

**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 Sergeant Gareth Gosling on behalf of the Chief Officer of Dorset Police

(Insert name of applicant)

**apply for the review of a premises licence under section 51 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	
Chicken n Beer 58 Stanfield Road	
Post town Bournemouth	Post code (if known) BH9 2NP

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

Number of premises licence or club premises certificate (if known)
BH189999

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

Drug & Alcohol Harm Reduction Team
Poole Police Station
Wimborne Road
Poole
Dorset

Telephone number (if any)

E-mail address (optional)

licensing@dorset.pnn.police.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 | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

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

The Prevention of Crime and Disorder

Dorset Police bring this premises licence before the members of the Licensing Sub-Committee for review on the basis that there is evidence that this premises is associated with employing illegal workers contrary to immigration legislation.

In consultation with partners from HM Immigration, Compliance and Enforcement Team (Home Office), Dorset Police no longer have confidence in the Premises Licence Holder to uphold the licensing objectives.

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

This application for a review of the premises licence for the premises known *Chicken n Beer*, is being submitted by Dorset Police as we can demonstrate that this premises has undermined the licensing objective to Prevent Crime & Disorder.

It is and always has been the intention of Dorset Police Drug & Alcohol Harm Reduction Team to engage and support licensees throughout Dorset to promote the four licensing objectives of Preventing Crime & Disorder, Preventing Public Nuisance, Promoting Public Safety and Protecting Children from Harm.

Partners from the South Central Immigration, Compliance and Enforcement Team within HM Immigration Service conducted a visit to this premises on Friday 14th February 2025 following receipt of intelligence which indicated that Immigration offences were routinely being committed at that premises.

The lead officer in that operation has provided evidence highlighting key concerns and the impact that premises that are responsible for committing Immigration offences have on our communities. The Premises Licence Holder is directly associated with the offences and further details of these offences, including the arrest of two individuals for working illegally at the premises, will be submitted in the Supplementary Submission to follow.

Section 11.27 of the Revised Guidance issued under Section 182 of the Licensing Act 2003 states that, *“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;”*

Section 11.28 continues, *“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.”*

The Guidance identifies that this activity is sufficiently serious to justify revocation of the premises in the first instance. Members of the Sub-Committee will note from the statement of the lead officer that individuals associated with this premises, including the Premises Licence Holder, should have had regard to the requirements when employing individuals into their business, further supporting the necessity to consider revocation of this premises licence.

Dorset Police, through our Drug & Alcohol Harm Reduction Team, working with other colleagues within Dorset Police and our external partners, support licensed premises to provide value to their communities and to do so compliantly and in promotion of the licensing objectives. This premises, having been under the control of the existing operator for some time, has been identified as not operating to the high standards that are expected by Dorset Police and our partners.

Dorset Police are committed to supporting our partners to relentlessly pursue those premises that cause harm to any of our communities, and in doing so, support compliant businesses adding social and economic value to the community.

Dorset Police invite the Sub-Committee to consider all the options available to them under the Licensing Act 2003 with consideration to be given to revocation of the Premises Licence if the members of the Sub-Committee cannot be reassured that the operator is able to deliver licensable activities compliantly and in promotion of the licensing objectives.

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



.....

Date **25th March 2025**

.....

Capacity **Police Sergeant**

.....

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)



Immigration Enforcement

Immigration representation in support of an application for the review of a premises licence.

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 representations on an application for a review of a premises licence.

Details of Premises:			
Premises Licence Holder:			
Roy Prashanthan FRANCIS			
Name and Address of Premises:			
Chicken n Beer, 58 Stanfield Road, Bournemouth			
Post Town:	Dorset	Post Code:	BH9 2NP

Representations are being made for the following reasons:

Intelligence was received by the Home Office surrounding allegations of illegal working at the **Chicken n Beer, 58 Stanfield Road, Bournemouth, BH9 2NP**. An enforcement visit was therefore requested to be conducted to investigate this allegation.

