

LICENSING SUB-COMMITTEE



Report subject	Wok4go, 13 Holdenhurst Road, Bournemouth, BH8 8EH
Meeting date	23 June 2026
Status	Public Report
Executive summary	<p>To consider an application by Home Office Immigration Enforcement (HOIE) for the review of the premises licence.</p> <p>HOIE have identified illegal working at the premises and no longer have confidence in the licence holder to uphold the prevention of crime and disorder licensing objective.</p> <p>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.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>Members consider the following options: -</p> <ul style="list-style-type: none"> a) Modify the conditions of the licence; and/or b) Exclude a licensable activity from the scope of the licence; and/or c) Remove the Designated Premises Supervisor; and/or d) Suspend the licence for a period not exceeding three months; and/or e) Revoke the licence; or f) Leave the licence in its current state. <p>Members are asked to make a decision at the end of the hearing after all relevant parties have been given the opportunity to speak. Members must give full reasons for their decision.</p>
Reason for recommendations	Where a review application by a responsible authority, or any other person, has been received the scheme of delegation set out in the Council's Constitution states that these applications should be dealt with by the sub-committee.

	The Licensing Authority may only consider relevant aspects that have been raised in the application.
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Portfolio Holder(s):	Councillor Kieron Wilson – Housing and Public Protection
Corporate Director	Laura Ambler – Corporate Director for Wellbeing
Report Authors	Sarah Rogers – Principal Licensing Officer
Wards	Bournemouth Central
Classification	For Decision

Background

1. An application for the review of the premises licence, under Section 51 of the Licensing Act 2003, was made by Home Office Immigration Enforcement (HOIE) on 28 April 2026 following the discovery of illegal working at the premises.
2. HOIE visited the premises on 13 June 2025, under Section 179 of the Licensing Act 2003, and identified four individuals working on the premises; one worker identified as having no right to work.
3. A civil penalty of £45,000 was issued on 22 July 2025 which was reconsidered on both 28 August 2025 and again on 17 September 2025. On both occasions it was decided to maintain the penalty. No appeal against the civil penalty has been lodged by the licence holder and it remains unpaid.
4. A copy of the review application and supporting document is attached at Appendix 1.
5. A copy of a plan, showing the location of the premises, is attached at Appendix 2.
6. The premises licence was issued on 23 July 2015 and is held by Mr Rasti Khalil who is also the current DPS. A copy of the current licence is attached at Appendix 3.
7. Section 182 Guidance to the 2003 Act states at paragraph 9.25 –

“The Immigration Act 2016 made the Secretary of State a responsible authority in respect of premises licensed to sell alcohol or late night refreshment with effect from 6 April 2017. In effect this conveys the role of responsible authority to Home Office Immigration Enforcement who exercises the powers on the Secretary of State’s behalf. When Immigration Enforcement exercises its powers as a responsible authority it will do so in respect of the prevention of crime and disorder licensing objective because it is concerned with the prevention of illegal working or immigration offences more broadly.”
8. Paragraph 11.27 provides a list of certain criminal activity that may arise in connection with licensed premises which should be “*treated particularly seriously*”. One of these activities is 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*”.

9. Paragraph 11.28 states “*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. ..*”
10. Breaches of the licence conditions, identified by HOIE at the time of their visit, are being investigated separately by the licensing authority and are not the subject of this review application.

Consultation

11. A copy of the review application and supporting documentation was served on all responsible authorities and licence holder on 29 April 2026.
12. The principal licensing officer attended the premises on 29 April 2026 and hand delivered the site notice for display on the premises. Instructions were given to ensure that the notice could be read by persons passing by the premises at all times for a 28 consecutive day period.
13. Two further notices were placed on the main public noticeboards of the council offices at Bourne Avenue and St Stephen’s Road. A notice was also published on the council’s website.
14. No representations have been received from any of the responsible authorities or any other person in support of the review.

Options Appraisal

15. Before making a decision, Members are asked to consider the following:-
 - The application made by Home Office Immigration Enforcement and supporting documentation.
 - The submissions made by or on behalf of the premises licence holder.
 - The relevant licensing objective, namely the prevention of crime and disorder.
 - The Licensing Act 2003, Regulations, Guidance and the Council’s Statement of Licensing Policy.

Summary of financial implications

16. An appeal may be made against the decision of members by HOIE or the holder of the premises licence to the Magistrates’ Court which could have a financial impact on the council.

Summary of legal implications

17. If members decide on an option available to which HOIE or the premises licence holder does not agree with, they may appeal to the Magistrates’ Court within a period of 21 days, beginning with the day that they are notified in writing of the decision.
18. Paragraph 13.7 of the Section 182 Guidance details with appeals and states “*On any appeal, the court is not entitled to consider whether the licence holder should have been convicted of an immigration offence or been required to pay an immigration penalty, or whether they should have been granted by the Home Office*”

permission to be in the UK. This is because separate rights exist to appeal these matters or to have an immigration decision administratively reviewed.”

Summary of human resources implications

19. There are no human resources implications.

Summary of sustainability impact

20. There are no sustainability impact implications.

Summary of public health implications

21. There are no public health implications.

Summary of equality implications

22. There are no equality implications.

Summary of risk assessment

23. There is no requirement for a risk assessment.

Background papers

BCP Council – Statement of Licensing Policy - [Statement of licensing policy | BCP](#)

Hearing Regulations - [The Licensing Act 2003 \(Hearings\) Regulations 2005](#)

Revised Guidance issued under Section 182 of the Licensing Act 2003 (February 2026) - [Revised guidance issued under section 182 of the Licensing Act 2003 \(February 2026\) \(accessible version\) - GOV.UK](#)

Appendices

1 – Copy Review Application

2 – Location Plan

3 – Copy Current Premises Licence