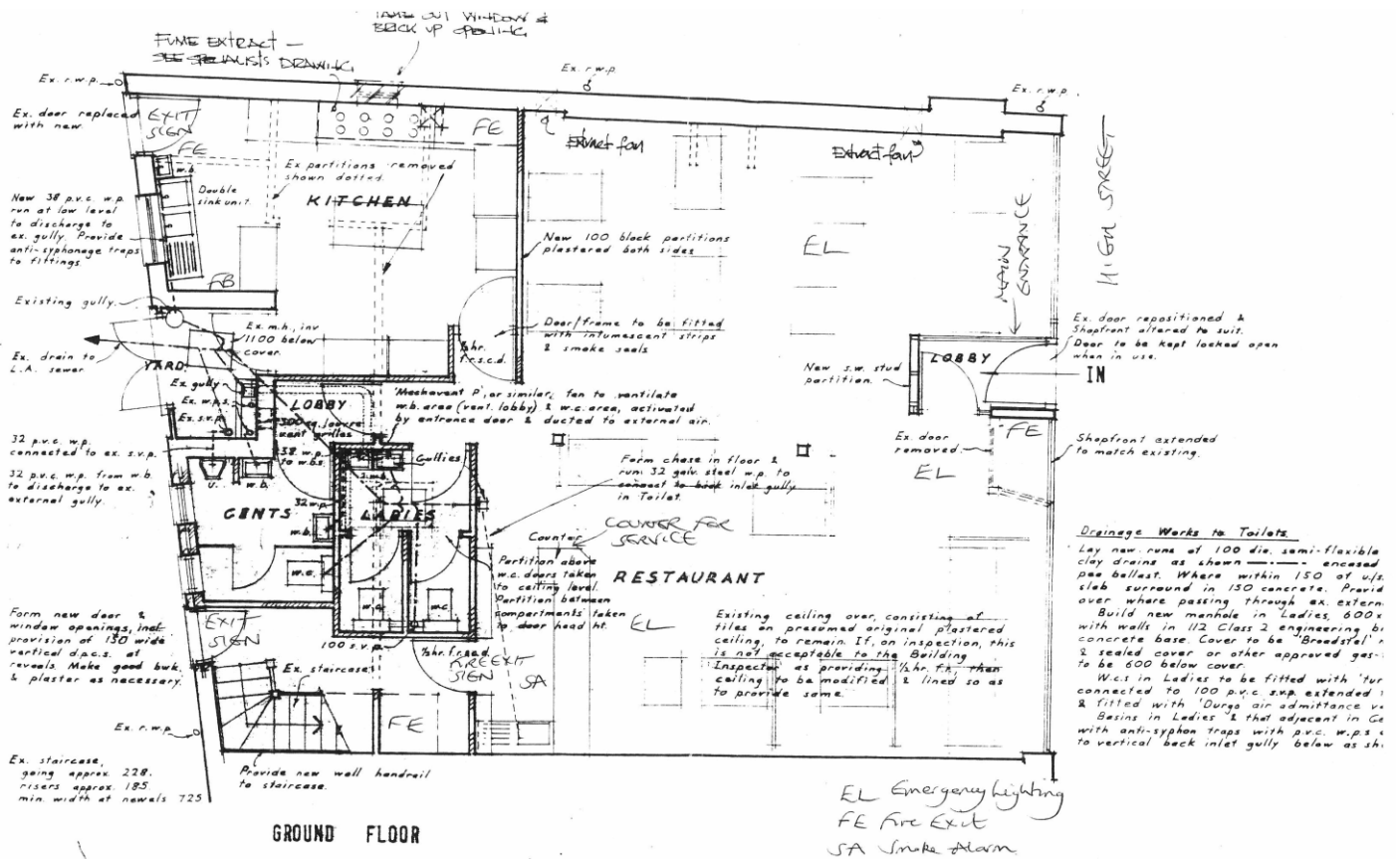
1 CONDITION OF RESTAURANT LICENCE

Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary thereto.

Annex 3 – Conditions attached after a hearing by the licensing authority

None

Annex 4 – Plans



RESTAURANT
 68-70 #104 STREET WEST WAILING KEHT.

PROOPER ASSOCIATES
 SCALE 1:50

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[Insert name and address of relevant licensing authority and its reference number (optional)]

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 Andrew Tutton

(Insert name of applicant)

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 (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Desh, 68-70 Hight Street, West Malling, Kent, ME19 6LU	
Post town West Malling	Post code (if known) ME19 6LU

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

Number of premises licence or club premises certificate (if known) 18/01283/PREM
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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

Name and address Andrew Tutton Immigration Officer <input type="text"/> Southeast Immigration Compliance and Enforcement (ICE) Team Immigration Enforcement <input type="text"/>
Telephone number (if any) 0300 106 3199
E-mail address (optional) <input type="text"/>

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

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

-
-
-
-

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

On 24th May 2023 a team of Immigration Officers from Southeast ICE Team accompanied by officers from Tonbridge and Malling Borough Council Licensing Team conducted an enforcement visit to the above restaurant following receipt of intelligence that the business was employing immigration offenders.

