

NON-CONFIDENTIAL



Borough of Tamworth

Marmion House,
Lichfield Street, Tamworth,
Staffordshire B79 7BZ.

Enquiries: 01827 709 709
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LICENSING SUB-COMMITTEE

19 December 2024

Dear Councillor

A meeting of the Licensing Sub-Committee will be held in **Committee Room 1, Marmion House, Lichfield Street, Tamworth, B79 7BZ on Wednesday, 8th January, 2025 at 10.00 am.** Members of the Committee are requested to attend.

Yours faithfully

A handwritten signature in black ink, appearing to read 'S. C. V.'.

Chief Executive

A G E N D A

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- 1 Appointment of Chair**
- 2 Apologies**
- 3 Declarations of Interest**
- 4 Application for a Review of a Premises Licence (Pages 3 - 52)**

Access arrangements

If you have any particular access requirements when attending the meeting, please contact Democratic Services on 01827 709267 or e-mail democratic-services@tamworth.gov.uk. We can then endeavour to ensure that any particular requirements you may have are catered for.

Filming of Meetings

The public part of this meeting may be filmed and broadcast. Please refer to the Council's Protocol on Filming, Videoing, Photography and Audio Recording at Council meetings which can be found [here](#) for further information.

The Protocol requires that no members of the public are to be deliberately filmed. Where possible, an area in the meeting room will be set aside for videoing, this is normally from the front of the public gallery. This aims to allow filming to be carried out whilst minimising the risk of the public being accidentally filmed.

If a member of the public is particularly concerned about accidental filming, please consider the location of any cameras when selecting a seat.

FAQs

For further information about the Council's Committee arrangements please see the FAQ page [here](#)

To Councillors: B Price, J Wadrup and P Pallett.

Wednesday, 8 January 2025

Report of the Assistant Director - Growth & Regeneration

Application for a Review of a Premises Licence

Exempt Information

None

Purpose

This report provides information for Members about an application made under Section 51 of the Licensing Act 2003, to assist them in determining the outcome of that application.

Recommendations

It is recommended that Members are asked to determine the application to review a premises licence in respect of T & J Burgers, 86 Bolebridge Street, Tamworth, B79 7PD having due regard to the Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003.

Executive Summary

An application for the 'Review of a premises licence' under Section 51 of the Licensing Act 2003 was received on the 12th November 2024 from a responsible authority, namely Home Office Immigration Enforcement. It was deemed to be relevant in that it relates to one or more of the licensing objectives - The prevention of crime and disorder. A copy of the application is attached at Appendix 1.

As a responsible authority, Home Office Immigration enforcement are concerned that the licensing objective, the prevention of crime and disorder is being undermined.

Options Considered

An application for the 'Review of a premises licence' under the Licensing Act 2003, that is relevant, has to be considered by the licensing authority. The options open to the authority are set out in the report.

Resource Implications

There is no fee for an application to 'Review a premises licence'. If the application is refused, or granted with conditions, the applicant has the right of appeal to the Magistrates' Court against the decision. Similarly, a person who made relevant representations has a right of appeal against a decision to grant a licence, or the conditions imposed upon it.

Legal/Risk Implications Background

If the application is refused, or granted with conditions, the applicant has the right of appeal to the Magistrates' Court against the decision. Similarly, a person who made relevant representations has a right of appeal against a decision to grant a licence, or

the conditions imposed upon it. The committee will have Legal Advice at the meeting.

Equalities Implications

Community Impact Assessment is attached at Appendix 6.

Environment and Sustainability Implications (including climate change)

There are no environmental implications

Background Information

A premises licence is currently in force for T & J Burgers, 86 Bolebridge Street, Tamworth, B79 7PD. A copy of this licence is attached at Appendix 3.

Once a licensing authority has received a review application it must determine whether it is relevant, i.e. it relates to one or more of the four licensing objectives. In the case of any other person making the application the licensing authority must then consider whether it is vexatious, frivolous or a repetition. The application meets these requirements.

In accordance with the provisions contained within the Licensing Act 2003 and Licensing Act 2003 Regulations, the licensing authority has advertised the application for review, inviting representations from the premises licence holder, a Responsible Authority or any other person, for twenty-eight consecutive days starting on the day after the day on which the application was given to the Authority. A copy of this notice is attached at Appendix 4.

As a responsible authority, Home Office Immigration Enforcement are concerned that one of the licensing objectives, the prevention of crime and disorder is being undermined.

The grounds for the review are:

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. Information in support of the review is attached at Appendix 2 is set out on pages 4 to 5 of Appendix A.

The licensing authority may decide:

- That the review does not require it to take any further steps appropriate to promote the licensing objectives.
- To issue an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.
- To modify the conditions of the licence (which includes adding new conditions or any alteration or omission of an existing condition).
- To exclude a licensable activity from the scope of the licence.
- To remove the designated premises supervisor, for example, because they consider that the problems are as a result of poor management.
- To suspend the licence for a period not exceeding three months.
- To revoke the licence.

The licensing authority should give its decision within 5 working days of the conclusion of the hearing and provide reasons to support it.

