

Licensing Authority: **Bournemouth, Christchurch and Poole Council**
Address: licensing@bpcouncil.gov.uk
Reference: BH171485

**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 Home Office Immigration Enforcement

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

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Cristallo 3 West Cliff Road Bournemouth	
Post town Dorset	Post code (if known) BH2 5ES

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

Number of premises licence or club premises certificate (if known) BH171485

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

Home Office Immigration Enforcement Licensing Compliance Team (IELCT) 6 th Floor, 2 Ruskin Square Dingwall Road Croydon CR0 2WF
Telephone number (if any)
E-mail address (optional) IE.Alcoholreviews@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 | <input checked="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)

Grounds for review:

We have grounds to believe the license holder has failed to meet the licensing objectives of prevention of crime and disorder, as illegal working has been identified at this premises.

Section 36 and Schedule 4 of the Immigration Act 2016 (the 2016 Act) amended the Licensing Act 2003 (the 2003 Act) to introduce immigration safeguards in respect of licensing applications made in England and Wales on or after 6 April 2017. The intention is to prevent illegal working in premises licensed for the sale of alcohol or late-night refreshment.

The Home Secretary (in practice Home Office (Immigration Enforcement)) was added to the list of Responsible Authorities (RA) in the licensing regime, which requires Home Office (Immigration Enforcement) to receive premises licence applications (except regulated entertainment only licences and applications to vary a Designated Premises Supervisor (DPS)), and in some limited circumstances personal licence applications. In carrying out the role of responsible authority, Home Office (Immigration Enforcement) is permitted to make relevant representations and objections to the grant of a licence or request a review of an existing licence as a responsible authority where there is concern that a licence and related licensable activity is prejudicial to the prevention of immigration crime including illegal working.

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

Please refer to accompanied review pack for detailed information

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

.....C.Samuels.....

Date **30 June 2025**

.....

Capacity **Responsible Authority**.....

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

**Immigration Enforcement Licensing Compliance Team
6th Floor, 2 Ruskin Square
Dingwall Road**

**Post town
Croydon**

**Post Code
CR0 2WF**

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) IE.Alcoholreviews@homeoffice.gov.uk

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.



Home Office

Premises Licence Review

Cristallo
3 West Cliff Road
Bournemouth
Dorset
BH2 5ES

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Case Summary

On 03 November 2024 at 20:38, the South Central ICE team visited Cristallo, 3 West Cliff Road, Bournemouth, Dorset, BH2 5ES, after intelligence was received that the business owner was employing illegal workers.

Entry to the premises was gained at approximately 20:40hrs under Section 179 of the Licensing Act 2003.

The officers encountered a total of five employees of which three were identified as immigration offenders.

A referral was made to the civil penalty compliance team in relation to the illegal working. An £80,000 penalty was issued to Surahh Limited on 09 January 2025. Surahh Limited objected to the penalty which was considered by the civil penalty compliance team and on 28 February 2025 it was decided to decrease the penalty to £40,000.

Surahh Limited lodged an appeal against the penalty, which was received at civil penalty compliance team on 11 April 2025, the appeal is still ongoing.

Licensed Premises History

The premises license holder for Cristallo, 3 West Cliff Road, Bournemouth, Dorset, BH2 5ES is [REDACTED]. The premises licence number is BH171485 and the licensable activities are late night refreshment and supply of alcohol. [REDACTED] is also listed as the Designated Premises Supervisor (DPS) with personal licence number BH125420 issued by Bournemouth Borough Council.

The times the licence authorises the carrying out of licensable activities are: Late night refreshment: (Indoors) Monday to Sunday - 23:00 to 02:00. Supply of alcohol: Monday to Sunday - 09:00 to 02:00.

Companies House show that the business is registered as Surahh Limited. It was incorporated on 13 June 2018 with a company registration number of 11414351 and is currently active. The company directors are [REDACTED], appointed on 13 June 2018 and [REDACTED] appointed 06 December 2022.

Enforcement Visit: 03 November 2024

Entry was gained to the premises at 20:38. Upon entering, immigration officers encountered the following individuals:

[REDACTED]

[REDACTED] was stood by the bar area when encountered by immigration officers. where he said he helps occasionally. He cleans tables, carries things and sometimes serves tables.



Photo of [REDACTED] in the restaurant by the bar.

During the illegal working interview [REDACTED] stated that he has been helping at the premises for a few months. His duties are to clean tables, carry trays and occasionally serve tables. He stated that [REDACTED] (licence holder) informs him of his duties. [REDACTED] claimed he does not receive any money in return for his help. He also stated that he had discussed his immigration status with [REDACTED] but claims [REDACTED] was unaware of him not holding the right to work.

