

Dear Member,

LICENSING SUB-COMMITTEE - FRIDAY, 10TH MARCH, 2023

Please find attached, for consideration at the next meeting of the Licensing Sub-Committee, taking place on Friday, 10th March, 2023, the following reports that were unavailable when the agenda was published.

Agenda No Item

3. **Application for a Review of a Premises Licence - Indian Tree, 14 Market Place, Ringwood, BH24 1AW (Pages 3 - 6)**

Additional information from Immigration Enforcement (IE) in support of an application for the review of a Premises License.

The relevant papers are attached.

Yours sincerely

Joe Tyler

Democratic Services

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08/03/2023



Immigration
Enforcement

Additional information from Immigration Enforcement (IE) in support of an application for the review of a Premises License

On behalf of the Secretary of State, Home Office (Immigration Enforcement) makes representations in support of the following application for the review of a premises licence, relating to the prevention of crime and disorder objective, including the prevention of illegal working and immigration crime in licensed premises. IE wishes to make the following additional representations on an application for a review of a premises licence.

Name/Address of Premises: Indian Tree, 14 Market Place, Ringwood BH241AW

Premises License Holder: Mr Adib BACHHU

License Number: 1485/6

Additional representations being made for the following reasons:

On 08/03/2023 additional information was made available upon request from the Home Office Civil Penalties Unit in relation to the status of all Civil Penalties issued at the business address since the first intelligence led visit by Immigration Enforcement in 2015. The information provided states that;

- 322203 – visit 12/01/2023 case not yet considered. Information Request form to be sent to Gold Leaf Restaurant Ltd (pending a final check) 1 illegal worker referred.
- 311319 – visit 27/04/2017 £30,000 penalty issued on 16/06/2017 to Bubble Catering Ltd, penalty outstanding but not currently being pursued as company dissolved. 2 illegal workers identified.
- 309374– visit 27/10/2016 £10,000 penalty issued on 16/12/2016 to Bubble Catering Ltd, £8,055.54 of the penalty outstanding but not currently being pursued as company dissolved. 1 illegal worker identified.
- 305712 – visit 03/03/2016 £60,000 penalty issued on 19/04/2016 to Curry Foods Ltd. Penalty outstanding but not currently being pursued as company dissolved. 4 illegal workers, all from Bangladesh were identified.
- 301899 – visit 14/04/2015 £75,000 penalty issued on 10/06/2015 to Tree Foods Ltd, penalty outstanding but not currently being pursued as company dissolved. 6 illegal workers, all from Bangladesh were identified.

In 2015 and following the issue of a civil penalty of £75,000 being issued on 10/06/2015, the business at the Indian Tree, 14 Market place, Ringwood ceased trading under 'Tree Foods Ltd'. The civil penalty was issued to this company. Based on information available on Companies House, Tree Foods Ltd is listed as a Licensed Restaurant at the address of 14 Market place, Ringwood BH241AW. This company was incorporated on 14/06/2012 and dissolved on 01/09/2015, 3 months after the issue of a £75,000 civil penalty for employing persons not eligible to do so in the UK, at the licensed premises. The Director linked to the Tree Foods Ltd company is listed as Rujina BEGUM. On 11/05/2015 an application was made to strike the company off the register. Under section 1003 of the 2006 Companies Act, the company Tree Foods Ltd was dissolved. Home office systems show Rujina BEGUM is also known as Rujina BACHHU with the same date of birth. She is listed as married

and it is probable that she is or was linked at the time to Adib BACHHU and they were operating the company and or business at 14 Market Place in conjunction with each other.

On 19/04/2016 a civil penalty was issued for £60,000 as a result of illegal working detected by the Immigration Enforcement. At this time the business at Indian Tree, 14 Market Place, Ringwood was operating under the company name 'Curry Foods Ltd'. Curry Foods Ltd (based on Companies House internet research) was dissolved on 17/07/2018. On 04/05/2016, less than 1 month after the civil penalty was issued, an application was submitted to strike the company off the register. There were two suspensions to the voluntary strike off on 26/05/2016 and 18/01/2017 owing to the pursual of the recovery of the civil penalty debt. This was without success and the company was finally dissolved on 17/07/2018.

Between 16/12/2016 and 16/06/2017 there were two separate breaches found at the business address by Immigration Enforcement which amounted to a civil penalty charge of £40,000. The company at this time was named 'Bubble Catering Ltd' and registered to Indian Tree, 14 Market Place, Ringwood. Companies House shows that the sole director of this company was Adib Ahmed BACHHU. On 15/02/2018 Mr BACHHU applied to strike the company off the register (8 months after two civil penalties had been issued to the amount of £40,000). On 16/03/2018 a suspension to the voluntary strike off was listed as a result of the pursual of the recovery of the civil penalty debt. This was without success and the company was finally dissolved on 03/03/2020.

Mr Adib Ahmed BACHHU is listed on Companies House as disqualified for conduct whilst acting as director for Bubble Catering Ltd. Bubble catering Ltd was the company registered and operating from Indian Tree, 14 Market Place, Ringwood. The reason was under the Company Directors Disqualification Act 1986 (Section 8): Disqualification after investigation of company. The investigation was undertaken by The Insolvency Agency who pursue unfit directors due to non-payment or failing to engage with the civil penalty process. This casts doubt over whether Mr BACHHU is fit to act as a Premises License Holder.

As a result of the visit conducted on 12/01/2023, referrals were made to other authorities which included; Hampshire Fire and Rescue Service (based on blocked fire escapes and fire loading of combustible materials), Environmental Health at New Forest District Council (officer observed a number of food safety violations, mainly lack of cleanliness) and Housing at New Forest District Council (as the residential area above the restaurant appears to be an unlicensed HMO (house of multiple occupancy)).

The relevance of the above information is to demonstrate that Mr BACHHU and his associates are well versed in avoiding repercussions of employing illegal workers. The business is run by the company director and or license holder(s) in such a way that there is little regard for legislation. There is a trend at the business address where they appear to change the company (liable party for any civil penalty) shortly after any civil penalty is issued or pursued. This is likely to avoid payment of the penalty which in every case has been as a result of identifying illegal workers. In each case the illegal workers have been identified in conjunction or connection with the licensable activity, namely the sale of alcohol. Mr BACHHU is listed on Companies House as disqualified for conduct whilst acting as director for a company registered at the business address in question.

Signatures			
Signature of Responsible Authority			
Home Office Immigration Enforcement			
Date:	08/03/2023	Capacity:	Responsible Authority

Details of Responsible Authority	
Name and Address:	
Home Office Immigration Enforcement South Central (Portsmouth) 2 nd Floor, Norman House Kettering Terrace Portsmouth PO2 7AE	
Email address (optional):	<u>INDUKISHampshireEnforcementDutyOffice@homeoffice.gov.uk</u>

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