A determination under section 52 of the Act does not have effect-

- Until the end of the period given for appealing against the decision (21 days), or
- If the decision is appealed against, until the appeal is disposed of.

During the consultation period information was received from the Licensing Authority in support of the review. This information is attached at Appendix 5.

Report Author

Sarah Bradley – Senior Licensing Officer

List of Background Papers

[Revised Guidance issued under section 182 of the Licensing Act 2003](#)
[Licensing policies and fees | Tamworth Borough Council](#)
<http://www.legislation.gov.uk/ukpga/2003/17/contents>

Appendices

Appendix 1 – Application for Review
Appendix 2 – Supporting Information
Appendix 3 – Premises Licence
Appendix 4 – Blue Notice
Appendix 5 – Supporting information from the LA
Appendix 6 - CIA

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Licensing Authority: Tamworth Borough Council

**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 T&J Burgers, 86, Bolebridge Street, Staffordshire	
Post town Tamworth	Post code (if known) B79 7PD

Name of premises licence holder or club holding club premises certificate (if known) Mr Junaid Jalil
--

Number of premises licence or club premises certificate (if known) LN/000005053

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 Alcohol Licensing Team Lunar House 40 Wellesley Road Croydon CR9 2BY
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
 - 2) public safety
 - 3) the prevention of public nuisance
 - 4) the protection of children from harm

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 P. Thomas

Date 12/11/2024

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

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6) Alcohol Licensing Team Lunar House 40 Wellesley Road	
Post town Croydon	Post Code CR9 2BY
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.

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Home Office

Premises Licence Review

T&J Burgers
86, Bolebridge Street
Tamworth
Staffordshire
B79 7PD

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Case Summary

On 19 July 2024, East Midlands Immigration Compliance and Enforcement (ICE) team visited T&J Burgers, 86, Bolebridge Street, Tamworth, Staffordshire, B79 7PD, following information received from Police source that persons who have claimed asylum and are living in a nearby hotel are illegally working in the shop. Entry to the premises was gained by Section 179 of the Licencing Act 2003 and Licencing Officer Sarah Gear from Tamworth Borough Council also attended.

A civil penalty referral notice for illegal working was served to the owner Mr Junaid Jalil.

A referral was made to the Civil Penalty Compliance Team in relation to the illegal working.

A civil penalty of £80,000 was issued to T&J Burgers Ltd on 26 September 2024 for the employment of two persons working in breach of their visa conditions.

Licensed Premises History

The premises licence number is LN/000005053 and was issued by Tamworth Borough Council. The premises license is held by Mr Junaid Jalil.

The premises is licenced for the provision of Late Night Refreshment.

The times the licence authorises the carrying out of licensable activities

Late Night Refreshment Indoors & Outdoors.

	From	To
Sunday	23:00	02:00
Monday	23:00	00:00
Tuesday	23:00	00:00
Wednesday	23:00	00:00
Thursday	23:00	00:00
Friday	23:00	02:00
Saturday	23:00	02:00

The company registration number for T&J Burgers is 13495175, it is under the name of T&J Burgers Ltd.

Companies House shows that it was incorporated on 5 July 2021, is currently active and that Junaid Jalil was appointed director on 5 July 2021, Tauqeer Khaliq was also appointed as a director on 5 July 2021.

Enforcement Visit: 19 July 2024

Upon entering the premises Immigration officers encountered a total of six persons working within the premises two of which were identified as working in breach of their visa conditions. One admitted to working as a delivery driver despite his visa conditions stating he could only work in Health and Social care and the other admitted to working as a cook in the kitchen despite his visa conditions stating he could only work in Health and Social Care. The manager also admitted to hiring the individuals. Both individuals were arrested as workers in breach.

██████████

██████████ was encountered in the kitchen of the premises whilst cooking.

██████████ was interviewed in Urdu via an interpreter. During questioning ██████████ stated that he had been working at the premises for two weeks, 3 – 5 days per week, 5 – 6 hours per day. ██████████ confirmed that the owner 'Junaid' offered him the job and pays him approximately £50 per day in cash. He also confirmed that the employer did not check his immigration status or conduct any right to work checks prior to being offered the job.

Home Office checks show that ██████████ was issued a skilled worker visa valid until 14 February 2025 with his sponsor Lorac Healthcare Limited. This restricts his work limited to only jobs by his sponsor. Therefore, ██████████ was found working in breach of his visa restrictions.

██████████

██████████ was encountered in the kitchen of the premises. It was later established that he works as a delivery driver at the premises.

During questioning ██████████ stated that he had been coming to the premises for two months asking for work, but it was his first day working at the premises. He stated that he was the delivery driver and 'Junaid' offered him the job.

██████████ stated that he was paid in cash at a rate of £5 to £6 per hour plus an additional £1 per delivery within 3 miles, over 3 miles he received 50p extra. ██████████ told officers that he showed his BRP to the employer but no online right to work checks were conducted.