Following this visit, Home Office Immigration Enforcement (HOIE) considers that **Roy Prashanthan FRANCIS** (director of **Chicken n Beer Ltd**, Co House number: 14590559.) is not taking suitable measures to prevent crime and disorder. Following our enforcement visit it was found that the business has employed 2 illegal workers which is prohibited under the Licensing Act 2003 and the Immigration Act 1971 (as amended).

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

- It deprives HMRC and the Government of revenue by non-payment of tax and national insurance.
- It exploits the undocumented by paying them less than the minimum wage and provides no employment or income protection.
- It encourages those without permission to work to seek similar employment.
- It allows a business to unfairly undercut other businesses by employing cheap labour.
- Illegal workers are often housed in cramped and unsatisfactory conditions by the employer as part of their working arrangement.

HOIE supports the review from the Dorset Police Drug & Alcohol Harm Reduction Team regarding the following business:-

Chicken n Beer, 58 Stanfield Road, Bournemouth, BH9 2NP.

HOIE conducted an enforcement visit to **Chicken n Beer, 58 Stanfield Road, Bournemouth, BH9 2NP** just after **17:30** on the **14/02/2025**. During this visit **Chicken n Beer** was found to be employing 2 illegal workers, potentially a 3rd but this person managed to evade Immigration Officers, possibly by entering the premises above the business. Below is a full breakdown of each of the findings by Immigration Enforcement during the visit.

During this visit, HOIE encountered 1 Indian (IND) female who was the target of the visit who fled out to the back of the premises when spoken to by ICE on entry, and 1 Indian (IND) male who also fled out the back of the premises when we entered; both were suspected of illegal working, based on the intelligence that had been received. The shop was open to the public and holds a Premises License which permits the business to sell alcohol - Licensable Activity. Upon entry, there were no customers present although there were customers using the shop during our visit. The female target of the visit was behind the counter and preparing food to put into boxes for the delivery drivers/riders. She was initially spoken to by the OIC to explain to her why we were there, explain our Power of Entry, and serve the relevant documents to effect a lawful entry, however she started walking towards the back of the property with 2 other males, who went out of line of sight of the 2 Immigration Officers (myself and [REDACTED]) at the front counter. We subsequently received radio messages from the external cover Officers at the premises to say that there were runners out the back. 2 were eventually apprehended but the 3rd managed to elude the Officers, possibly by going upstairs to the property above the business premises, where we had no Power of Entry.

It is a point of note that **FRANCIS** arrived shortly after we entered, and [REDACTED] asked **FRANCIS** if he knew [REDACTED], and showed him an image of her, and he confirmed that she no longer worked at the premises and had not done so for a couple of months and that he knew her as "[REDACTED]".

The details of the 1 x IND female encountered are as follows:-

[REDACTED], Indian (IND) female. [REDACTED] entered the UK on a student visa on 16/08/2023 but failed to fully engage on her course which led to her visa being curtailed and leave expiring on 21/05/2024, at which point she became an Overstay in the United Kingdom with no right to work. [REDACTED] subsequently made a claim outside the rules, the terms and conditions of which included **NO RIGHT TO WORK**.

[REDACTED] was interviewed in relation to employment at the business, where she named **Roy Prashanthan FRANCIS**, as the person who had employed her and tells her when to work.

During interview [REDACTED] admitted that she had been working at **Chicken n Beer** for a month and a half.

During interview, [REDACTED] that on the day we visited, she was working, taking orders and bagging them for customers and delivery people (sic).

During interview, [REDACTED] stated that she provided an image of her passport and her Asylum Registration Card (ARC) which stated **No Right to Work** on it, to **FRANCIS**. She stated that **FRANCIS** noticed the **No Right to Work** condition on it and mentioned it to her, but [REDACTED] said she stated to **FRANCIS** that she really needed the work, so he allowed her to work at **Chicken n Beer** regardless.

During interview, [REDACTED] admitted that she did not have a contract to work at **Chicken n Beer**.

During interview, [REDACTED] admitted to being paid £7 per hour, which is well below minimum wage which currently stands at £11.44.

During interview, [REDACTED] stated that she is paid her wages cash in hand which brings into question whether this wage goes through the books of the business, with the relevant tax and National Insurance contributions being made.