Home Office checks showed that [REDACTED] entered the UK prior to Lithuania joining the European Union. A family member made a claim for protection and he was included as a dependent. This claim was not progressed due to the lead claimant absconding. [REDACTED] made several claims in his own right to remain in

the UK, however none of these were successful. [REDACTED] has never held the right to work in the UK.

[REDACTED]

[REDACTED] was encountered by immigration officers while working in the kitchen preparing food. An illegal working interview was conducted with the assistance of an interpreter. During the interview [REDACTED] claimed that he had worked at the premises for 2 days and his job was to wash dishes. [REDACTED] confirmed that [REDACTED] (licence holder) hired him and informed him of his duties. He also stated that he was not paid and only received free food by [REDACTED] in return for his work.

[REDACTED] stated he was hired 5 days ago but has worked only two actual days. He stated he receives food, not money for his work and this was arranged with [REDACTED]. He must work a minimum of 2 hours, sometimes 3 to qualify for a free meal. [REDACTED] confirmed that the employer did not request for any documents or proof of right to work before being offered the job.

Home Office checks showed that [REDACTED] entered the UK illegally by small boats in August 2023. At the time of the enforcement visit [REDACTED] had an outstanding claim for protection. [REDACTED]'s bail conditions did not permit him the right to work in the UK. Therefore, [REDACTED] was found working in breach of his bail conditions.

[REDACTED] – Premises Licence Holder

[REDACTED] identified himself as the licence holder and confirmed that he had been the licence holder for the past seven years. Immigration officers questioned [REDACTED]

When questioned in relation to [REDACTED], [REDACTED] stated that he had worked at the premises for over a month learning to cook. [REDACTED] confirmed that he does not pay [REDACTED] and only provides free food in return for his work. [REDACTED] admitted that he did not check any documents or conduct right to work checks for [REDACTED].

When questioned in relation to [REDACTED], [REDACTED] stated that [REDACTED] father worked at the premises and [REDACTED] comes along with him and helps by cleaning tables and glasses.

Upon further questioning regarding licensing [REDACTED] acknowledged his responsibilities as a licence holder. When questioned if a refusals log was maintained for the premises [REDACTED] replied 'No, what's a refusals log?'. The officer then explained the use of a refusal log. However, this is a breach of the premises licence Annex 2 – Conditions consistent with the operating schedule, 2.3,

2.3. A refusal register shall be kept at the premises and signed off by the DPS/Manager at least once a week to ensure that all members of staff are

using it. The register shall be made available for inspection by an authorised officer on request.

██████████ claimed that he provided staff with adequate training but did not keep any training records as they are seasonal staff.

Reasons for Review

Section 36 and Schedule 4 of the Immigration Act 2016 amended the Licensing Act 2003 to introduce immigration safeguards in respect of licensing applications made in England and Wales on or after 06 April 2017. The intention is to prevent illegal working in premises licensed for the sale of alcohol or late-night refreshment.

There were two illegal workers encountered at the premises, both with no right to work. The owner, [REDACTED], and [REDACTED] had different accounts of [REDACTED] employment. [REDACTED] said he was hired 5 days ago to wash dishes, but [REDACTED] stated he was hired over a month ago and is training to be a chef.

[REDACTED] stated his business is seasonal and “he doesn't need to employ people, as he would be lucky to fill 2 tables a day.” This can be assumed as justification for employing illegal workers.

On the premises licence, annex 2 – conditions consistent with the operating schedule - 2.3

A refusal register shall be kept at the premises and signed off by the DPS/Manager at least once a week to ensure that all members of staff are using it. The register shall be made available for inspection by an authorised officer on request.

[REDACTED] wasn't aware of this condition and officers had to explain this to him. As the premises licence holder and DPS, [REDACTED] needs to take his licence conditions seriously, process and action each point.

Whether by negligence or wilful blindness illegal workers were engaged in activity on the premises, yet it is a simple process for an employer to ascertain what documents they should check before a person can work. All employers are dutybound by law to conduct these checks, 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. 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 licence holder or its agents. It is also an offence to employ illegal workers where there is reason to believe this is the case.

Section 182 guidance 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.

Immigration Enforcement submits that for commercial reasons those engaged in the management of the premises employed illegal workers and a warning or other activity falling short of a review is inappropriate; therefore, Immigration Enforcement has proceeded to review the premises licence.