Home Office checks revealed that ██████████ was issued with a skilled worker visa valid until 14 September 2028 with his sponsor Flourish Healthcare. This restricts his work limited to only jobs by his sponsor. Therefore, ██████████ was found working in breach of his visa restrictions.

Junaid JALIL – Licence holder and employer

JALIL identified as the owner of the premises for almost. An illegal working interview was conducted with JALIL.

When questioned in relation to [REDACTED] he stated that [REDACTED] had been working at the premises for around one and a half months. This contradicts with [REDACTED] admission during his interview of working at the premises for only two weeks.

When questioned regarding [REDACTED] he stated that [REDACTED] had been working at the business for nearly two months as a delivery driver. JALIL stated that [REDACTED] was paid at a rate of £11 per hour in cash.

When questioned if he conducted right to work or immigration checks prior to offering the job, JALIL stated that he had seen the BRP for both workers and the details were passed to the accountant. JALIL claimed that he was unaware that both employees were not allowed to work in a food establishment.

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 during the enforcement visit. In this case the license holder confirmed that the workers provided their BRP cards, however, it is considered that right to work checks were not conducted. If right to work checks were conducted it would have showed that both employees were restricted to work only for their listed sponsor.

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 an illegal worker 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. A warning or other activity falling short of a review is inappropriate; therefore, Immigration Enforcement has proceeded to review the license.

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 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

T&J Burgers under the control of Junaid JALIL 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.

The section 182 guidance at point 11.28 states that revocation of the licence should be seriously considered - even in the first instance. As evidenced in this document, there have been two instances of illegal working. Immigration Enforcement asks that as starting point, the licence should include conditions to prevent further breaches, and we invite the committee to consider whether revocation should take place in this instance.

As a starting point, the Home Office proposes the conditions to address the further risk of illegal working:

- The licence holder must carry out the relevant right to work checks for any prospective employees before commencing employment.
- The licence holder must retain copies of documents as a result of conducting checks relating to the right to work. These must be stored securely by the at the premises, or a digital copy must be immediately accessible from the premises for ease of inspection by immigration officials.
- The licence holder, or any person appearing to represent the licence holder, must be able to produce without delay documents relating to the right to work at the request of an immigration officer.

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 act against this premises licence.

Appendix A – Supporting Evidence

██████████ – Illegal Working Interview

██████████ – Illegal Working Interview

Junaid JALIL - Employer - Illegal Working Interview

Illegal Working - Employee

Details	
Type of work	Visit
Visit reference	EV5-925,691
Created by	[REDACTED]
ProntolD	[REDACTED]
Subject CIDPID/CEPR	Unknown

Subject name	[REDACTED]				
Subject DOB	[REDACTED]				
Subject nationality	[REDACTED]				
Subject gender	Male				
Time	17:02				
Created at geolocation	<table border="0"> <tr> <td>Easting</td> <td>420917</td> </tr> <tr> <td>Northing</td> <td>303985</td> </tr> </table>	Easting	420917	Northing	303985
Easting	420917				
Northing	303985				
Creation date	19-07-2024 17:02:15				

Language of Interview

What language is the interview carried out in?	Urdu
Interpreter used?	Yes
Details of interpreter	P12090
Does the individual understand the interpreter?	Yes

Obligation

What are you doing at T&J Burgers?	I'm working here for a few hours part time as a job
How long have you been working at this business?	For the last two weeks
What is your job role/ what are your duties?	Work in the kitchen
What days/ hours do you work each week?	3 to 4 days a week, sometimes 5 days a week, sometimes 5 or 6 hours
Do you work the same hours/ days every week?	The days and hours can change

Control

Who gave you this job (name and role in business)?	The owner, Junaid
Who tells you what days/ hours to work?	Yes Junaid
Who tells you what tasks/ duties to do each day?	Yes, Junaid
Remuneration	
How are you paid (money, accommodation, food)?	Money
If money, how much and how do you receive it?	According to the hours i work it depends on this. Around £50 per day
Who pays you?	The owner Junaid, by cash in hand
Do you pay income tax or have a National Insurance number?	No because it is a part time job
Pre-employment Checks	
What name does the employer know you as?	They call me [REDACTED]
Did the employer check your right to work or immigration status before they offered you the job?	No Junaid did not check
How have you supported yourself before working here?	I had some money and friends and family supported me
Does your employer know you're not allowed to work in the takeaway business?	I'm not sure
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])	 <p>19-07-2024 17:15:16</p>
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Observations	
Observations	Seen cooking in the kitchen, in a sector other than his sponsor.

Language of Interview

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

Q&A

did you know that your visa only allows you to work in the health sector?	Yes I know that
do you know that under your visa conditions the extra 20 hours has to be worked in the same sector?	Yes I know but I was told I can wwork anywhere after the 4th of april
who was it who told you that?	My manager at the care home told me this.