During interview, [REDACTED] admitted to working at least 15 hours per week but that days and hours vary because **FRANCIS** will call her when he needs people to work.

During interview, [REDACTED] confirmed that **FRANCIS** had provided her with the black chef's smock that had her name in it, and that he told her to look after it.

During interview, [REDACTED] admitted to having Tuberculosis and that **FRANCIS** knew about this. She stated that **FRANCIS** told her to go and get another test but appeared to continue to allow her to work there regardless.

Tuberculosis is a Notifiable Disease and must be notified to the relevant authorities within 3 days of discovery. **FRANCIS** does not appear to have notified the Environmental Health authorities at Southampton Council as they were not aware of this when I finally managed to contact them.

Given that **FRANCIS** is in charge of a food outlet and

Given that [REDACTED] is working preparing food in a working kitchen, in close contact with other members of staff and was not taking any apparent precautionary methods to prevent any spread of the disease by way of facemasks or gloves, although she should not have been working at the premises at all until she had been given the all clear and

Given that [REDACTED] is dealing with multiple potential vectors in the form of customers and delivery drivers and

Given that [REDACTED] has potentially significantly increased the risk to Public Health

it is not unreasonable to expect **FRANCIS** to have taken adequate precautionary measures with regard to his business, staff and customers and followed the requisite Government guidelines for reporting a notifiable disease and seeking guidance for the same, all of which **FRANCIS** appears to have failed to have done in this instance. This constitutes a considerable risk to Public Health.

The details of the 1 x IND male encountered are as follows:-

[REDACTED] – IND male. Subj was refused a visa and Leave to Enter the UK on 14/03/2022. [REDACTED] then entered the UK illegally by way of a small boat. [REDACTED] subsequently made a claim outside the rules but failed to engage with the Home Office in respect of this claim, failed to report to his Immigration Bail as directed by the Home Office, and was circulated on the Police National Computer as an Immigration Absconder on 28/02/2024 which was still current at time of our encounter with [REDACTED]. [REDACTED] had no permission to work in the UK. [REDACTED] was one of the 3 persons who ran from Immigration when we entered the premises.

During interview, [REDACTED] confirmed he was working at **Chicken n Beer** as a cleaner.

During interview, [REDACTED] admitted to working 3 hours per day at **Chicken n Beer**.

During interview, [REDACTED] admitted to earning £6 per hour which is well below the minimum wage which currently stands at £11.44.

During interview, [REDACTED] confirmed that it was **FRANCIS** who gave him the job at **Chicken n Beer**.

During interview, [REDACTED] confirmed that **FRANCIS** had asked him for documents that confirmed he was able to work in the UK.

During interview, [REDACTED] admitted that he had not provided any documents to **FRANCIS** to confirm he was able to work in the UK.

During interview, [REDACTED] confirmed that **FRANCIS** still permitted him to work at **Chicken n Beer** despite him not providing any documents to confirm he was lawfully able to work in the UK.

During interview, [REDACTED] stated that the reason he had been encountered in the kitchen was because he was cooking something for himself. However, he was wearing the same black branded chef's smock as the other staff at the premises.

During interview, [REDACTED] stated that he did not serve any alcohol when he was working at the premises.

During interview, [REDACTED] stated that he had not received any training to work at **Chicken n Beer**.

During interview, [REDACTED] stated that he had been working at **Chicken n Beer** for 22 days.

The owner, **Roy Prasnathan FRANCIS** was not initially present at the premises when we arrived, however he did come to the premises shortly thereafter, however refused to be interviewed at the time as he stated he was too busy, and to call him between 14:00 and 16:00 the following day.

I made 3 attempts the following day to contact **FRANCIS** for the purposes of conducting the interview as requested. 1st attempt was at **14:33**; **FRANCIS** stated he was unable to take the call as he was driving and would call me back within the next 45 minutes.

No return call was received so I made the second attempt at **15:48** which was eventually answered, and cut off. I made a final attempt at **15:49** and this time the call was answered by **FRANCIS** and the interview conducted.

