

# Public Document Pack



## TRAFFORD COUNCIL

### AGENDA PAPERS FOR LICENSING SUB-COMMITTEE MEETING

Date: Tuesday, 17 September 2024

Time: 10.00 am

Place: Council Chamber, Trafford Town Hall, Talbot Road, Stretford,  
Manchester, M32 0TH

AGENDA	PART I	Pages
1. ATTENDANCES		
To note attendances, including Officers and any apologies for absence.		
2. APPLICATION FOR THE REVIEW OF A EXISTING PREMISES LICENCE AT LINGUINE ITALIAN RESTAURANT, 20 NORTHENDEN ROAD, SALE, M33 3BR.		
To consider a report of the Head of Regulatory Services.		1 - 40

**SARA TODD**  
Chief Executive

#### Membership of the Committee

Councillors S. J. Haughey, E.L. Hirst and M.J. Welton

#### Further Information

For help, advice and information about this meeting please contact:

Miss Natalie Owen, Governance Officer  
Email: [natalie.owen@trafford.gov.uk](mailto:natalie.owen@trafford.gov.uk)

This agenda was issued on **Thursday, 5 September 2024** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford, M32 0TH.

## **Licensing Sub-Committee - Tuesday, 17 September 2024**

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## TRAFFORD COUNCIL

**Report to:** Licensing Sub-Committee  
**Date:** 17<sup>th</sup> September 2024  
**Report for:** Decision: Determination of Application  
**Report of:** Head of Regulatory Services

### Report Title

**APPLICATION FOR THE REVIEW OF A EXISTING PREMISES LICENCE AT LINGUNIE ITALIAN RESTAURANT, 20 NORTHENDEN ROAD, SALE, M33 3BR.**

### Summary

The Licensing Authority has received an application from the Home Office Immigration Enforcement requesting a review of the Premises licence held by Nagmadin Zana on the grounds of prevention of crime and disorder and ensuring public safety.

### Recommendation(s)

The following options are open to the Licensing Sub-Committee;

- (i) To vary the application in full and on the terms and conditions contained within the application to include any applicable mandatory conditions.
- (ii) To vary the application , modified to such an extent as considered appropriate to satisfy any relevant representations and promote the licensing objectives; or
- (iii) To reject the application.

Contact person for access to background papers and further information:

**Name:** Jade Pickup, Senior Licensing  
**Contact:** Licensing@trafford.gov.uk

## **1.0 LEGAL IMPLICATIONS**

- 1.1 At any stage, following the grant of a premises licence, a responsible authority, such as the police or the fire authority, or an interested party, such as a resident, may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.
- 1.2 In every case, the representation must relate to particular premises for which a premises licence is in existence and must be relevant to the promotion of the licensing objectives.
- 1.3 The licensing objectives are:
  - The prevention of crime and disorder
  - The prevention of public nuisance
  - Public safety
  - The protection of children from harm
- 1.4 With effect from the 6<sup>th</sup> April 2017 the Immigration Act 2016 made the Secretary of State a responsible authority in respect of premises licensed to sell alcohol or late night refreshment. In effect this conveys the role of responsible authority to Home Office Immigration Enforcement who exercises its 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.

## **2.0 BACKGROUND**

- 2.1 Linguine Italian Restaurant is a restaurant operated by Mr Nagmadin Zana, who is both the premises licence holder and the Designated Premises Supervisor (DPS).
- 2.2 The Premises has been licensed under the Licensing Act 2003 since 24<sup>th</sup> November 2005 and Nagmadin Zana became the premises licence holder and DPS on 12<sup>th</sup> October 2013.
- 2.3 A copy of the current premises licence is attached as **Appendix A**.

## **3.0 APPLICATION**

- 3.1 On the 29<sup>th</sup> July 2024 the Licensing Authority received an application from the Home Office Immigration Enforcement for a review of the Premises Licence PL000378 held by Nagmadin Zana for premises known as Linguine Italian Restaurant, 20 Northenden Road, Sale, M33 3BR.
- 3.2 The application stated that in accordance with the regulations, notice was also given to the premises licence holder and responsible authorities on the same date.

- 3.3 The ground for review relates to crime and disorder a copy of the application is attached at **Appendix B-1 and B-2**. The applicant may expand on the written representation but may not add further grounds.
- 3.4 Following receipt of the application the Authority advertised the review by notice outside the premises and at the Council's Offices for 28 consecutive days.
- 3.5 During the consultation period it was noted that the blue notice was removed at the premises. A new notice was displayed on 20.08.2024.
- 3.6 On 20th August 2024 James Boles, Licensing Enforcement Officer visited the premises to display a new blue notice and hand deliver copies of documentation in relation to the hearing. A statement of the encounter is attached as **Appendix C**. At the time of writing the report the Licensing Authority has not received an application to transfer.
- 3.7 On 28<sup>th</sup> August 2024 a organised visit was carried out by Community Safety, Environmental Health, Licensing and Greater Manchester Police. A statement has been provided by the Licensing Enforcement Officer attached as **Appendix D**.

#### **4.0 REPRESENTATIONS**

- 4.1 The responsible authorities included in consultation are; Greater Manchester Police, Greater Manchester Fire & Rescue, Environmental Health & Pollution Control, Building Control, Health and Safety Team, Home Office Immigration Enforcement, Planning Department, Safeguarding Children Team, Trading Standards and Public Health.
- 4.2 On 21<sup>st</sup> August 2024 a representation was received from Graeme Dixon, Environmental Health Officer in relation to Public Safety attached as **Appendix E**.
- 4.3 On 23<sup>rd</sup> August 2024 a representation was received from PC John Lloyd, Greater Manchester Police in relation to Crime and Disorder, attached as **Appendix F**.
- 4.4 No representations were received from any other persons.
- 4.5 A copy of the report and the representations received has been sent to the applicant.
- 4.6 Those that have made a representation have been informed of the time and date of the Licensing Sub-Committee meeting and have been informed of their right to attend.

#### **5.0 KEY ISSUES**

- 5.1 On 29<sup>th</sup> July 2024 the Licensing Authority received a review application in relation to Linguine Italian Restaurant from the Home Office Immigration Enforcement.
- 5.2 On 23<sup>rd</sup> May 2024 entry was gained to the premises under section 179 of the Licensing Act 2003 where the officers encountered a illegal worker, this individual was arrested and later bailed.

- 5.3 On 21<sup>st</sup> June 2024 entry was gained to the premises where immigration officers executed a Schedule 2, Paragraph 17(2) Immigration Act 1971 warrant at the premises seeking illegal workers as a result of the visit conducted on 23<sup>rd</sup> May 2024. Upon entering officers encountered a further 2 illegal workers. Both individuals were interviewed, arrested and later bailed.
- 5.4 The premises is currently trading under a licence holder and DPS who is no longer associated with the premises.

## **6.0 OPTIONS**

- 6.1 The Sub-Committee must, having regard to the application and any relevant representations, take such of the steps mentioned in Section 56 subsection 6 of the Licensing Act (if any) as it considers appropriate for the promotion of the licensing objectives.
- 6.2 The steps stated in Section 56 (6) are:
- a) to modify the conditions of the licence;
  - b) to exclude a licensable activity from the scope of the licence;
  - c) to remove the designated premises supervisor;
  - d) to suspend the licence for a period not exceeding three months;
  - e) to revoke the licence;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

- 6.3 The Sub-Committee has the power in relation to steps (a) and (b) to provide that the modification and exclusion only has effect for a limited period not exceeding three months.
- 6.4 The Sub-Committee also have the option to leave the licence in its existing state and/or issue an informal warning to the licence holder and/or recommend improvement within a particular period of time.