Declaration

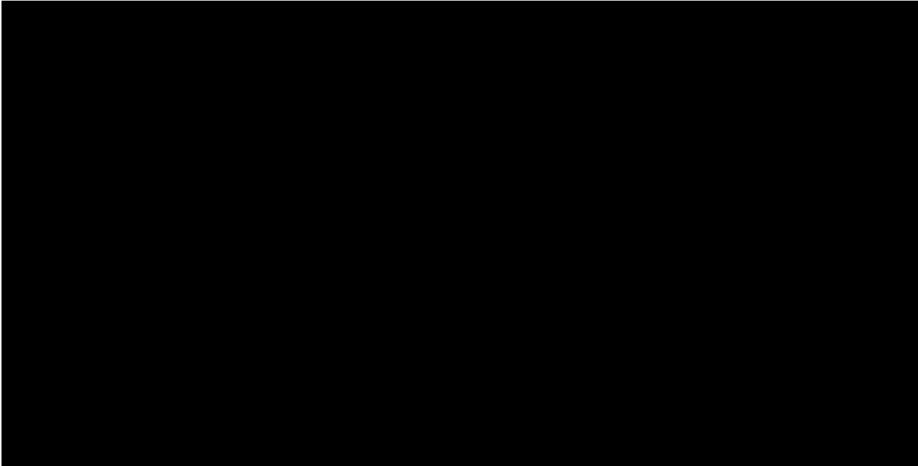
Interviewee signature ([REDACTED])	[REDACTED]
--------------------------------------	------------

Illegal Working - Employee

Details

Type of work	Visit
Visit reference	EV5-925,691
Created by	[REDACTED]
ProntolD	[REDACTED]
Subject CIDPID/CEPR	Unknown
Subject name	[REDACTED]
Subject DOB	[REDACTED]
Subject nationality	[REDACTED]

Subject gender	Male				
Time	17:58				
Created at geolocation	<table border="0"> <tr> <td>Easting</td> <td>420924</td> </tr> <tr> <td>Northing</td> <td>303993</td> </tr> </table>	Easting	420924	Northing	303993
Easting	420924				
Northing	303993				
Creation date	19-07-2024 17:58:30				
Language of Interview					
What language is the interview carried out in?	English				
Interpreter used?	No				
Obligation					
how long have you been working at t&j burger?	I just started today, I have been coming here for about 2 months asking for work but today is my first day?				
who gave you the job at t&j burger.	Junaid, he is the manager and boss.				
What is your job role/ what are your duties?	I am a delivery driver.				
are you sure you have only started work today as we have spoken to junaid and he said you have been working here for 2 months.	Yes today is definitely my first day				
Control					
Who tells you what days/ hours to work?	The owner and manager junaid				
Who tells you what tasks/ duties to do each day?	Junaid				
Remuneration					
How are you paid (money, accommodation, food)?	Cash in hand				
how much cash in hand do you get?	£5/6 per hour plus £1 per delivery within 3 miles, over 3 miles I get 50p extra.				
Do you pay income tax or have a National Insurance number?	I pay tax on my wage from flourish healthcare not from here.				
Pre-employment Checks					
What name does the employer know you as?	██████████				
Did you show documents or share a code with the employer to prove your right to work before being offered the	I showed him my brp he didn't do any online checks				

job? If so, what did you show and were they originals?	
Did the employer check your right to work or immigration status before they offered you the job?	He said he checked
Additional Questions	
Who else works here at j&t Burger	I only know junaid
Photographs	
No photographs.	
Declaration	
I confirm that I have understood all the questions and that the details are true and correct.	
Interviewee signature ([REDACTED])	 19-07-2024 18:14:46
Observations	
Observations	Subject has admitted to working outside of his normal full time job, he states he was told he can work in any other job for a maximum of 20 hours.
Do you suspect this person of illegal working?	Yes

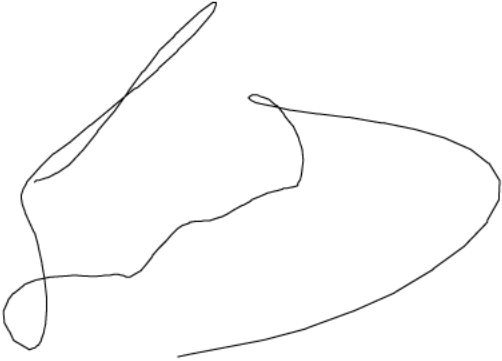
Illegal Working - Employer	
Details	
Type of work	Visit
Visit reference	EV5-925,691
Created by	[REDACTED]
ProntolD	Junaid Jalil - 23/12/1985 - British Citizen
Subject CIDPID/CEPR	Unknown
Employer	Junaid Jalil
Subject DOB	23-12-1985
Subject nationality	British Citizen
Subject gender	Male
Time	18:10
Created at geolocation	Easting 420925 Northing 303996
Creation date	19-07-2024 18:10:41

Language of Interview	
What language is the interview carried out in?	English
Interpreter used?	No
Employer Details	
What is the name of the business?	T&J Burgers Limited
If the business is owned by a company what is the name of the company?	No just sole owner by me
What are the Companies House and VAT numbers of the business?	No my partner has all the details
What is your position here?	Owner
How long have you been the owner?	Nearly 2 years
do you provide uniform?	Yes we provide the uniform

do you know what checks to carry out?	Yes, well the accountant does
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Declaration by Employer