Employer Interview 1 – In respect of [REDACTED]

During interview, **FRANCIS** stated that he had not employed [REDACTED] yet.

During interview, **FRANCIS** stated that he did not know [REDACTED] by any other name, despite earlier saying that he knew her as "[REDACTED]".

During interview, **FRANCIS** stated that he checked [REDACTED] had a visa and a BRP card.

During interview, I asked how **FRANCIS** knew the BRP was valid, and he stated it was because it had an expiry date on it.

During interview, I asked **FRANCIS** if he was aware of the Gov.UK Right to Work Checks and how to conduct them, and if he had conducted the correct and relevant checks in respect of [REDACTED] and **FRANCIS** confirmed that he was aware of these checks but had not conducted them in respect of [REDACTED].

During interview I asked **FRANCIS** how much [REDACTED] gets paid, and if this was by cash or bank transfer; **FRANCIS** stated that he doesn't pay her as he hasn't employed her, that he has just helped her out as he knows she is struggling.

During interview, I asked **FRANCIS** how many hours/days [REDACTED] works/trains, and **FRANCIS** stated that [REDACTED] needed to be trained, so she doesn't work any regular hours, a maximum of 10/15 hours per week.

During interview, I asked **FRANCIS** if he had provided [REDACTED] with a contract, and **FRANCIS** stated that he had not employed [REDACTED] as he was waiting for her ARC card, and that the idea was that he would employ her and she would pay him back for the money he has provided for her.

During interview, I asked **FRANCIS** if he had provided [REDACTED] any food hygiene standards training, and **FRANCIS** stated that he had not, he had only taken her through the basics and that he would not allow her to work unless she was wearing an apron, hairnet and gloves (there was no sign of a hairnet when we encountered her).

During interview, I asked **FRANCIS** how long [REDACTED] had been working at **Chicken n Beer**, and **FRANCIS** stated since 1st January 2025.

During interview, I asked **FRANCIS** what duties [REDACTED] performed at **Chicken n Beer**, and **FRANCIS** stated "packing, errrrr so far I have only shown her how to pack things and making sides I think" (sic).

During interview, I asked **FRANCIS** if he was aware of [REDACTED]'s immigration status and he stated "That she claimed asylum? Yes".

During interview, I asked **FRANCIS** if he provided [REDACTED] with the uniform she was wearing and he stated "(pause)...Yes".

During interview, I asked **FRANCIS** why he had stated to the Immigration Officers, when asked if [REDACTED] worked there, he said no, and **FRANCIS** stated that "The name you provided was [REDACTED], not just [REDACTED]. Her surname is different so I didn't think it was her". (sic).

During interview, I asked **FRANCIS** "So you didn't think that the name [REDACTED] related to the person you have working at your premises might be the same person" to which **FRANCIS** stated "The document you showed me was for [REDACTED], not just [REDACTED]. Her surname starts with a [REDACTED]". (sic).

During interview, I asked **FRANCIS** "When looking at the document [REDACTED] said she showed you, it clearly states work was not permitted, yet you still employed her. Please explain why" and **FRANCIS** stated that "This is not true at all. If she gave me an ARC card I would have done the necessary checks and got the sharecode." (This statement shows that **FRANCIS** is au fait with what is required regarding the checks that are required).

During interview I asked **FRANCIS** "[REDACTED] confirmed to Immigration Officers that she had TB, that she told you and you still employed her. TB is a Notifiable Disease. Did you notify Environmental Health? If so, when and how?", to which **FRANCIS** stated "She never told me about TB, I only know about the domestic".

During interview I asked **FRANCIS** if he had anything else he wanted to ask me about [REDACTED] and **FRANCIS** stated "Yes, you said she'd shown you her ARC card, when did she get it? (I checked on Home Office systems and advised him it was in December last year as she had applied in November).

FRANCIS then asked about the BRP. I explained that just because a person is in possession of what appears to be a valid in date BRP, this does not prove extant leave and work permissions, especially if the leave has been cancelled or curtailed, as it had in this case, and the reason why checks should always be conducted regardless. Had **FRANCIS** conducted the relevant checks he said he did in September, he would have seen that [REDACTED]'s leave had been curtailed in [REDACTED] and expired on [REDACTED].