## **ATTACHED :**

- Appendix A – Premises Licence
- Appendix B – Review application
- Appendix C – Statement of visit 20<sup>th</sup> August 2024
- Appendix D – Statement of visit 28<sup>th</sup> August 2024
- Appendix E – Representation from Environmental Health
- Appendix F – Representation from Greater Manchester Police

Licensing Act 2003

# Premises Licence

## PL000378



TRAFFORD  
COUNCIL

### Part 1 – Premises Details

#### POSTAL ADDRESS OF PREMISES OR, IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

##### **Linguine Italian Restaurant**

20 Northenden Road, Sale, Cheshire, M33 3BR

Telephone : 0161 905 1328

#### WHERE THE LICENCE IS TIME LIMITED, THE DATES

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE AND THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Alcohol - On the premises	Sunday - 12:00 to 00:00
	Monday to Saturday - 10:00 to 00:00
	Christmas Day - 11:00 to 22:00
	Good Friday - 12:00 to 22:30

#### THE OPENING HOURS OF THE PREMISES

Monday to Saturday - 10:00 to 00:00

Sunday - 12:00 to 00:00

#### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL, WHETHER THESE ARE ON AND/OR OFF SUPPLIES

The sale of alcohol for consumption ON the premises.

### Part 2

#### NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE AVAILABLE) OF LICENCE HOLDER

Mr Nagmadin Zana  
20 Northenden Road, Sale, M33 3BR

zano20016@hotmail.co.uk

Licensing Act 2003

# Premises Licence

## PL000378



TRAFFORD  
COUNCIL

REGISTERED NUMBER OF HOLDER, WHERE APPLICABLE (E.G. COMPANY NUMBER, CHARITY NUMBER)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Mr Nagmadin Zana  
[REDACTED]

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Licence No: Leeds/Perl/07163/13

Issued by : Leeds

### ANNEXES

**These conditions should be read in conjunction with plan referenced PL000378**

Annex 1 – Mandatory Conditions

#### MANDATORY CONDITIONS

1. No supply of alcohol may be made under the premises licence:
  - (a) At a time when there is no designated premises supervisor in respect of the premises, or
  - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

#### **ADDITIONAL MANDATORY CONDITIONS (28<sup>th</sup> May 2014)**

3. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
4. For the purposes of the condition set out in paragraph 1
  - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979





(b) “permitted price” is the price found by applying the formula

$$P = D + (D \times V)$$

Where

(i) P is the permitted price

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol

and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence

(i) the holder of the premises licence

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994

5. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

6. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.



**ADDITIONAL MANDATORY CONDITIONS (1<sup>st</sup> October 2014)**

7. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purposes of encouraging the sale or supply of alcohol for consumption on the premises:
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise)
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)
8. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
9. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.



(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:

(a) a holographic mark

or

(b) an ultraviolet feature

10. The responsible person must ensure that:

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures

(i) beer or cider: ½ pint

(i) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(ii) still wine in a glass: 125 ml; and

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available

#### Annex 2 – Conditions Consistent with the Operating Schedule

1. Alcohol shall not be sold or supplied except during the following hours. On Weekdays Monday, Tuesday, Wednesday, Thursday, Friday and Saturday 10.00am until 11.00pm. On Sundays, other than Christmas Day or New Years Eve, 12.00noon to 10.30pm On Good Friday, 12.00noon to 10.30pm. On Christmas Day, 12.00noon to 3.00pm and 7.00pm to 10.30pm On New Years Eve, except on a Sunday, 10.00am to 11.00pm. On New Years Eve on a Sunday, 12 noon to 10.30pm On New Years Eve from the end of licensing hours on New Years Eve to the start of licensing hours on the following day (or, if there are no licensing hours on the following day, midnight on 31st December.)

2. The above restrictions do not prohibit:

(a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;

(b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;

(c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking mealsthere if the alcohol was supplied for consumption as ancillary to meals;



- (d) consumption of alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the dispatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there; or
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of the alcohol by persons so supplied; or
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

3. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (a) He is the child of the holder of the premises licence.
- (b) He resides in the premises, but is not employed there.
- (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary

4. In this condition includes any place exclusively or mainly used for the consumption of alcohol. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals. Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

- a) with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;
- b) for consumption by a person residing in the premises or his guest and paid for together with his accommodation;
- c) to a canteen or mess.

5. No Off Sales

6. No supply of alcohol may be made under the premises licence –

- (a) at a time when there is no designated premises supervisor in respect of the premises, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

7. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Licensing Act 2003

# Premises Licence

# PL000378



8. Where the premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority.

9. Intoxicating liquor shall not be sold or supplied on the premises otherwise to a person taking table meals there and for consumption by such a person as an ancillary to the meal.

10. Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.

Annex 3 – Conditions Attached After a Hearing of the Licensing Committee

None

Signature of Authorised Officer

Licensing Act 2003

# Premises Licence Summary

## PL000378



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COUNCIL

### POSTAL ADDRESS OF PREMISES OR, IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

#### Linguine Italian Restaurant

20 Northenden Road, Sale, Cheshire, M33 3BR  
Telephone : 0161 905 1328

### WHERE THE LICENCE IS TIME LIMITED, THE DATES

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE AND THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Alcohol - On the premises	Sunday - 12:00 to 00:00
	Monday to Saturday - 10:00 to 00:00
	Christmas Day - 11:00 to 22:00
	Good Friday - 12:00 to 22:30

### THE OPENING HOURS OF THE PREMISES

Monday to Saturday - 10:00 to 00:00  
Sunday - 12:00 to 00:00

### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL, WHETHER THESE ARE ON AND/OR OFF SUPPLIES

The sale of alcohol for consumption ON the premises.

### NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE AVAILABLE) OF LICENCE HOLDER

Mr Nagmadin Zana  
20 Northenden Road, Sale, M33 3BR

zano20016@hotmail.co.uk

### REGISTERED NUMBER OF HOLDER, WHERE APPLICABLE (E.G. COMPANY NUMBER, CHARITY NUMBER)

Licensing Act 2003

# Premises Licence Summary

## PL000378



**NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Mr Nagmadin Zana

**PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Licence No: Leeds/Perl/07163/13

Issued by : Leeds

**STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED**

No restrictions.

**Signature of Authorised Officer**

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Licensing Authority: Trafford Metropolitan Borough Council  
By email: [licensing@trafford.gov.uk](mailto:licensing@trafford.gov.uk)

**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  Linguine Italian Restaurant 20 Northenden Road	
Post town Sale	Post code (if known) M33 3BR

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Nagmadin Zana
--

<b>Number of premises licence or club premises certificate (if known)</b> PL000378
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**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**

**yes**

**Please tick ✓**

- 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 K Sooriyaarachchi  
.....

Date 29 July 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

Linguine Italian Restaurant  
20 Northenden Road  
Sale  
M33 3BR

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## Case Summary

On 23 May 2024, the North West ICE team visited Linguine, 20 Northenden Road, Sale, M33 3BR under s179 of the Licensing Act 2003. A female was arrested attempting to flee the premises. She was working at the premises with no right to work in the UK.

Based on this visit another visit was tasked under a warrant on 21 June 2024. During this visit two individuals were identified as working at the premises with no right to work in the UK.

Referrals have been made to the Civil Penalty Compliance Team in relation to the illegal working and these are currently under consideration.

## Licensed Premises History

The premises license number is PL000378 and has been held by Mr Nagmadin Zana as shown on the premises license.

Licensable activities authorised by the licence and the times the Licence authorises the carrying out of licensable activities.

### Alcohol - On the premises

Sunday -	12:00 to 00:00
Monday to Saturday -	10:00 to 00:00
Christmas Day -	11:00 to 22:00
Good Friday -	12:00 to 22:30

The company registration number for Linguine Italian Restaurant Ltd is 11372904. Companies House show that it was incorporated on 21 May 2018 is currently dissolved and Nagmadin Abdulla ZANA was the company director.

## Enforcement Visit: 23 May 2024

Entry was gained to the premises at approximately 19:50 under section 179 of the Licensing Act 2003. The following individual was encountered.

██████████

Upon entering the premises immigration officers witnessed ██████████ clearing tables whilst wearing an apron. On seeing immigration officers, she removed her apron threw it in the kitchen and headed towards the rear of the premises in an attempt to leave. She was arrested by officers in the rear and taken back into the premises for questioning.