Outcome Sought

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.

The license holder would have been aware of his responsibilities to uphold the licensing objectives as they are clearly defined as part of the premises license application.

Two illegal workers were discovered at the premises, officers also highlighted concerns regarding breaches of conditions. Merely remedying the existing situation (for instance by the imposition of additional conditions or a suspension) is insufficient to act as a deterrent to the licence holder and other premises' licence holders employing illegal workers and facilitating disqualified immigrants to work illegally.

Immigration Enforcement asks that the premises licence is **revoked**.

This submission and appended documents provide the licensing subcommittee with background arguments and information pertinent to that contention. These provide the sub-committee with a sound and defensible rationale as to why it should **revoke** the licence.

Appendix – Supporting Evidence

Illegal Working - Employee [REDACTED]

Illegal Working - Employee [REDACTED]

Illegal Working - Employer [REDACTED]

Freetext - Licensing Observations [REDACTED]

Freetext No Customers [REDACTED]

Illegal Working - Employee

Details

Type of work	Visit
Visit reference	[REDACTED]
Created by	[REDACTED]
ProntoID	[REDACTED] - Lithuania
Subject CIDPID/CEPR	[REDACTED]
Subject name	[REDACTED]
Subject DOB	[REDACTED]
Subject gender	Male
Subject nationality	Lithuania
Time	21:08
Created at geolocation	<div>Easting 408331</div> <div>Northing 90812</div>
Creation date	03-11-2024 21:08:36

Language of Interview

What language is the interview carried out in?	English
Interpreter used?	No

Obligation

how long have you helped out here	A few months, a couple of days over the week.
what do you do to help	Clean tables, carry things, trays
are you serving tables	Yes sometimes, only helping
how long are you usually here	As long as I feel really, it's up to me, he is my mate so I pop in. I know lots of people here in Bournemouth from university. I moved down from london around 17 years so have been here for a long time

Control

Who is your friend that you help	[REDACTED] he is the boss here, I've known him for a long time
Do you take instructions from him on what to do to help	I wouldn't say he instructs me, he asks me, it's up to me if help.

Remuneration

do you receive any payment for helping	No
how do you financially support yourself	My dad helps me, and my friend helps me. Primarily my dad helps me

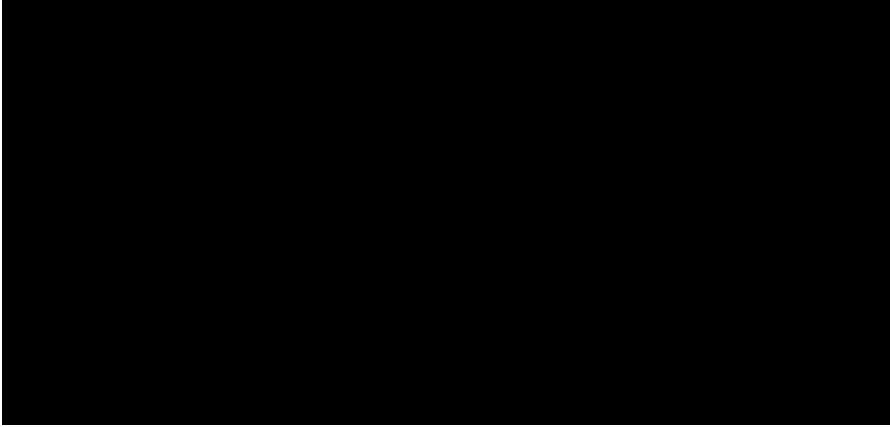
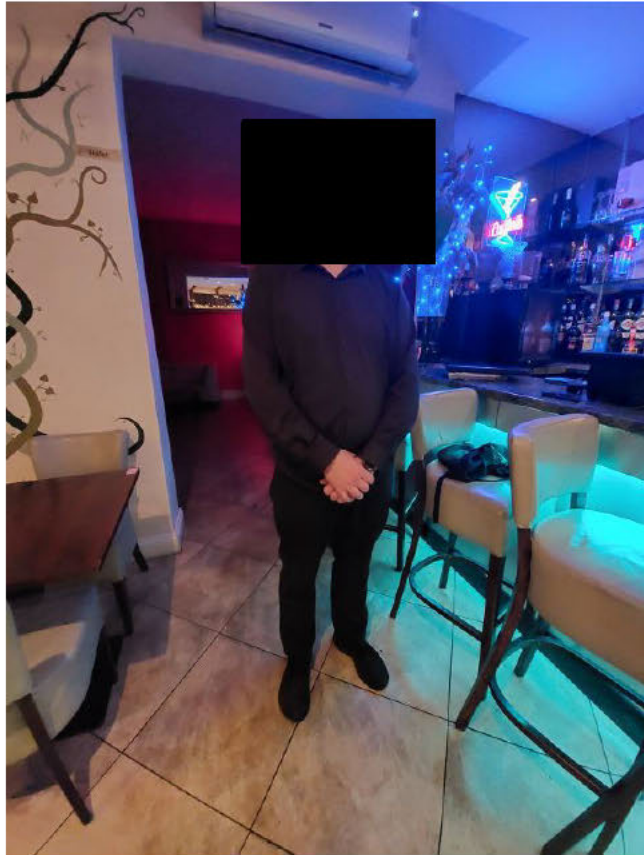
where do you live	I mainly live with my partner, and I also stay with my dad. All in [REDACTED].
Pre-employment Checks	
does your friend [REDACTED] know your current situation with Immigration.	Yes I have discussed it with him but not in detail.
does he know your not allowed to work	No he doesn't.
Additional Questions	
No details provided.	
Photographs	
No photographs.	
Declaration	
I confirm that I have understood all the questions and that the details are true and correct.	
Interviewee signature ([REDACTED])	 03-11-2024 21:24:30
Observations	
Observations	Encountered in business premises, intel states illegal working and subject explains that he helps occasionally.
Do you suspect this person of illegal working?	Yes