Employer Interview 2 – In respect of [REDACTED]

During interview with **FRANCIS** regarding [REDACTED], I asked **FRANCIS** if he had employed [REDACTED] at Chicken n Beer, and **FRANCIS** stated "Again, same story with [REDACTED], his real name is different on the document he gave me when he asked me for a job and food as he was struggling."

During interview with **FRANCIS** I asked him how [REDACTED] had obtained the job, and **FRANCIS** stated "He just walked in".

During interview with **FRANCIS** I asked him if he knew [REDACTED] by any other name, and **FRANCIS** stated "His nickname, [REDACTED]. I do not know him as [REDACTED]."

During interview with **FRANCIS** I asked him if he had requested [REDACTED] to provide proof of his Right to Work in the UK and **FRANCIS** stated "Yes, to provide documents once trained" (sic).

During interview with **FRANCIS** I asked him what the name on the documents that [REDACTED] had provided, what name was that in, and **FRANCIS** stated "The document he gave me showed the name of [REDACTED]. No date of birth on it. It's a BRP".

During interview with **FRANCIS** I told him that, after running checks on the details of the BRP regarding [REDACTED], and seeing an image of [REDACTED] that they are definitely not the same person, **FRANCIS** stated "I haven't done checks on him ([REDACTED]), I only do the checks after I complete their training and after they bring their original documents. He said he would bring his original documents as he's applying for an extension." (sic).

During interview with **FRANCIS** I again asked if he was aware of the Gov.UK Right to Work checks and he gave the same answer as he had given for [REDACTED].

During interview with **FRANCIS** I asked how much [REDACTED] was paid and is that weekly/hourly/monthly, and **FRANCIS** stated "No, I don't give him any money and he doesn't get paid. He gets nothing. He sometimes asks for food, I took him on to train him making certain dishes for Asian/Sri Lankan dishes which he said he can cook." (sic).

During interview with **FRANCIS** I asked how many hours [REDACTED] works/trains per week, and he stated "No set hours, in training I allow them to call me to see if I'm on the premises then he can come, he has been here 3/4 days, 4-5 hours per day." (sic)

During interview with **FRANCIS** I asked if he had provided [REDACTED] with a contract and he stated "No, not yet, he's just training. I've tried other people for Sri Lankan food but they've not worked out, so he ([REDACTED]) is the next candidate."

During interview with **FRANCIS** I asked if he provided [REDACTED] with any food hygiene standards training and he stated "Again, I showed him the basic stuff, still give him the apron, hairnet and gloves as I'm strict that that needs to be followed."

During interview with **FRANCIS** I asked how long [REDACTED] had been working at Chicken n Beer and he stated "3/4 days".

During interview with **FRANCIS** I asked what duties [REDACTED] carried out at Chicken n Beer and he stated "Trialling out the Sri Lankan cooking, I asked him to make Sri Lankan food. He does cooking and food prep."

During interview with **FRANCIS** I asked if [REDACTED] ever served alcohol and he stated "No".

During interview with **FRANCIS** I put to him that [REDACTED] had stated he had been working at Chicken n Beer for 22 days, **FRANCIS** stated "No. I remember he moved from [REDACTED] to Winton about a month ago. I dispute he has been working here 22 days, it's only 3 or 4."

During interview with **FRANCIS** I put to him that [REDACTED] had stated that he is paid £6 per hour, was that correct, and **FRANCIS** stated "No. I've not given him any money, food yes, no money."

At the end of the interview, I asked **FRANCIS** if there was anything he wanted to ask me about [REDACTED], and he stated "Yes. What was the name you said? [REDACTED]? So the document I have was fake? (I confirmed that potentially yes, it was). Also, I understand that [REDACTED] hid when you guys entered, if he was doing nothing wrong he'd still be in the kitchen."

LICENSING OBSERVATIONS

As OIC, I also spoke to **FRANCIS** surrounding some concerns relating to his license and what we had found on our visit.