During the illegal working interview ██████████ admitted she had been working at the premises for one month as a waitress, working 2 days a week for 5 – 6 hours. ██████████ stated that she was offered the job by the manager ██████████ and she also pays ██████████ £50 in cash per shift. ██████████ confirmed that she did not provide a share code or have any right to work checks conducted prior to being offered the job. ██████████ stated she kept telling the employer she would provide documents the following week but never provided any.

Home Office checks showed that ██████████ was refused a visitor visa in August 2022. She then entered the UK and submitted a claim on 28 October 2023 which is still under consideration. Her bail conditions clearly outline that she is not permitted to work in the UK.



██████████ encountered in work attire as a waitress.

██████████ – Manager

██████████ identified herself as the general manager for the kitchen to immigration officers. When questioned in relation to ██████████ she stated ██████████ has been working as a waitress for approximately 3 – 4 months for three days per week. She stated that the owner offered ██████████ the job. ██████████ confirmed that she pays ██████████ approximately £50 in cash per shift. ██████████ stated that she is unsure if any right to work checks were conducted as she only works in the kitchen.

## Enforcement Visit: 21 June 2024

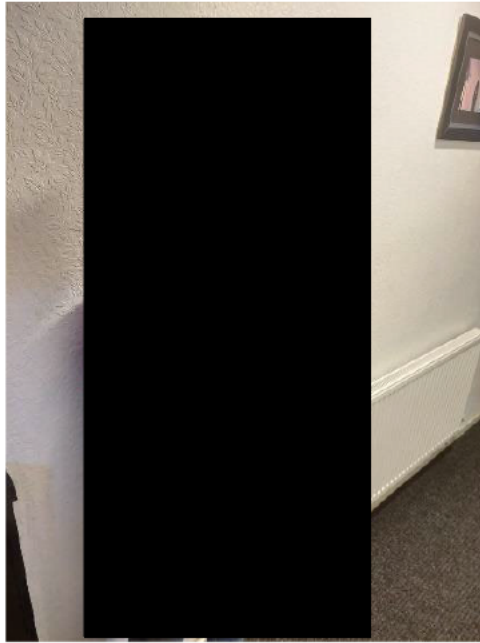
Entry was gained to the premises at 19:50. Immigration officers executed a Schedule 2, Paragraph 17(2) Immigration Act 1971 warrant at the address seeking illegal workers as a result of the visit conducted on 23 May 2024. Upon entering, immigration officers encountered the following individuals:

████████████████████

████████████████████ was encountered in the kitchen wearing a red chef shirt and black trousers working with the head chef. When he left the premises he changed his clothes that were stored in the staff store room and left his work clothes in the staff room.

████████████████████ stated that he had only been working there for 2 days and that he came to help his friend. █████████████████████ stated he was helping them by washing dishes and acknowledged that he was aware he had no right to work in the UK. █████████████████████ stated he arrived at 5pm and saw his friend ██████████ (who was an employee at the premises but was not present when officers visited) who was going away for a few days. His friend asked him to help at the premises whilst he was away. █████████████████████ stated '██████████' tells him what jobs to do but he was not present at the time. He stated that he is offering 'friendly help' and does not get any money and only received free food in return for his work. █████████████████████ stated he was given the uniform by ██████████ to prevent his personal clothes from getting dirty. █████████████████████ confirmed that he was not asked for any documents or had any right to work checks conducted prior to commencing work.

Home Office checks showed that █████████████████████ entered the UK illegally by small boat and submitted a claim on 11 August 2023 which is still under consideration. His bail conditions clearly outline that he is not permitted to work in the UK.



██████████ encountered in chef's uniform.

██████████

Upon entering the premises immigration officers observed ██████████ behind the bar in the restaurant area. ██████████ presented an adverse reaction to the presence of officers by heading towards the rear exit where he was arrested by an immigration officer. Officers also noted that ██████████ was dressed in similar work attire to the other front of house staff member which was black shirt and trousers. The chef in the kitchen stated that he worked front of house.

When questioned by officers ██████████ stated that he was not working at the premises and was visiting his friend ██████████ (██████████ was not present at the premises). He stated he came here approximately 4 hours ago so he could see his friend and look and maybe just learn. When officers questioned why he was stood behind the bar initially he claimed he was getting water for himself from behind the bar.

Another member of staff stated to officers that ██████████ was known as ██████████. ██████████ confirmed this was his nickname. When officers questioned why his name ██████████ was found on the rotas in the kitchen he replied 'There are lots of ██████████, it's a common name. It's a popular name in my country'. ██████████ maintained that he was not working but later admitted to helping out at the premises. He stated that he would clear tables and serve food to customers. He stated he did not get paid for helping at the premises. ██████████ stated that ██████████ allowed him to help at the business. ██████████ stated that ██████████ did not ask about his right to work, and he did not inform ██████████ he had no permission to work in the UK as he believed this was his personal business.

Home Office records show that [REDACTED] entered the UK and submitted a claim on 18 October 2023 which is still under consideration. His bail conditions clearly outline that he is not permitted to work in the UK.



[REDACTED] *encountered in front-of-house attire*

Although [REDACTED] denied working at the premises it is considered that this was an attempt to deceive immigration officers as he was wearing front-of-house work attire, he displayed an adverse reaction to the presence of immigration officers and other staff members confirmed he was the only known [REDACTED] at the premises and was scheduled to work on the rotas.

## 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 3 illegal workers encountered at the premises across two enforcement visits.

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. In this case, all three workers had outstanding claims. Claimants are issued Application Registration Cards (ARC), these cards clearly state the holder's employment restrictions. The license holder could have easily avoided employing a worker illegally by abiding by the restrictions on the card. It is considered that in this case the license holder has failed to conduct any type of Right to Work checks on the illegal workers outlined above.



Example of an ARC card where work is not permitted.

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. The information is readily available; however, the license holder has deliberately overlooked the rules and laws in place to prevent crime and disorder.



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 and a warning or other activity falling short of a review is inappropriate; therefore, Immigration Enforcement has proceeded straight to review.

## 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.

Linguine Italian Restaurant has been found employing illegal workers on two occasions. This business has clearly failed to meet the prevention of crime and disorder objective. The license holder and its agents would have been aware of their responsibilities to uphold the licensing objectives as they are clearly defined as part of the premises license application and the associated training one must complete.

Right to work checks should be carried out on all prospective employees prior to their first day, the checks are also irrespective of the length of the engagement or employment contract. Guidance is available online and the Home Office have published "[Right to work checks: an employer's guide](#)" which can be found on the GOV.UK website.

Immigration Enforcement asks the committee to seriously consider revocation of the license. 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 from engaging in the employment of illegal workers and facilitating disqualified immigrants to work illegally.

## Appendix A - Supporting Evidence

Encounter [REDACTED]

Illegal Working-Employee [REDACTED]

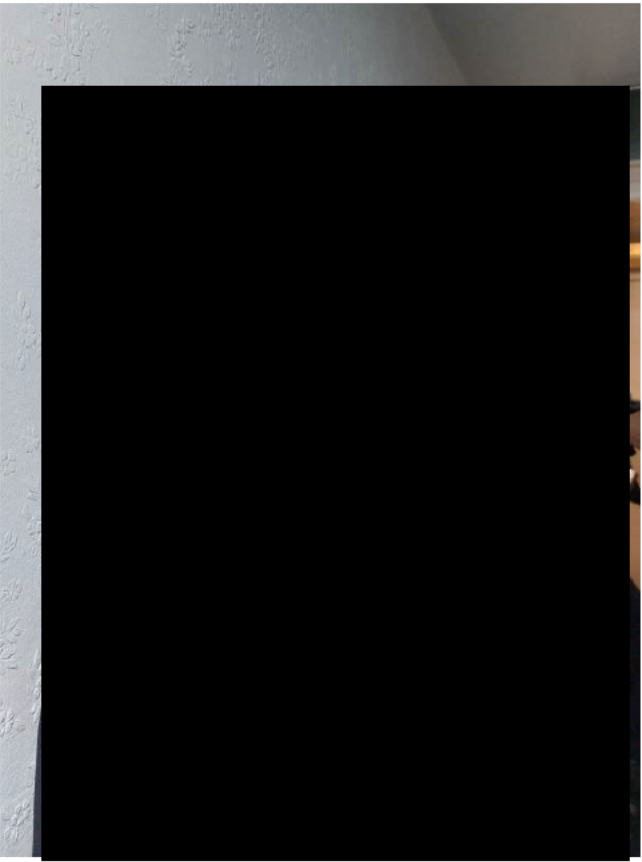
Illegal Working-Employer [REDACTED]