Entry was gained to the premises at 18:50 hours under fully informed consent provided by the restaurant manager. Officers screened the staff working at the restaurant. Three workers were identified as possible immigration offenders. Two of these workers were arrested and interviewed with regard to their employment at the restaurant. There was insufficient evidence to establish whether the third worker was working in breach of the terms of his student visa and no further action was taken with regard to this worker. The director of the company running the restaurant (Sophia May Ltd), Mr Sheikh ALAM, was interviewed by the Officer in Charge of the visit with regard to the two illegal workers encountered. He was subsequently served a Notice of Penalty Liability for an Illegal Working Civil Penalty in respect of the two illegal workers encountered.

Southeast ICE Team has yet to hear from the Civil Penalty Compliance Team of Immigration Enforcement as to whether a civil penalty has been issued to the company running Desh or what level of penalty (if any) was set.

Employment of a worker who is disqualified from employment by reason of the employee's immigration status is a criminal offence under Section 21 of the Immigration, Asylum and Nationality Act 2006 (as amended) and is punishable by a sentence of up to 5 years' imprisonment and/or an unlimited fine. This is separate to the liability under legislation for a civil penalty for employing illegal workers.

This restaurant has been previously visited by Immigration Enforcement on 2 occasions: on 14th June 2010 when two immigration offenders working illegally were arrested and a civil penalty served; and on 1st December 2012 when two immigration offenders working illegally were arrested and a civil penalty was served. Mr [REDACTED] (manager now at [REDACTED]) was present during the visit in 2012.

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

A printout of the visit report from the Home Office PRONTO application (including illegal working interviews with the employees and employer) is included with this application.

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

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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

Date **04/006/2023**

Capacity

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.

RESTRICTED (when complete)

WITNESS STATEMENT

(CJ Act 1967, s.9 MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN

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Statement of: ...Dorin Baker-Schiau.....

Age if under 18 Over 18.... (If over 18 insert "over 18") Occupation: Immigration Officer

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature Dorin Baker-Schiau..... Date: 21/06/2023

Tick if witness evidence is visually recorded (supply witness details on rear)

On 26/05/2023 I was on duty in full uniform with the Sussex ICE Arrest Team, based in Room 150, Ashdown House, Gatwick Airport, RH6 0NP. We have attended the Restaurant Desh (aka Ghandi Tandoori) 68-70 High Street West Malling Kent ME19 6LU, on an Illegal working visit. I, IO Baker-Schiau was the officer in charge of the visit. At approximately 19:46 I conducted a Illegal Working interview with a person that I now to be Sheikh ALAM, who claimed to be the Director of the company .

The following is a transcript of the interview : “What is your position here? Director of the company
What is the name of the business? Sofia May LTD .

In regards to who was encountered by our officers working illegally in the restaurant , how long has he been working here ? I don't know, I don't deal with the staff employment.

Do you know how many hours has he been working ? No , I don't know .

Who offered him the job ? the head chef , he spoke to them.

RESTRICTED (when complete)

Continuation of Statement of: Dorin Baker-Schiau

Page 2

Are you aware of the fact that he is not allowed to work in the UK? No , I wasn't.

Do you know if any employment checks have been done ? No , I don't know.

In regards to [] who hired him [] the head chef. Do you know what hours has he been working ? No , I don't deal with staff .

Do you know if any employment checks have been done for him ? No , I don't know.”

I make this statement at 16:20 hrs on Tuesday 04/06/2023, from notes recorded on PRONTO and from recollection of the events whilst they are still fresh in my mind. IO Baker-Schiau 20499. 04/06/2023, 16:20.

Premises Licence Review

Premises: Dosh, 68-70 High Street, West Malling, Kent

Environmental Protection Comments:

An application has been made by the Southeast Immigration Compliance and Enforcement (ICE) Team for a review of the Premises Licence for the abovementioned premises. The Application has cited the following Licensing Objectives as reason for the Review being sought:

- Prevention of Crime and Disorder

I have no comments in relation to the Licensing Objective cited.

However, for clarity, I would add that over the past 10 years there have been no complaints received in the Environmental Protection team that are pertinent to the Licensing Objectives.

Peter Thomason. 21-June-2023.

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Agenda Item 5

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

**ANY REPORTS APPEARING AFTER THIS PAGE CONTAIN EXEMPT
INFORMATION**

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