FRANCIS stated at the time that he was not available for interview as he was "training staff". The staff were working unsupervised when we entered and **FRANCIS** was not even on the premises. Even when he was on the premises, he kept disappearing and taking phone calls. During our presence there, there was no real evidence of any training or coaching as they all were working autonomously with little to no coaching interaction, either physical or verbal.

FRANCIS stated he has records for employees that he has conducted checks for, in his office and is aware of the procedure.

FRANCIS stated the 2 subjects named in this interview were not employees, they were just training.

FRANCIS stated that it's a waste of time conducting checks until he is ready to employ them.

FRANCIS explained that it takes time and effort to train people only for them just to leave, so he doesn't conduct the checks until they have passed training and are about to be employed.

I explained to **FRANCIS** that he should not let anyone over the threshold of his business before conducting these checks, regardless of whether it is just for training, or actual employment, as the importance of these checks has been aptly demonstrated today as both people we arrested were immigration offenders, 1 was an Absconder from Immigration Bail and the other had no right to work.

I explained that regardless of whether anyone was paid for their "training" or not, and whether it was employment or training they were receiving, his business was benefitting financially from the work carried out during this "training" which is classed as employment.

I explained that because of the fact that both of the encountered subjects had been seen in uniform and had been working, this is why a CIVIL PENALTY notice for approx £120,000 has been referred to our Civil Penalties Team which could have been avoided had he conducted the checks and shows why they are definitely not a waste of his time to do.

I also stated that often it is of benefit to the employer when ICE visit as we can offer advice regarding the Right to Work Checks in a bid to help a business become, and remain compliant regarding Immigration and Licensing requirements and avoid being fined.

I also advised **FRANCIS** that if he had any other staff that were just training, and that he had not conducted checks on them, to either conduct the checks, or not allow them to continue training there until the correct checks had been conducted and their Right to Work has been confirmed.

OUTCOME

At the time of encounter at **Chicken n Beer on 14/02/2025**, [REDACTED] was considered by the Home Office as a person who had an open application outside the rules, and that [REDACTED] did not hold the requisite permissions to undertake any form of employment, paid or unpaid.

As [REDACTED] was encountered engaging in a form of paid work, it is suspected that a **Breach of Section 15 of the 2006 Immigration Asylum and Nationality Act** has been identified.

At the time of encounter at Chicken n Beer on 14/02/2025, [REDACTED] was an Absconder from Immigration Bail with no open applications with the Home Office.

As [REDACTED] was encountered engaging in a form of paid work, it is suspected that a **Breach of Section 15 of the 2006 Immigration Asylum and Nationality Act** has been identified.

Following our visit, a referral was made to the Home Office Civil Penalties Team who considered all the evidence available and decided to issue of a Civil Penalty on the employer in respect of [REDACTED] and [REDACTED], neither of whom hold the requisite permission to work at **Chicken n Beer**. This penalty was for the sum of **£90,000**.

Following our visit, a referral was made to Environmental Health surrounding the issue of the Notifiable Disease as well as the unhygienic state of the bar. The outcome of this investigation is currently awaited. See Appendix A.

Following our visit, a referral was made to Dorset Fire surrounding the unsafe electric fire in the bar area and the dirt and food encrusted fire extinguisher in the bar area. The outcome of this investigation is currently awaited. See Appendix A.

Following our visit, a referral was made to HMRC as **FRANCIS** appears to be paying the workers in cash with no payslips or any form of contract, which indicates that the correct tax and National Insurance contributions are not being made.

Following our visit, a referral was made to Dorset Licensing regarding the 2 illegal workers found at the premises where the correct RTW checks had not been conducted, which is in contravention of their license.

Following our visit, a referral was made to Dorset Constabulary Drug & Alcohol Harm Reduction Team regarding the 2 illegal workers that had been encountered with a potential 3rd at the premises who had not been encountered as he appeared to have gone upstairs to the premises above the business where we had no Power of Entry.

RIGHT TO WORK CHECKS AND THE PREVENTION OF CRIME AND DISORDER

The objective of the Licensing Act 2003 (the Act) is to provide a clear, transparent framework for making decisions about applications by individuals or businesses wishing to sell or supply alcohol or provide certain types of regulated entertainment and late-night refreshment.