Illegal Working-Employee [REDACTED]

Illegal Working-Employee [REDACTED]

Freetext Illegal working [REDACTED]

<b>Encounter</b>							
<b>Details</b>							
Type of work	Visit						
Visit reference	██████████						
Created by	████████████████████						
ProntoID	████████████████████ - Iran (Islamic Republic of)						
Time	19:56						
Created at geolocation	<table style="width: 100%; border: none;"> <tr> <td style="width: 30%;"><b>Easting</b></td> <td style="width: 30%;">379060</td> <td style="width: 40%;"></td> </tr> <tr> <td><b>Northing</b></td> <td>391895</td> <td></td> </tr> </table>	<b>Easting</b>	379060		<b>Northing</b>	391895	
<b>Easting</b>	379060						
<b>Northing</b>	391895						
Creation date	23-05-2024 19:56:29						
<b>Chosen Identity</b>							
Identity source/type	Declared						
Name	██████████						
DOB	██████████						
Gender	Female						
Nationality	Iran (Islamic Republic of)						
<b>Languages</b>							
Languages spoken	English						
Interpreter used?	No						
<b>Encounter</b>							
Encountering officer	████████████████████ - Officer						
Is this encounter related to a Small Boats event?	No						
Is this person the subject of the visit?	No						
Do you suspect an immigration offence?	Yes						
Why do you suspect the person of an immigration offence?	misplaced Intel of illegal working on the premises. female was seen clearing tables on entry and attempted to leave the rear of the premises after removing her apron and threw it into a hatch to the kitchen						
Declared immigration status	██████████						
How and when did the subject last enter the UK?	7 months ago via plane						
CIDPID/CEPR	██████████						
Are there any vulnerabilities/trafficking/safeguarding issues?	No						

Where in the premises was the subject located?	
Are you taking enforcement action?	Yes
References (Person ID, HO Ref, Port Ref, BRP)	
Biographic search results	<p>Systems checked      Person Check</p> <p>Result of checks      Outstanding [REDACTED] claim as of 28/10/2023</p> <p>Does the person have an open absconder status on Atlas Person Alerts?      No</p> <p>Status returned by system checks</p>
<b>Photo of Subject</b>	
Do you want to take a photograph of the subject?	Yes
Powers used	Paragraph 18(2) Schedule 2 Immigration Act 1971
Photo of subject	 <p>1</p>
<b>Identity Documentation</b>	
Document 1	Document type

	<p>Name in document (if different from above)</p> <p>Document reference</p> <p>Document expiry date</p> <p>Country of issue (if different from nationality above)</p> <p>Suspected fraudulent</p> <p>Notes</p> <p>Photos</p>
--	--

<b>Notes</b>
No notes entered.

<b>Illegal Working - Employee</b>					
<b>Details</b>					
Type of work	Visit				
Visit reference	██████████				
Created by	████████████████████				
ProntoID	████████████████████ - Iran (Islamic Republic of)				
Subject CIDPID/CEPR	██████████				
Subject name	████████████████████				
Subject DOB	██████████				
Subject nationality	Iran (Islamic Republic of)				
Subject gender	Female				
Time	20:06				
Created at geolocation	<table style="width: 100%; border: none;"> <tr> <td style="width: 60%;"><b>Easting</b></td> <td style="text-align: right;">379048</td> </tr> <tr> <td><b>Northing</b></td> <td style="text-align: right;">391908</td> </tr> </table>	<b>Easting</b>	379048	<b>Northing</b>	391908
<b>Easting</b>	379048				
<b>Northing</b>	391908				
Creation date	23-05-2024 20:06:52				
<b>Language of Interview</b>					
What language is the interview carried out in?	English				
Interpreter used?	No				
<b>Obligation</b>					
How long have you been working at this business?	1 months when its busy- they didnt know				
What is your job role/ what are your duties?	Waitress				
What days/ hours do you work each week?	2 days a week for 5 or 6 hours.				
Do you work the same hours/ days every week?	Yes				
<b>Control</b>					
Who gave you this job (name and role in business)?	Manager- ██████████ in the kitchen				
Who tells you what days/ hours to work?	Manager- ██████████ ssys he texts her.				
Who tells you what tasks/ duties to do each day?	Manager- ██████████				

**Remuneration**

How are you paid (money, accommodation, food)? Cash- £50 per shift

Who pays you? Manager- [REDACTED]

**Pre-employment Checks**

What name does the employer know you as? [REDACTED]

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 told him i would show him next week. I promised to him tjt i could dhow him permission... i kept telling him next week next week.

Does your employer know you're not allowed to work in the UK? He doesn't know.

**Additional Questions**

No details provided.

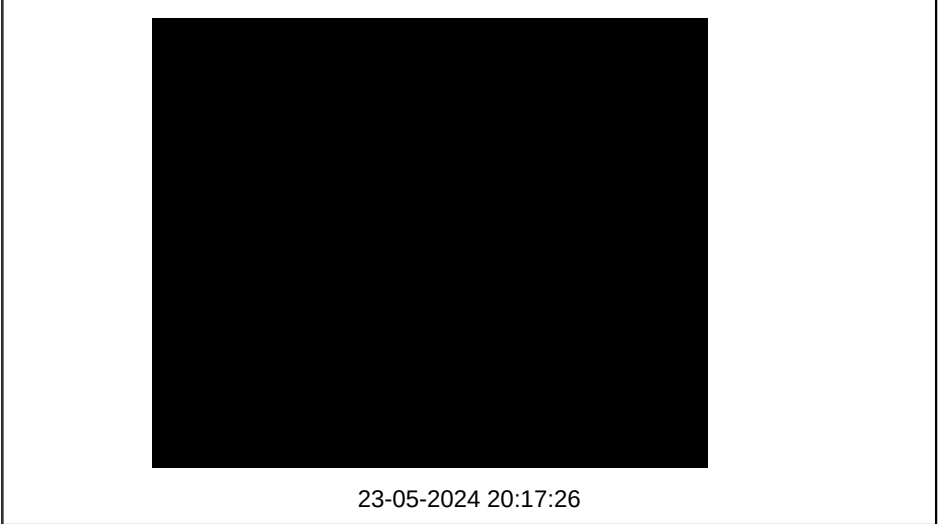
**Photographs**

No photographs.