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

Signed by Junaid Jalil	 19-07-2024 18:32:04
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Employee - [REDACTED]

Known to employer as	[REDACTED]
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Obligation

How long has the [REDACTED] been working at T&J burger?	Nearly about one and a half months, mainly at weekends especially when I need staff
What is their job role/ duties?	He will be doing delivery

What days/ hours do they work each week?	Only weekend, maybe one day through the week - start about 4 or 5 o'clock and finish at 10 or 11
--	--

Are their days/ hours the same every week?	Changes week to week
--	----------------------

Control

Who gave the [REDACTED] this job, who allowed him to work here?	Myself, his wife asked me because he cant work 20 hours so I allowed him to work
Who tells them what days and hours to work?	My partner tells him when he's needed
Who tells them what tasks or duties to perform each day?	Myself I tell him what to do as its always busy on Fridays and Saturdays
Where are the employee records?	They're with the accountant

Remuneration

What is the [REDACTED] given in return for their tasks and duties?	Cash in hand
--	--------------

If the payment includes money, how much is paid?	Hourly he gets £11 so will get paid depending on how many hours he works
Who pays this [REDACTED]	If I'm here I give it, if its my partner he does
How is this employee paid – cash, bank transfer?	Cash in hand
Does HMRC know that this employee works at your business?	I don't think so as they came from Pakistan recently
Pre-employment Checks	
Did you check the right to work or immigration status before you offered the [REDACTED] the job?	I just passed the details to my accountant
Did the employee share a digital code with you to enable you to check their right to work in the UK?	The account will know, we just sent his brp card details to them
Did you ask to see any documents from the employee to demonstrate their right to work in the UK?	Yes they showed me the BRP
What documents did you ask to see and what were you shown before offering employment?	Just the [REDACTED] and I seen it said 20 hours allowed
Were you shown any originals?	Yes the brp
Did you know that the employee was not allowed to work in a food establishment in the UK?	No I didn't know that

Employee - [REDACTED]	
Known to employer as	[REDACTED]
Obligation	
How long has the [REDACTED] been working at this business?	He's my friends brother, comes nearly 2 months, comes mainly on a weekend when it's busy, came today and yesterday as well
What is their job role/ duties?	He's a delivery driver
What days/ hours do they work each week?	Changes each week but mainly weekends, mostly Saturday night
Are their days/ hours the same every week?	No it changes
Control	
Who gave the [REDACTED] this job?	My partner allowed him to work
Who tells them what days and hours to work?	My partner will tell him when to come, generally the day before

Who tells them what tasks or duties to perform each day?	My partner, he's a driver so is told when
Remuneration	
What is the [REDACTED] given in return for their tasks and duties?	Cash in hand
If the payment includes money, how much is paid?	Paid £11 per hour so depends how many hours
Who pays this employee?	Either me or my partner depends who is here
How is this employee paid – cash, bank transfer?	Cash in hand
Does HMRC know that this employee works at your business?	I don't think so
Pre-employment Checks	
Did you check the right to work or immigration status before you offered the [REDACTED] the job?	The account has been given all the details so should have
Did the employee share a digital code with you to enable you to check their right to work in the UK?	We gave the BRP details to the accountant to check
Did you ask to see any documents from the employee to demonstrate their right to work in the UK?	Just the BRP
What documents did you ask to see and what were you shown before offering employment?	Yes BRP
Did you know that the employee was not allowed to work at a food establishment in the UK?	No I did not know that
Observations	
Observations	

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LICENSING ACT 2003 Premises Licence

T&J Burgers

Part One – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description		
T&J Burgers, 86 Bolebridge Street, Tamworth, Staffordshire, B79 7PD		
Post Town	Tamworth	Post Code B79 7PD
Telephone number	01827 700777	

Where the licence is time limited the dates
This licence is not time limited

Licensable activities authorised by the licence
Late Night Refreshment Opening hours

The times the licence authorises the carrying out of licensable activities		
Late Night Refreshment		
Indoors & Outdoors	From	To
Sunday	23:00	02:00
Monday	23:00	00:00
Tuesday	23:00	00:00
Wednesday	23:00	00:00
Thursday	23:00	00:00
Friday	23:00	02:00
Saturday	23:00	02:00

Premises licence number LN/000005053

The times the licence authorises the carrying out of licensable activities

Opening hours

	From	To
Sunday	12:00	02:00
Monday	12:00	00:00
Tuesday	12:00	00:00
Wednesday	12:00	00:00
Thursday	12:00	00:00
Friday	12:00	02:00
Saturday	12:00	02:00

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Not Applicable

Part Two

Name, (registered) address, telephone number(s) and email (where relevant) of holder of premises licence

**Mr Junaid Jalil
171 Ward End Park Road, Birmingham, B8 2XA**

Telephone - Not known

Registered number of holder, for example company number, charity number (where applicable)

Not Applicable

Name, address, and telephone number(s) of designated premises supervisor where the premises licence authorises the supply of alcohol