Photo 1



Caption

1

Management Checks Complete

Date management checks complete 19-02-2025 16:17:57

Reviewer(s)

[Redacted]

Illegal Working - Employee

Details

Type of work	Visit
Visit reference	[REDACTED]
Created by	[REDACTED]
ProntoID	[REDACTED] - Afghanistan
Subject CIDPID/CEPR	[REDACTED]
Subject name	[REDACTED]
Subject DOB	[REDACTED]
Subject gender	Male
Subject nationality	Afghanistan
Time	21:12
Created at geolocation	<div>Easting 408339</div> <div>Northing 90806</div>
Creation date	03-11-2024 21:12:37

Language of Interview

What language is the interview carried out in?	Pashto
Interpreter used?	Yes
Details of interpreter	As per encounter form
Does the individual understand the interpreter?	Yes

Obligation

How long have you been working at this business?	Maybe for 4 or 5 days not a long time.
What is your job role/ what are your duties?	I am just a dishwasher
What days/ hours do you work each week?	I don't have a set schedule but work maybe 2 hours for the time I have been here.
Do you work every day ?	No sometimes I would come sometimes I wouldnt
Specifically which days have you worked this week ?	Just Friday and today.
you told me you have worked here for 4 or 5 days, however have then said you only worked Friday and today	I was hired 5 days ago and I have only worked on those 2 days.

(sunday) this doesn't match up. are you being truthful with your answers?	
Which days or hours are you scheduled to be working next week?	They haven't told me yet.
Control	
Who gave you this job (name and role in business)?	The owner was the person that hired me, [REDACTED]
Who tells you what days/ hours to work?	[REDACTED]
Who tells you what tasks/ duties to do each day?	[REDACTED] tells me that.
How did you come to be employed at this premises ?	I just came in and asked if the were looking for help and they said they were.
Remuneration	
How are you paid (money, accommodation, food)?	Food, I am not paid money.
How much food are you allowed to receive when working?	Sometimes I will eat a pizza and that is ok.
Why do you work for no money ?	I am just working for food.
how many hours are you required to work to receive your meal ?	Maybe 2 hours, sometimes 3.
Who allows you to receive food in return for work?	[REDACTED]
Pre-employment Checks	
What name does the employer know you as?	Just my given name
Did the employer check your right to work or immigration status before they offered you the job?	I am unaware he didn't mention anything.
Did you show documents or share a code with the employer to prove your right to work before being offered the job? If so, what did you show and were they originals?	No I didn't
Did your employer ask to see any identification or proof of right to work?	No they didn't ask for any documents
Does your employer know you're not allowed to work in the UK?	They haven't said anything or asked this qquestion.

Additional Questions

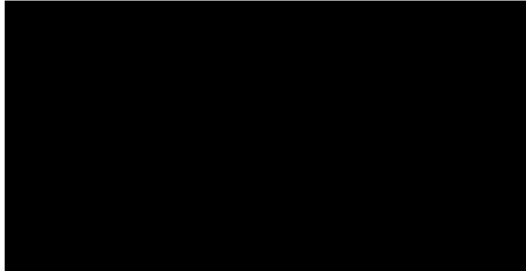
Did you know that you are not allowed to work in the UK?	No I didn't know that I was unaware.
How do you support yourself financially ?	From the government assistance.