**Declaration**

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

Interviewee signature ([REDACTED])  
[REDACTED]



**Observations**

Observations The female male was seen by immigration offices wearing an apron clearing tables on entry. On seeing Immigratio Officers, the female headed towards the rear of the premises, taking her apron off, throwing it into the hatch to the kitchen, and then leaving through the back entrance. She was arrested as



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	soon as she stepped out of the back and taken back into the premises to be questioned
<b>Do you suspect this person of illegal working?</b>	Yes

**Illegal Working - Employer**

**Details**

Type of work	Visit	
Visit reference	[REDACTED]	
Created by	[REDACTED]	
ProntoID	[REDACTED] - Iraq	
Subject CIDPID/CEPR	Unknown	
Employer	[REDACTED]	
Subject DOB	[REDACTED]	
Subject nationality	Iraq	
Subject gender	Male	
Time	20:11	
Created at geolocation	<b>Easting</b>	379048
	<b>Northing</b>	391936
Creation date	23-05-2024 20:11:08	

**Language of Interview**

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

**Employer Details**

What is the name of the business?	Linguine
What is your position here?	General manager for the kitchen
What are the Companies House and VAT numbers of the business?	I don't know

**Declaration by Employer**

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

Signed by <span style="background-color: black; color: black;">[REDACTED]</span>	 23-05-2024 20:25:39
--	---

**Employee - [REDACTED]**

Known to employer as [REDACTED]

**Obligation**

How long has the employee been working at this business?	She doesn't work very often but she has been working here around 3 to 4 months
What days/ hours do they work each week?	She works a few shifts per week her last shift before today was Sunday
What days/ hours do they work each week?	5pm-9pm
Are their days/ hours the same every week?	She works around three days per week
What is their job role/ duties?	Waitress serving food to the customers

**Control**

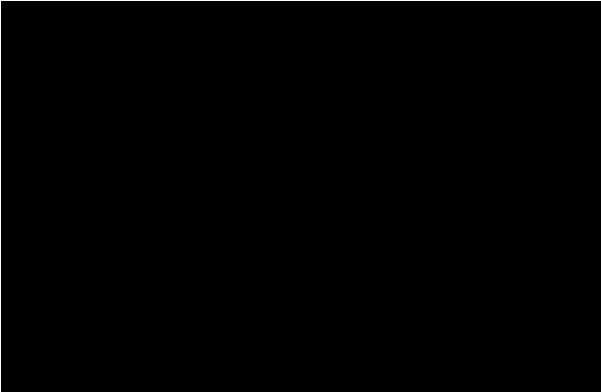
Who gave the employee this job?	The owner gave her a job his name <span style="background-color: black; color: black;">[REDACTED]</span>
Who tells them what days and hours to work?	I do as I do the rota
Who tells them what tasks or duties to perform each day?	<span style="background-color: black; color: black;">[REDACTED]</span>
Where are the employee records?	<span style="background-color: black; color: black;">[REDACTED]</span> the other manager deals with that

**Remuneration**

What is the employee given in return for their tasks and duties?	She is paid
If the payment includes money, how much is paid?	£45 to £50 per shift but sometimes she gets extra it is business

Who pays this employee?	I do or the other managers
How is this employee paid – cash, bank transfer?	Cash
Does HMRC know that this employee works at your business?	I do not know
<b>Pre-employment Checks</b>	
Did you check the right to work or immigration status before you offered the employee the job?	I do not know if she gave the owner any papers or not as its not a big deal for me as I work in the kitchen
Did you ask to see any documents from the employee to demonstrate their right to work in the UK?	I do not know
When did you last check the employee's employment status?	I didn't not know what her status was
Did you know that the employee was not allowed to work in the UK?	I don't know [REDACTED] deals with all the staff, I just pay her at the end of the shift if i am working
<b>Observations</b>	
Observations	
<b>Management Checks Complete</b>	
Date management checks complete	25-05-2024 17:17:33
Reviewer(s)	[REDACTED]

<b>Illegal Working - Employee</b>					
<b>Details</b>					
Type of work	Visit				
Visit reference	██████████				
Created by	██████████				
ProntoID	██ - Iran (Islamic Republic of)				
Subject CIDPID/CEPR	██████████				
Subject name	██				
Subject DOB	██████████				
Subject nationality	Iran (Islamic Republic of)				
Subject gender	Male				
Time	20:11				
Created at geolocation	<table border="0"> <tr> <td><b>Easting</b></td> <td>379042</td> </tr> <tr> <td><b>Northing</b></td> <td>391929</td> </tr> </table>	<b>Easting</b>	379042	<b>Northing</b>	391929
<b>Easting</b>	379042				
<b>Northing</b>	391929				
Creation date	21-06-2024 20:11:39				
<b>Language of Interview</b>					
What language is the interview carried out in?	Kurdish				
Interpreter used?	Yes				
Details of interpreter	██████████				
Does the individual understand the interpreter?	Yes				
<b>Obligation</b>					
How long have you been working at this business?	I arrived 2 days ago. I came here to help my friend, I know am not aloud to work here.				
what is your job role when you are working here.	I was washing dishes I was helping them I know am not aloud to work in this country.				
what time did you start working here today.	I arrived at 5pm and I saw my friend. And I wanted to help him.				
what is your friend's name	My friends name is ██████████.				
where is your friend's ██████████ and what is his job role here.	He called me and he told me he was not going to be here for a few days and that I can come and help. He is an employee here.				
what time would you be finishing today	I said I can only stay from 5 till 9pm. ██████████ said it doesn't matter what time I can work 1 hour or 2.				
who tells you what jobs to do when you are here.	Theew was a guy here his name was ██████████ he isn't here now. I don't no anyone else here.				

<b>Control</b>	
Apart from today, when was you last working here	Yesterday I came from 4pm till 9.45pm
<b>Remuneration</b>	
how much have you been paid for working yesday and for today	No it's just friendly help. I do not get money I just came to help.
do you get any food for helping out here	Yes they feed me.
who gave you your work shirt, the one you are wearing.	It was giving to me by a person who woris here he said take it it will keep your clothes clean.
is that lerson here now.	He is not here now it was [REDACTED].
do you know your not aloud to work here.	Yes I am aware of that. I know I just came to help.
does your friend [REDACTED] know your not aloud to work on the uk.	I am not sure. If he know or not. He and if I could help I know am not aloud to work here.
did [REDACTED] ask to see any ID before you started working here .	No.
<b>Pre-employment Checks</b>	
No details provided.	
<b>Additional Questions</b>	
No details provided.	
<b>Photographs</b>	
No photographs.	
<b>Declaration</b>	
I confirm that I have understood all the questions and that the details are true and correct.	
Interviewee signature ([REDACTED]) [REDACTED])	  21-06-2024 20:36:46

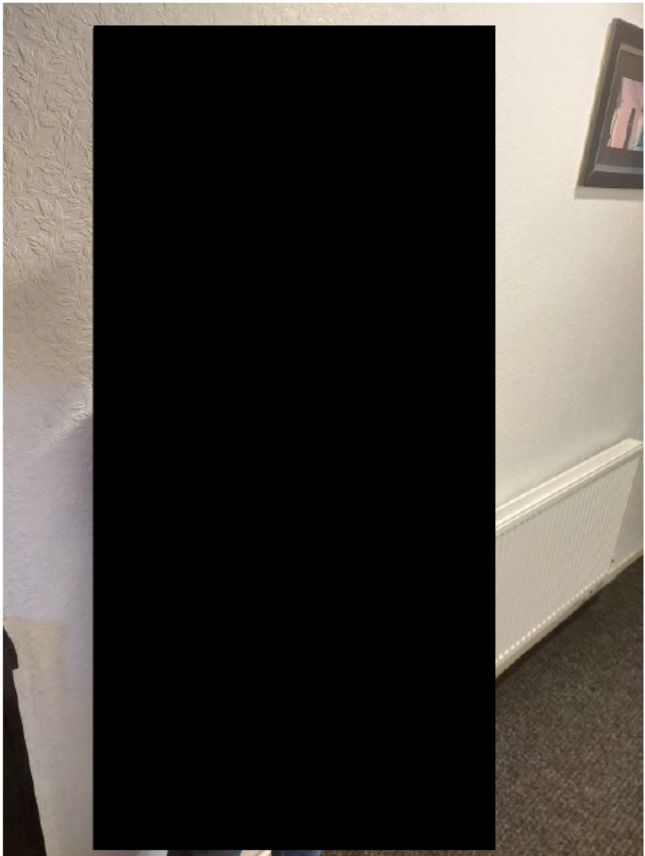
Observations	
<b>Observations</b>	I believe that the male was working today. On our arrival, the male was working in the kitchen area with the head chef. I observed the male in a red chef shirt and black trousers. When I asked the male if he had any belongings here, he said yes, there was that room. Male changed his chef shirt and trousers into his personal clothing and left the work ones in the staff room.
<b>Do you suspect this person of illegal working?</b>	Yes
<b>Photo 1</b>	 <p><b>Caption</b> chef shirt.</p> <p><b>Exhibit Ref</b> Male was wearing a chef red shirt and black trousers.</p>

Photo 2



**Caption**

the staff area where the subject changed his work clothes to his personal clothes.

