



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 FRANCIS			
Name and Address of Premises:			
Freshers Stores t/a Chicken N Beer 58 - 58 Stanfield Road			
Post Town:	Bournemouth	Post Code:	BH9 2NP

Representations are being made for the following reasons:

The Licensing Act 2003 outlines 4 objectives that are to be upheld, the Home Office (Immigration Enforcement) is concerned regarding the prevention of crime and disorder.

Home Office (Immigration Enforcement) considers that the premises license holder Roy FRANCIS is not taking suitable measures to prevent crime and disorder. The business has employed 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:

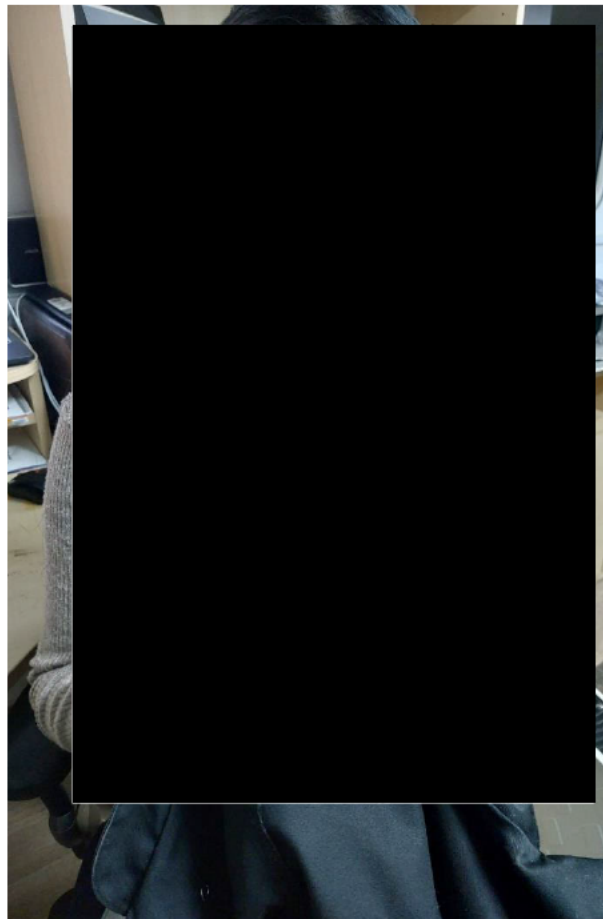
- It deprives HMRC and the Government of revenue by non-payment of tax and national insurance.
- It exploits the undocumented by paying them less than the minimum wage and provides no employment or income protection.
- It encourages those without permission to work to seek similar employment.
- It allows 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.

On 15 February 2025 immigration officers conducted an enforcement visit to the premises. The premises license holder is listed as Mr Roy Francis.

Details of individuals encountered at the premises:

██████████

██████████ attempted to evade officers by running out the back of the premises and hiding in the office porta cabin where she was encountered. Officers noticed ██████████ was wearing a work top behind the food preparation area. This was found dropped on the floor. When questioned by officers ██████████ confirmed that she had worked at the premises for over a month and her duties include taking orders and packing them for delivery. ██████████ worked 15 hours per week and was paid £7 per hour in cash. ██████████ confirmed that the 'boss' Roy FRANCIS (premises licence holder) employed her. She stated that she showed an image of her passport and ARC card to gain employment. ██████████'s ARC card was presented to officers during the visit which clearly stated, 'NO WORK'.



██████████ holding the work top with her name which she was seen wearing when encountered by officers.

Home Office checks showed that ██████████ entered the UK in 2023 with a student visa. Her leave was curtailed, and her student leave expired in May 2024. ██████████ claimed protection in November 2024 which is still under consideration. Her bail conditions did not permit her the right to work in the UK as seen in her ARC card.



ARC card found during the visit

Immigration officers observed [REDACTED] prepping vegetables in the kitchen area wearing a uniform. Upon seeing officers [REDACTED] ran out to the rear garden and was found hiding behind a shed. When questioned by officers [REDACTED] confirmed that he worked as a cleaner for nearly a month. He worked 3 hours per day and was paid £6 per hour in cash. [REDACTED] stated that Roy Francis (premises licence holder) gave him the job. [REDACTED] confirmed that he did not provide any documents to prove his right to work to gain employment and that the licence holder was aware that he did not hold the right to work. [REDACTED] also stated that he had not received any training to work at the premises.



[REDACTED] when encountered holding the uniform he was wearing.

Home Office checks showed [REDACTED] entered the UK illegally via small boats in September 2022. His claim for protection was withdrawn in February 2024 due to absconding. [REDACTED] has never held the right to work in the UK.

Roy FRANCIS (Premises Licence Holder)

An interview was conducted via a phone call with the premises licence holder FRANCIS the following day. When questioned in relation to [REDACTED] he stated that he had not employed her and just knew her at a personal level. He later confirmed that she was training at the premises and had been doing so since 01 January 2025. FRANCIS claimed that he pays [REDACTED] £100 here and there but not regular payments. FRANCIS stated that he had seen a BRP for [REDACTED] when she was on student visa, but, admitted that he had not conducted right to work checks and was aware of the process.

When questioned in relation to [REDACTED] he stated that [REDACTED] had been training on cooking and food preparation at the premises for 3 - 4 days. FRANCIS claimed that [REDACTED] provided a BRP but did not conduct any checks. FRANCIS stated that he only conducts the checks once the training period was completed. When questioned regarding remuneration FRANCIS stated that he did not pay [REDACTED] and only provided free food sometimes.

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 taken into account 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

Fresher Stores t/a Chicken N Beer under the control of Roy FRANCIS has been found employing illegal workers. This business 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.

The employer could have protected themselves and prevented crime and disorder by completing a straightforward right to work check. In this case the employer had not conducted the right to work checks even when he was presented with documents prior to commencing work. Should the license holder have attempted these checks, the workers would have failed at the first stage. This would have quickly and easily confirmed that they did not hold the relevant right to work, and the license holder could have protected themselves from employing an illegal worker. All employers are dutybound 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 use of illegal labour provides an unfair competitive edge and deprives the UK economy of tax revenue. Illegal workers are often paid below the minimum wage (itself an offence) and National Insurance payments are not paid. A key draw for illegal immigration is work and low-skilled migrants that are increasingly vulnerable to exploitation by unlawful enterprises, finding themselves in sub-standard accommodation and toiling in poor working conditions for long hours.

Whether by negligence or willful blindness illegal workers were engaged in activity on the premises. Section 182 guidance of the Licensing Act 2003 at point 11.27 states that certain activity should be treated particularly seriously, and this includes employing someone who is disqualified from that work by reason of their immigration status in the UK. 11.28 of the guidance states that it is expected that revocation of the licence – even in the first instance – should be seriously considered.