Photographs

subject in clothes he was encountered in.	 <p>Exhibit Ref [REDACTED]</p>
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Declaration

I confirm that I have understood all the questions and that the details are true and correct.

Interviewee signature ([REDACTED])	
--------------------------------------	--

	03-11-2024 21:39:02
Observations	
Observations	
Do you suspect this person of illegal working?	Yes

Illegal Working - Employer

Details

Type of work	Visit
Visit reference	██████████
Created by	██████████
ProntoID	████████████████████ - British Citizen
Subject CIDPID/CEPR	██████
Employer	██████████████████
Subject DOB	████████
Subject gender	Male
Subject nationality	British Citizen
Time	21:29
Created at geolocation	<div>Easting 408339</div> <div>Northing 90807</div>
Creation date	03-11-2024 21:19:20

Language of Interview

What language is the interview carried out in?	English
Interpreter used?	No

Employer Details

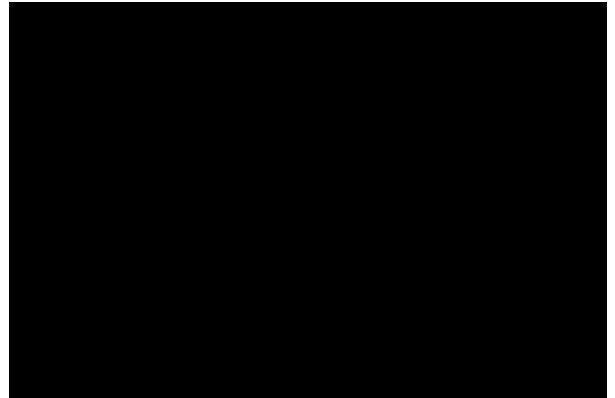
how long has ██████ worked here.	Over a month I would say.
what's ██████ position here.	His learning cooking
what duties does ██████ do?	He just learning how to cook, he wants to be a chef. The job centre sent him to me. I get these guys in to learn the job.
how much do you pay ██████?	I dont pay him I just give him some food.
did ██████ sign a contract?	No way! What kind of contract would I do.
did you check any of ██████ documents or ID?	No, It's not like I've given him a job.
How many hours does ██████ work?	His not working any fixed hours. Maybe 3/4 hours a day, 2 to 3 days a week. He just shows up.
what hours does ██████ work?	██████████ works for me.
what does ██████ do?	He just comes in when his dad works. He is a old friend. he just hangs around. If we get busy he just gives me a hand, cleaning tables and glasses.
do you feed ██████ with food?	No, he never wants it.

Declaration by Employer

I confirm that I have understood all the questions and that the details are true and correct.

Signed by

[REDACTED]



03-11-2024 21:42:13

Observations

Observations

Freetext	
Details	
Type of work	Visit
Visit reference	██████████
Created by	██████████
Address	Cristallo Restaurant & Bar, 3 West Cliff Road, Bournemouth, Dorset, BH2 5ES (Visit Address)
Subject CIDPID/CEPR	Unknown
Subject name	License
Time	20:52
Created at geolocation	Easting 408341 Northing 90808
Creation date	03-11-2024 20:52:35
Is this entry related to a Critical Incident?	No
Entry	
Title	Licensing Observations
Text	Licence was on display behind a load of bottles, photo taken but ██████████ didn't save it. Spoke to Manager's wife about removing the Part B from behind all the bottles and putting it in a picture frame and displaying it on the bar. She started doing that as I was leaving.

Photographs

bar no evidence licence



Freetext	
Details	
Type of work	Visit
Visit reference	██████████
Created by	██████████
Address	Cristallo Restaurant & Bar, 3 West Cliff Road, Bournemouth, Dorset, BH2 5ES (Visit Address)
Subject CIDPID/CEPR	██████████
Subject name	████████████████████
Subject DOB	██████████
Subject gender	Male
Subject nationality	British Citizen
Time	21:46
Created at geolocation	Easting 408338 Northing 90803
Creation date	03-11-2024 21:46:40
Is this entry related to a Critical Incident?	No
Entry	
Title	No customers
Text	Upon entering the premises, I could see one customer eating. From the time I was there and till I left no more customers entered the premises. The owner ██████████, has stated that he doesn't need to employ people, as he would be lucky to fill 2 tables a day.
Photographs	
No photographs.	