There are four licensing objectives which underpin the Act, and which need to be considered and promoted throughout the licensing process.

The licensing objectives are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance and
- the protection of children from harm

Prevention of Crime and Disorder:-

Roy Prasnathan FRANCIS has been found to be employing an illegal worker at his business.

The licence was displayed high up on a wall which was not readily accessible or legible by the public.

Our Civil Penalties Referral Team will have attempted to contact **Roy Prasnathan FRANCIS** to ascertain his side of the story, to assist them with their decision process relating to if a Civil Penalty is warranted, and to what level.

Roy Prasnathan FRANCIS has clearly failed to meet the prevention of crime and disorder objective. The license holder would have been aware of their responsibilities to uphold the licensing objectives as they are clearly defined as part of the premises license application.

It is an offence to work when a person is disqualified to do so, and such an offence can only be committed with the co-operation of a premises license holder or its agents, that being **Roy Prasnathan FRANCIS**. In this case, one employee (██████████) had an open application with the Home Office but was not permitted to work, and was found to be illegally working. ██████████ had entered the UK with a visa that was subsequently curtailed as ██████████ had failed to observe the terms and conditions of the leave to enter the UK as afforded to ██████████ with that visa, and had subsequently failed to leave following that curtailment. ██████████ subsequently made an application outside of the rules, at a later date which is currently in progress, however ██████████ had failed to adhere to the "No Work Permitted" condition as part of that process. In the second case, one employee ██████████ had obtained work using a fraudulent means of identification where the image on that identification was clearly not that of ██████████. ██████████ had entered the United Kingdom illegally, following being refused a visa, and subsequently entered the UK by illegal means, thus circumventing immigration control. ██████████ had made a claim outside the rules but failed to engage with the Home Office in relation to this claim. ██████████ also failed to comply with the terms and conditions of his immigration bail, those being No Work Permitted, and to report to the Home Office. ██████████ was therefore circulated on the Police National Computer as an Absconder from Immigration.

The license holder/employer, **Roy Prasnathan FRANCIS** could have protected himself and prevented crime and disorder by completing a straightforward Right to Work check for both individuals, especially in respect of ██████████ who had provided a false ID in this instance. Had he done so, he would have found that both ██████████ and ██████████ had no permission to work in the United Kingdom.

All employers are duty bound by law to conduct these checks if they wish to avoid being penalised if found to have employed someone who is prohibited from working, and guidance can be found on the Gov.UK website or by using a search engine. Additional information on how to conduct these checks is available online, this includes the Home Office's official YouTube page. The license holder/employer, **Roy Prasnathan FRANCIS** could have quickly and easily confirmed that the potential candidates did **NOT** have the Right to Work.

Whether by willful negligence or willful blindness, an illegal worker was engaged in activity on the premises.

Public Safety:-

One of the persons who was working at the premises was suffering from a Notifiable Disease, circumstances as detailed above. If this worker does have Tuberculosis, this poses a serious risk to Public Safety.

Prevention of Public Nuisance:-

As per Public Safety above.

Protection of Children from Harm:-

As per Public Safety above.

Section 182 guidance of the Licensing Act 2003 at point 11.27 states that certain activity should be treated particularly seriously:

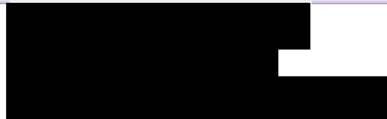
11.27

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 the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms; and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;
- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- **for employing a person who is disqualified from that work by reason of their immigration status in the UK;**
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

Details of Responsible Authority

Name and Address:


**South Central ICE – Portsmouth,
2nd Floor Norman House,
Kettering Terrace,
Portsmouth,
PO2 7AE**

**Email address
(optional):**

It is clear from the evidence above and the Police's case that two elements of 11.27 have been engaged. 11.28 of the guidance states that it is expected that revocation of the licence – **even in the first instance – should be seriously considered.**

Signatures

Signature of Responsible Authority

Date:

26/03/2025

Capacity:

**Responsible
Authority**