Not Applicable

Personal Licence Number and Issuing Authority of Personal Licence held by Designated Premises Supervisor where the premises authorises the supply of alcohol

Not Applicable

Dated this 03rd December 2022



Andrew Barratt
Chief Executive

Paul Holmes

Countersigned: _____

Address to which all communication should be sent:

**Licensing, Public Protection
Tamworth Borough Council, Marmion House, Lichfield Street, Tamworth, B79 7BZ
Tel 01827 709445, Email publicprotction@tamworth.gov.uk or Fax 01827 709434**

Annex 1 – Mandatory Conditions

C Mandatory Condition: Door Supervision

- (1) Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must be
 - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of Section 4 of that Act.
- (2) But nothing in subsection (1) requires such a condition to be imposed -
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or
 - (b) in respect of premises in relation to -
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
- (3) For the purposes of this section - (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and which is licensable conduct for the purposes of that Act (see section 3 (2) of that Act) (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex 2 - Conditions Consistent with the Operating Schedule

The prevention of crime and disorder:

- 1.** CCTV must be installed and cover all internal and external areas, including all public entry and exit points. The CCTV unit must be positioned in a secure part of the licensed premises and not within any private area of the location. Access to the system must be allowed immediately to the Police or Local Authority Officers in accordance with the Data Protection Act where it is necessary to do so for the prevention of crime and disorder, prosecution, or apprehension of offenders or where disclosure is required by law.
- 2.** All images must be kept for a consecutive 31 day period and to be produced to the Police or Local Authority Officers in relation to the investigation of crime and / or disorder issues and suspected licence breaches, upon request or within 24 hours of such request where it is necessary to do so for the prevention of crime and disorder, prosecution or apprehension of offenders or where disclosure is required by law.
- 3.** The CCTV system must be maintained so as to be fully operational and recording continually 24 hours every day.
- 4.** The CCTV system clock must be set correctly and maintained (taking account of GMT and BST).
- 5.** There must be notices displayed throughout the premises stating that CCTV is in operation.
- 6.** There must be a member of staff available at all times that licensable activity is taking place. This person must be trained and capable of operating the CCTV system and also downloading any footage required by the Police or Local Authority Officers.
- 7.** Daily checks must be made of the operation of the CCTV system to confirm that it is working correctly and such checks must be recorded in a register which is to be signed by the person conducting the check. This record must be kept fully updated at all times and remain on the premises for inspection by the Police or Local Authority Officers.
- 8.** A minimum of one Security Industry Authority (SIA) registered Door Supervisor must be present from 23:00hrs on a Friday, Saturday and any Sunday prior to a bank holiday. The Door Supervisor(s) must remain at the premises until such time the premises are closed and all members of the public have left the venue.
- 9.** The Premises Licence Holder must identify the requirement for additional Door Supervisors when the premises are open to the public on a Friday, Saturday and Sunday prior to a bank holiday by way of a risk assessment. Where the risk assessment identifies the need for additional Door Supervisors to be deployed, Door Supervisors must be of sufficient number to be able to control entry to the premises and deal with any instances of disorderly behaviour within the premises simultaneously.
- 10.** All persons utilised at the premises in the capacity of a Door Supervisor must wear high visibility clothing at all times they are deployed.

- 11.** Where Door Supervisors are employed there must be a register of every SIA person employed at the premises that contains the following details:
 - a)** Name, date of birth and home address
 - b)** Security Industry Authority licence number
 - c)** Time and date each security staff starts and finishes duty
 - d)** Each entry must be signed by the Door Supervisors

- 12.** That register must be kept fully updated at all times and remain at the licensed premises and be available for inspection immediately by an authorised officer of the Licensing Authority, the Security Industry Authority or Police.

- 13.** An incident log must be kept at the premises and made available on request to the Police or an authorised officer of the Licensing Authority. It must be completed within 24 hours of the incident and must record the following:
 - a)** All crimes reported to the premises
 - b)** All ejections of patrons
 - c)** Any complaints received concerning crime and disorder
 - d)** Any incidents of disorder

- 14.** Notices must be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

- 15.** The last sale of hot food on the premises must be made at least fifteen minutes before the closure of the premises to the public. There must be clear signage detailing this.

- 16.** No person must be allowed admittance or re-admittance to the premises after the last hot food sale has passed.