**Exhibit Ref**

Male was wearing a chef red shirt and black trousers.



<b>Illegal Working - Employee</b>					
<b>Details</b>					
Type of work	Visit				
Visit reference	██████████				
Created by	██████████				
ProntoID	██████████ - Iran (Islamic Republic of)				
Subject CIDPID/CEPR	██████████				
Subject name	██████████				
Subject DOB	██████████				
Subject nationality	Iran (Islamic Republic of)				
Subject gender	Male				
Time	20:10				
Created at geolocation	<table border="0" style="width: 100%;"> <tr> <td style="width: 150px;"><b>Easting</b></td> <td style="text-align: right;">379041</td> </tr> <tr> <td><b>Northing</b></td> <td style="text-align: right;">391917</td> </tr> </table>	<b>Easting</b>	379041	<b>Northing</b>	391917
<b>Easting</b>	379041				
<b>Northing</b>	391917				
Creation date	21-06-2024 20:09:42				
<b>Language of Interview</b>					
What language is the interview carried out in?	English				
Interpreter used?	No				
<b>Obligation</b>					
Happy to conduct the interview in English?	Yes, I will tell you if I don't understand.				
How long have you been working at this business?	I'm not working in this business.				
What is your job role/ what are your duties?	Nothing. I do nothing. I came here to visit my friend.				
Who is your friend?	Mr. ██████████				
What Mr. ██████████ full name?	I don't know.				
What time did you arrive here today?	Today, I suppose it was about afternoon, about 4pm, I don't know the exact time. 4:35.				
What have you been doing here since your arrival approx. 4 hours ago?	I came her to visit my friend. I just, you know I was a teacher in my country I went to university and about 1 month ago because my occammodation is in Burnley I went to Burnley University to check courses for September. So I was waiting for that so I had some spare time so I just check my friend.				

<b>So, what have you been doing here since your arrival approx. 4 hours ago?</b>	I just help them, to look here and maybe learn here in the future. Maybe just look and learn and that's all.
<b>How have you been learning?</b>	Look how it is to help maybe in the future when I've got my answer ( [REDACTED] response).
<b>On entry to the premises you were witnessed standing behind the bar. Why were you behind the bar?</b>	As I told you, I just wanted to drink water. I didn't know it was unusual to stand behind the bar.
<b>Why did you walk from the bar immediately as immigrations officers entered and head towards the rear?</b>	Actually I didn't know you where here for immigration. I went out with my friend once to eat and some poloce officers cMe in and I didn't know what was happening maybe crime, but they just ordered food. I wanted to goto the toilet, I didn't know what was after the toilet door (rear exit).
<b>You were seen behind the bar by my colleague ( [REDACTED] ), you are wearing all Black like other members of staff here, you immediately headed towards the rear on Immigration Officers entering the premises, I put it to you you are working here and you tried to avoid detection.</b>	So things not the things that I told you. I told you everything about that.
<b>What exactly have you been doing for the last four hours? please give me specifics.</b>	As I told you I cam here to visit my friend. When you came in I was trying to drink a glass of water. I didn't know what your point of being here and we call it nature calls I suppose so I went and they called me.
<b>How long have you been working at this business?</b>	I'm not working here.
<b>What is your job role/ what are your duties?</b>	I have no role here.
<b>A worker in the kitchen knows you as [REDACTED], is that your nickname?</b>	Yes.
<b>There is a rota with [REDACTED] on it behind the bar.</b>	There are lots of [REDACTED], it's a common name. It's a popular name in my country.
<b>The other staff only mention they know one [REDACTED], which is you. Please be honest with me now. You answers are not credible. How long have you worked here?</b>	Er, I'm not working here as I told you.
<b>What is your job role/ what are your duties?</b>	I don't have any job here.
<b>What days/ hours do you work each week?</b>	As I told you I came here to visit my friend and look and learn fir my future if you consider this one as working.

<b>What exactly have you been doing here today?</b>	I've been watching, learning and helping them with the service.
<b>What is involved when you do service?</b>	Er, just help, looking learning how they serve and sometimes serve the food.
<b>Who do you serve the food to?</b>	People, I don't know anyone specific, customers.
<b>Is that customers sitting at tables inside the restaurant?</b>	Yes.
<b>How long have you been working at this business?</b>	As I told you, I cam here to visit my friend today. I was here a couple of times to see my friend but I wasn't working. Today I was here to learn fit my future.
<b>What is you friend name?</b>	██████
<b>What ██████ role here?</b>	I don't know specifically.
<b>How long have you know ██████?</b>	About 2 months.
<b>What's his full name?</b>	I don't know his full name.
<b>I've received information that you have worked here for the last 3 weeks, plus we have your name on the rota (staff identified him as ██████), you are dressed in all Black like others, you tried to avoid detection on officers entry, you have provided non credible answers to my questions and challenges. The manager has said you have worked here for about 1 month and you work front of house, like a waiter. Would you like to now tell the truth?</b>	As I told you, I came here several time to help them. But I wasn't working here. I didn't consider it as a job as a kind of work. I was here to just help and learn something. I'm waiting for my course to start in September. I was board and wanted to learn something for my future.
<b>You have now admitted to helping out. so with that in mind, how long have you helped out here?</b>	Erm, you know it was a kind of I came here a couple of times. It wasn't regular, it's your friends you know. I don't know the period of time ok. As I told you I was waiting for my course to start in September. My course doesn't start until September, I'm bored, I wanted to learn something for my future.
<b>Please answer short and to the point. When you help out what do you do?</b>	I was helping them with customer service to see how customer service will be.
<b>What is the customer service you have been doing?</b>	Just help them serving food.
<b>Is that food for customers?</b>	Er, yes yes for people who want to eat here.
<b>Do you also clear the tables?</b>	Yes it was clearning tables you know serKing the food and cleaning tables it's customer service.
<b>What days/ hours do you helped out each week?</b>	It was a specific kind of time. It was sometime 2 days sometime 1, 3 days. I was meeting my friend to learn. I didn't know serving food can put all this pressure on me or make any problem for me. I was trying to learn something.
<b>How much do you get paid?</b>	I didn't receive any money. I was just here to learn and help that's all.

Do you get free food from the restaurant in return for helping out?	Nothing in return. I was here to help and learn everything. I was trying to help.
<b>Control</b>	
Who allowed you to help at the business?	My friend [REDACTED]. I help serving the food.
Who tells you what days/ hours to work?	It's not specific. It's not like that.
You are here today. Who told you to come today.	I get your point but it wasn't like this. When I came here I was interested to learn something so I came here to learn, although it wasn't regular things per week.
Does [REDACTED] know you immigration status in the UK?	I don't know. We've not spoke about that.
Did [REDACTED] ask to see any documents or a share code from you before allowing you to work here?	As I told you it wasn't kind of work. No nothing much like this.
Did you show any documents or a sharecode to [REDACTED]?	No.
Are you allowed to work in the UK?	Er, no I suppose they told me when I came here.
Does [REDACTED] know you are not allowed to work in the UK?	We never speak about this. Fir me it was personal, but I didn't know I have to tell someone else about my application or something like this.
What name does [REDACTED] know you as?	Maybe they know me as [REDACTED] but I never told them about my special name.
When you say special name do you mean your real name?	Yes, sorry, something English doesn't traslate right with my mother tongue.
Is there anything you would like to add about working here?	As I told you I was here to help, just to learn for myself for my future. I came here several time to learn and I was waiting for my university course to start and I was bored. I was a teacher in my country, I need to learn, I was a teacher for 4 years of children with special needs. I didn't know coming here to help out would put me in this stressful situation. If I knew that learning here was illegal, I didn't know, I'd stop.