Annex 3 - Conditions Attached after a Hearing by the Licensing Authority

None

Annex 4 - Plans

Please see attached plan(s), LN/000005053

LICENSING ACT 2003 Premises Licence Summary

T&J Burgers

Part One – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description	
T&J Burgers, 86 Bolebridge Street, Tamworth, Staffordshire, B79 7PD	
Post Town Tamworth	Post Code B79 7PD
Telephone number 01827 700777	

Where the licence is time limited the dates
This licence is not time limited

Licensable activities authorised by the licence
Late Night Refreshment Opening hours

The times the licence authorises the carrying out of licensable activities		
Late Night Refreshment		
Indoors & Outdoors		
	From	To
Sunday	23:00	02:00
Monday	23:00	00:00
Tuesday	23:00	00:00
Wednesday	23:00	00:00
Thursday	23:00	00:00
Friday	23:00	02:00
Saturday	23:00	02:00

Premises licence number LN/000005053

The times the licence authorises the carrying out of licensable activities

Opening hours

	From	To
Sunday	12:00	02:00
Monday	12:00	00:00
Tuesday	12:00	00:00
Wednesday	12:00	00:00
Thursday	12:00	00:00
Friday	12:00	02:00
Saturday	12:00	02:00

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Not Applicable

Part Two

Name, (registered) address of holder of premises licence

**Mr Junaid Jalil
171 Ward End Park Road, Birmingham, B8 2XA
Telephone - Not known**

Registered number of holder, for example company number, charity number (where applicable)

Not Applicable

Name of designated premises supervisor where the premises licence authorises the supply of alcohol

Not Applicable

State whether access to the premises by children is restricted or prohibited

Not restricted or prohibited

Dated this 03rd December 2022



Andrew Barratt
Chief Executive

Paul Holmes

Countersigned: _____

Address to which all communication should be sent:

**Licensing, Public Protection
Tamworth Borough Council, Marmion House, Lichfield Street, Tamworth, B79 7BZ
Tel 01827 709445, Email publicprotection@tamworth.gov.uk or Fax 01827 709434**

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APPLICATION FOR THE REVIEW OF A PREMISES LICENCE LICENSING ACT 2003

NOTICE is hereby given that Tamworth Borough Council has on the **12th November 2024** received an application for the review of the premises licence in respect of the premises known as **T & J Burgers, 86 Bolebridge Street, Tamworth B79 7PD**

The grounds for the review application relate to the licensing objectives, **the prevention of crime and disorder**

Any person wishing to make representation in relation to this application may do so in writing by **10th December 2024** to: The Licensing Team, Tamworth Borough Council, Marmion House, Lichfield Street, Tamworth B79 7BZ or by e-mail to publicprotection@tamworth.gov.uk

A copy of the application for the above licence is kept by the Licensing Team of Tamworth Borough Council and may be viewed by appointment during office hours.

It is an offence to knowingly or recklessly make a false statement in connection with an application. The maximum fine, for which a person is liable on summary conviction for the offence, is level 5 on the standard scale.

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On Friday 19th July 2024, a licensing compliance visit took place at T & J Burgers, 86 Bolebridge Street, Tamworth, B79 7PD.

As part of the visit there were conditions on the Premises Licence issued under the Licensing Act 2003 that were identified as not currently being adhered to.

The following breaches were identified:

The Prevention of Crime & Disorder

1. CCTV must be installed and cover all internal and external areas, including all public entry and exit points. The CCTV unit must be positioned in a secure part of the licensed premises and not within any private area of the location. Access to the system must be allowed immediately to the Police or Local Authority Officers in accordance with the Data Protection Act where it is necessary to do so for the prevention of crime and disorder, prosecution, or apprehension of offenders or where disclosure is required by law.
2. All images must be kept for a consecutive 31 day period and to be produced to the Police or Local Authority Officers in relation to the investigation of crime and/or disorder issues and suspected licence breaches, upon request or within 24 hours of such a request where it is necessary to do so for the prevention of crime and disorder, prosecution or apprehension of offenders or here disclosure is required by law.
3. The CCTV system must be maintained so as to be fully operational and recording continually 24 hours everyday.
4. The CCTV system clock must be set correctly and maintained (taking into account of GMT and BST).
5. There must be notices displayed throughout the premises stating that CCTV is in operation.
6. There must be a member of staff available at all times that licensable activity is taking place. This person must be trained and capable of operating the CCTV system and also downloading any footage required by the Police or Local Authority Officers.
7. Daily checks must be made of the operation of the CCTV system to confirm that it is working correctly and such checks must be recorded in a register which is to be signed by the person conducting the check. This record must be kept fully updated at all times and remain on the premises for inspection by the Police or Local Authority Officers.
8. An incident log must be kept at the premises and made available on request to the Police or an authorised officer of the Licensing Authority. It must be completed within 24 hours of the incident and must be record the following:-
 - a) All crimes reported to the premises
 - b) All ejections of patrons
 - c) Any complaints received concerning crime and disorder
 - d) Any incidents of disorder
9. Notices must be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
10. The last sale of hot food on the premises must be made at least fifteen minutes before the closure of the premises to the public. There must be clear signage detailing this.

On Wednesday 13th November 2024 a further licensing compliance visit took place at T & J Burgers, 86 Bolebridge Street, Tamworth, B79 7PD. The following breaches were identified:-

The Prevention of Crime & Disorder

11. The CCTV system clock must be set correctly and maintained (taking into account of GMT and BST).

12. There must be a member of staff available at all times that licensable activity is taking place. This person must be trained and capable of operating the CCTV system and also downloading any footage required by the Police or Local Authority Officers.
13. Daily checks must be made of the operation of the CCTV system to confirm that it is working correctly and such checks must be recorded in a register which is to be signed by the person conducting the check. This record must be kept fully updated at all times and remain on the premises for inspection by the Police or Local Authority Officers.
14. An incident log must be kept at the premises and made available on request to the Police or an authorised officer of the Licensing Authority. It must be completed within 24 hours of the incident and must be record the following:-
 - e) All crimes reported to the premises
 - f) All ejections of patrons
 - g) Any complaints received concerning crime and disorder
 - h) Any incidents of disorder
15. Notices must be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
16. The last sale of hot food on the premises must be made at least fifteen minutes before the closure of the premises to the public. There must be clear signage detailing this.

Community Impact Assessment

Part 1 – Details		
What Policy/ Procedure/ Strategy/Project/Service is being assessed?	Licensing Act – Review of a Premises Licence	
Date Conducted	9 th December 2024	
Name of Lead Officer and Service Area	Sarah Gear – Environmental Health	
Commissioning Team (if applicable)		
Director Responsible for project/service area	Anna Miller – Environmental Health	
Who are the main stakeholders	Police, Fire, Trading Standards, Environmental Health, Home Office, Planning, Child Protection, Public Health	
Describe what consultation has been undertaken. Who was involved and what was the outcome	Consultation will be all stakeholders and the general public.	
Outline the wider research that has taken place (E.G. commissioners, partners, other providers etc)	N/A	
What are you assessing? Indicate with an 'x' which applies	A decision to review or change a service	<input type="checkbox"/>
	A Strategy/Policy/Procedure	<input type="checkbox"/>
	A function, service or project	X
What kind of assessment is it? Indicate with an 'x' which applies	New	X
	Existing	<input type="checkbox"/>
	Being reviewed	<input type="checkbox"/>
	Being reviewed as a result of budget constraints / End of Contract	<input type="checkbox"/>

Part 2 – Summary of Assessment

Give a summary of your proposal and set out the aims/ objectives/ purposes/ and outcomes of the area you are impact assessing.

The Licensing Authority will exercise its duties so that the licensing objectives of the Act are met. The licensing objectives are:

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

Who will be affected and how?
Existing Licence holder

Are there any other functions, policies or services linked to this impact assessment?

Yes No

If you answered 'Yes', please indicate what they are?

Part 3 – Impact on the Community

Thinking about each of the Areas below, does or could the Policy function, or service have a direct impact on them?

Impact Area	Yes	No	Reason (provide brief explanation)
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	One of the Objectives:- <ul style="list-style-type: none"> • the protection of children from harm.
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Gender Reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Marriage and Civil Partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Pregnancy & Maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Gypsy/Travelling Community	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those with caring/dependent responsibilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those having an offending past	<input checked="" type="checkbox"/>	<input type="checkbox"/>	One of the Objectives:- <ul style="list-style-type: none"> The prevention of crime and disorder;
Children	<input checked="" type="checkbox"/>	<input type="checkbox"/>	One of the Objectives:- <ul style="list-style-type: none"> the protection of children from harm.
Vulnerable Adults	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Families	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those who are homeless	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those on low income	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those with drug or alcohol problems	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those with mental health issues	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those with physical health issues	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Social inclusion Please include refugees and asylum seekers,	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Social inclusion: Armed Forces The Armed Forces Covenant is a pledge that together we acknowledge and understand that those who have served in the armed forces, and their families, should be treated with fairness and respect and any impact should be considered	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Health and Wellbeing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	One of the Objectives:- <ul style="list-style-type: none"> public safety;

			<ul style="list-style-type: none"> the prevention of public nuisance;
Climate Change	<input type="checkbox"/>	X	

Part 4 – Risk Assessment

From evidence given from previous question, please detail what measures or changes will be put in place to mitigate adverse implications. this includes climate change considerations

This is the section in which to please outline any actions to mitigate negative or enhance positive impacts in terms of economic, environmental or wider societal considerations, and actions to review and monitor the overall impact of the change accordingly.

Impact Area	Details of the Impact	Action to reduce risk
<i>Eg: Families</i>	<i>Families no longer supported which may lead to a reduced standard of living & subsequent health issues</i>	<i>Signposting to other services. Look to external funding opportunities.</i>
Age	<p>One of the Objectives:-</p> <ul style="list-style-type: none"> the protection of children from harm. 	By effectively consulting on licence review application
Those having an offending past	<p>One of the Objectives:-</p> <ul style="list-style-type: none"> The prevention of crime and disorder; 	By effectively consulting on licence review application.
Children	<p>One of the Objectives:-</p> <ul style="list-style-type: none"> the protection of children from harm. 	By effectively consulting on licence review application

Part 5 - Action Plan and Review

Detail in the plan below, actions that you have identified in your Community Impact Assessment, which will eliminate discrimination, advance equality of opportunity and/or foster good relations.

If you are unable to eliminate or reduce negative impact on any of the impact areas, you should explain why

Impact (positive or negative) identified	Action	Person(s) responsible	Target date	Required outcome
	Outcomes and Actions entered onto Pentana			

Date of Review (If applicable)

Guidance and form updated July 2023 following CMT approval.

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