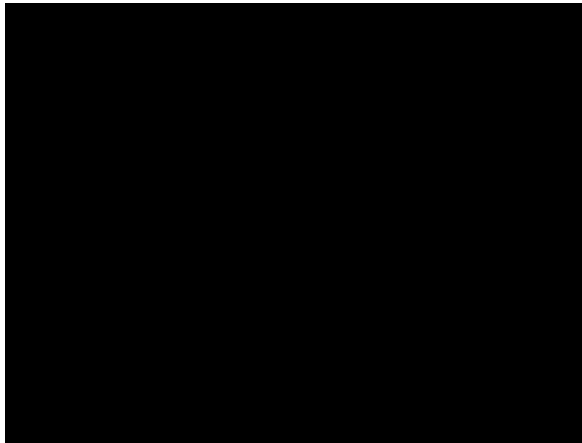
<b>Remuneration</b>	
No details provided.	
<b>Pre-employment Checks</b>	
No details provided.	
<b>Additional Questions</b>	
No details provided.	
<b>Photographs</b>	
No photographs.	
<b>Declaration</b>	
I confirm that I have understood all the questions and that the details are true and correct.	
Interviewee signature ( [REDACTED] )	 21-06-2024 21:07:40
<b>Observations</b>	
Observations	In questioning.
Do you suspect this person of illegal working?	Yes

Photo 1



<b>Caption</b>	Outfit
<b>Exhibit Ref</b>	IE/1
<b>Common name</b>	Outfit

**Freetext**

**Details**

Type of work	Visit
Visit reference	██████████
Created by	██████████
Address	LINGUINE , 20 Northenden Road, Sale, M33 3BR (Visit Address)
Subject CIDPID/CEPR	██████████
Subject name	██████████
Subject DOB	██████████
Subject nationality	Iran (Islamic Republic of)
Subject gender	Male
Time	20:31
Created at geolocation	<b>Easting</b> 379056 <b>Northing</b> 391930
Creation date	21-06-2024 20:30:51
Is this entry related to a Critical Incident?	No

**Entry**

Title	Illegal working
Text	Another member of staff knows the subjects name as "██████████". Work rotas found in the bar area showing ██████████ on the work rota

Photographs

work rota

Name	Mon	Tu	wed	Thu	Fri	Sat	Sun
[Redacted]	N	N	N	—	<del>N</del>	N	—
[Redacted]	—	—	N	N	N	N	N
[Redacted]	—	N	N	—	—	—	—
[Redacted]	—	—	—	—	N	N	—
[Redacted]	N	—	—	N	—	—	—
[Redacted]	N	N	N	N	N	N	N
[Redacted]	—	—	—	—	—	—	N
[Redacted]	—	—	—	—	—	—	N

work rota

Name	Mon	Tu	wed	th	Fri	Sat	Sun
[Redacted]	—	—	—	N	N	N	N
[Redacted]	N	N	<del>N</del>	<del>N</del>	N	N	N
[Redacted]	N	—	—	N	N	N	N
[Redacted]	—	N	—	—	—	—	—
[Redacted]	N	—	—	N	N	N	N
[Redacted]	—	—	—	N	—	—	N
[Redacted]	—	N	N	N	N	N	<del>N</del>
[Redacted]	N	—	—	—	N	N	N





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## STATEMENT OF WITNESS

*(Criminal Procedure Rules, r. 16.2;  
Criminal Justice Act 1967, s. 9)*

**STATEMENT OF** James Boles

**Age of witness** "over 18"

**This statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.**

I am currently employed by Trafford Council as a licensing enforcement officer.

On 30<sup>th</sup> July 2024 at 11.30 hrs I attended at "Linguine" a licensed restaurant located at 20 Northenden Road, Sale. M33 3BR.

The reason for my visit was to attach a "Blue Notice" to the premises. The notice was to inform the public that an application had been received by Trafford Council for the review of the premises licence held by Nagmadin ZANA for that premises.

I then attached the notice to the front window of the restaurant before leaving.

On Tuesday 20<sup>th</sup> August at 16.20 hrs I attended at the restaurant, on this occasion the premises was open, a number of tables had been setup on the pavement and the front door of the premises was open. As I walked into the premises, I was greeted by a male who appeared to be running the premises. I asked him if he was the manager and he informed me that he was the part time supervisor of the restaurant and that his name was Anis QUESLETI.

I informed Mr QUESLETI that I was from the licensing department at Trafford Council and showed him my identification card and informed him that the reason for my visit was to deliver some paperwork to Mr ZANA regarding the review of the premises licence.

We then moved to the back of the restaurant and stood next to the bar, the bar appeared to be fully stocked with bottles of spirits and wine and it was clear to me that the premises would be serving alcohol to its customers. We then spoke about the premises licence and that council records showed Mr ZANA as being the premises licence holder.

Mr QUESLETI stated that Mr ZANA was no longer involved in the business and that there was a new owner. I then asked who the new owner was, and Mr QUESLETI stated that he was unsure but that he believed that the owner's wife would be applying to change the licence into her name.



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COUNCIL

I then asked Mr OUESLETI to show me the premises licence as that would state who held the licence. Mr OUESLETI said that the licence was usually attached to the wall beside the bar but that the premises had recently been decorated and the licence had been moved, and he did not know where it was.

As I was speaking to Mr OUESLETI the phone on the bar rang and Mr OUESLETI answered it, from the conversation he had it was clear to me that he was speaking to a customer who was making a booking for the following evening.

I informed Mr OUESLETI that alcohol should not be sold if there was not a premises licence in place and Mr OUESLETI stated that he believed the new owner had taken care of that and again stated that the owner would be transferring it into his wife's name.

I then asked Mr OUESLETI where the "Blue Notice" was that had previously attached to the front window, he said he did not know. I then reattached a Blue Notice to the front window and left the premises.

Signed:  (witness)

Date: ...21<sup>st</sup> August 2024.....

(To be completed if applicable: ..... being unable to read the above statement I, ..... of ....., read it to him/her before he/she signed it.

Signed: ..... Date: ..... )



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## STATEMENT OF WITNESS

*(Criminal Procedure Rules, r. 16.2;  
Criminal Justice Act 1967, s. 9)*

### STATEMENT OF James Boles

**Age of witness** "over 18"

**This statement (2 pages) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.**

I am currently employed by Trafford Council as a licensing enforcement officer, I deal primarily with licensed premises and the private hire and taxi trade.

On 28<sup>th</sup> August 2024 at approximately 1600hrs I visited the "Linguine" restaurant, located at 20 Northenden Road, Sale. M33 3BR. At the time I was in company with officers from Greater Manchester Police and Trafford Council officers from the environmental health and community safety departments.

On entering the premises, I spoke to a male who was setting tables and asked him if the owner or manager was on the premises. I informed the male that I was a licensing officer from Trafford Council.

The male stated that he was not employed at the restaurant and that he was only there to buy a car. When I asked him why he was setting the tables he stated that he was only helping the female set the tables while he was waiting to buy the car.

I then asked the female if she knew who the owner was, and she replied that she was only there as part of a training day and she was not employed by the restaurant. As both of them were dressed in smart black clothing it was clear to me that they were not telling me the truth and that they were both waiting staff working at the premises.

The police carried out further checks regarding the male and female and no issues were raised regarding their right to work status.

After approximately ten minutes a male who I now know to be Mr Shwana ZANA entered the premises and explained that he was the new owner.

I explained to the male that I was from the licensing department and I was making enquiries concerning the premises licence holder Mr Nagnadim ZANA.

The new owner stated that Mr Nagnadim ZANA had nothing to do with the business and that he was in charge. He also stated that his wife would now be taking over the premises licence

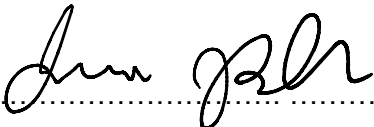


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and she would have it transferred into her name and that she would also be applying for a personal licence.

I then advised Mr Shwana ZANA that as Mr Nagnadim ZANA no longer had anything to do with the business and that he was only in the process of having the licence transferred to his wife then he should not be selling alcohol as according to him the licence holder had nothing to do with the business and he did not have a named designated premises supervisor (DPS) in place to give permission for alcohol to be sold.

Mr Shwana ZANA stated that he would not sell any alcohol on the premises until the licence was transferred and he had a named DPS in place.  
At approximately 1630hrs I left the premises.

Signed:  ..... (witness)

Date: ...29/08/24.....

(To be completed if applicable: ..... being unable to read the above statement I, .....of ....., read it to him/her before he/she signed it.

Signed: ..... Date: ..... )

In the matter of:

A Review of the Premises Licence Number PL000378

and

Linguine Restaurant

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Statement of Graeme Dixon

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1. I am Graeme Dixon
2. I am an Environmental Health Officer employed by Trafford Council. My duties include enforcement of legislation in relation to Food Hygiene, Public Health, Health and Safety at Work and Safety at Sports Grounds. As part of my role I am also consulted on premises license applications and reviews as Environmental Health are one of the responsible authorities.
3. I am providing this statement in support of the review of the premises licence at Linguine Restaurant, 20 Northenden Road, Sale, M33 3BR which has been sought by Immigration Enforcement. This statement covers matters relating to Public Safety.
4. On Saturday the 13<sup>th</sup> May 2023 an out of hours referral was received from Mr. Muzamil Choudhry, Crew Manager at Greater Manchester Fire and Rescue Service, in relation to an activation of a Carbon Monoxide alarm at 18a Northenden Road, Sale, M33 3BR. Investigations undertaken by Mr. Choudhry identified that the most likely source of the Carbon Monoxide was Linguine Restaurant, 20 Northenden Road, Sale, M33 3BR. As a result of the investigations Cadent Gas, who are responsible for managing the gas distribution network throughout the North West and other areas, were contacted to disconnect Linguine Restaurant from the mains gas supply. Investigations by the Cadent Gas engineer determined that Linguine Restaurant was the source of the Carbon Monoxide emissions and was disconnected at the mains by the supply being turned off at the main isolation valve and the handle being removed. Exhibit GDI/LRREV/1 is a photograph of the gas safety warning notice left by Cadent Gas showing that the gas supply had been declared immediately dangerous due to carbon monoxide emissions from the extractor fan. The notice stated that the fan needs moving. Exhibit GDI/LRREV/2 is a photograph of the extractor fan at the time of the incident which shows extracted air being directed downwards into a passageway between 18 and 20 Northenden Road..
5. Carbon Monoxide is an odourless and colourless gas which is a by-product of incomplete combustion of gas, wood, oil or coal. Due to the characteristics of the gas people can become affected by it without knowledge of its presence. Symptoms of Carbon Monoxide poisoning can include nausea, headaches, confusion, dizziness, chest pains, muscle pains and shortness of breath. As a result of the carbon monoxide emissions 2 occupants of 18a Northenden Road became unwell and attended accident and emergency at Wythenshawe Hospital where they were diagnosed with carbon monoxide poisoning.

6. Upon receipt of the referral Mrs. Nicola Duckworth, Lead Practitioner Environmental Health & Safety at Sports Grounds, phoned Mr. Shwana Zana, who was understood to be the owner of Linguine Restaurant, to inform him that the business must remain closed until the gas installation had been serviced by a suitably qualified Gas Safe Register engineer and evidence demonstrating the safety of the installation had been provided. Mrs. Duckworth followed this up by email on Monday 15<sup>th</sup> May 2023.
7. On the 16<sup>th</sup> May 2023 I was made aware that the extraction ducting had been re-directed over the roof with extracted air discharging into the atmosphere. Exhibit GDI/LRREV/3 shows the extraction ducting after the changes. I am aware that planning permission had not been sought for this alteration and that Mrs. Duckworth referred this to Planning Enforcement.
8. On the 16<sup>th</sup> May 2023 Mrs. Duckworth received a gas safe report stating that the gas installation was safe to use. Linguine Restaurant was therefore permitted to re-open.
9. On the 18<sup>th</sup> May 2023 I visited Linguine Restaurant with Mrs. Duckworth, Mr. Matthew Haynes (Incident Investigator – Gas Safe Register) and Mr. Nicholas Deakin (Carbon Monoxide Investigator – Gas Safe Register) to verify that the risks posed from carbon monoxide emissions have been removed. Mr. Shwana Zana was present during the visit. Mr. Haynes and Mr. Deakin undertook an assessment of the gas installation in Linguine and at the conclusion determined that both the Vokera Easi-Heat Plus combination boiler and Imperial cooker were both immediately dangerous. The boiler was classed as immediately dangerous due to high carbon monoxide emission levels being detected whilst it was in use. The cooker was determined to be immediately dangerous as thermocouple safety devices had been bypassed. Thermocouples are an important safety feature as they are designed to prevent gas flow if there is no flame is present. If gas flow is not prevented, then the risk from explosion increases from a build-up of gas. Exhibit GDI/LRREV/4 is a photograph of the “Danger Do Not Use Warning Notice” issued by Mr. Deakin. Due to the concerns identified Cadent were contacted and Linguine Restaurant was disconnected from the mains gas supply again by the supply being turned off at the isolation valve and the handle being removed.
10. On the 18<sup>th</sup> May 2023, as a result of the visit, I served a prohibition notice on the use of the boiler and a prohibition notice on the use of the cooker until a suitably qualified gas safe engineer had undertaken all required repairs to enable the equipment to be brought back in to use.
11. On the 20<sup>th</sup> May 2023 I received sufficient information to show that the boiler and cooker had both been replaced and that the new appliances had been installed by a suitably qualified gas safe register engineer. I was therefore satisfied that the imminent risks identified during the visit had been resolved.
12. As a result of the incident on the 13<sup>th</sup> May 2023 an investigation under the Health and Safety at Work etc. Act 1974. A file has been passed to the councils legal services in relation to this.
13. The review brought by Immigration Enforcement asks the committee to consider revocation of the premises licence. This is a view which I support. The Health and Safety at Work etc. Act 1974 is explicit in the requirements for employers to ensure, so far as is reasonably practicable, the health, safety and welfare of their employees and the safety of persons not under their employment but affected by their actions. Likewise, the Gas Safety (Installation and Use) 1998 is explicit in its requirement on employers to ensure that gas appliances are maintained in a safe condition. It is reasonable to expect that the

licence holder is aware of their duty to uphold the licensing objectives as well as the legal requirements placed upon the business. Given the legal requirements placed upon the business there are no additional conditions that could be added as a result of this incident.

Statement of Truth

14. I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Dated 21/08/2024



.....

Graeme Dixon

Before a Licensing Sub-Committee of Trafford Council

In the matter of:

A Review of the Premises Licence Number PL000378

and

Linguine Restaurant

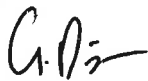
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**EXHIBIT GDI/LRREV/1**

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I verify that this is the exhibit marked GD/LRREV/1 in my statement.

Signed:

A handwritten signature in black ink, appearing to be 'G. D. I.', written in a cursive style.

Dated 21/08/2024



## IMPORTANT GAS SAFETY WARNING NOTICE

(issued in accordance with the Gas Safety (Installation and Use) Regulations 1999)

TO THE USER OF GAS - This notice explains a situation has been identified which is, or could be, dangerous. This situation is in relation to the part of the gas installation that we have examined. The gas equipment MUST not be used. It is an offence to continue using an unsafe appliance. GET IMPORTANT INFORMATION OVERLEAF.

WHEN FILLING OUT THIS FORM - please tick and number in the appropriate boxes

**Customer's Name:** Shwana Zana  
**Address:** 20 Northenden Road  
 Sale

**Landlord's/Agent's Name:**  
**Address:**

**POST CODE:** M33 3BR

**POST CODE:**

**Telephone Number:** 07432019044

**Telephone Number:**

### DEFECTS ON APPLIANCE / INSTALLATION / METER

### SAFETY CATEGORY

Appliance Type	tick	Number	Location	tick
Cooker			Kitchen	
Fire			Lounge	
C/mtg Boiler			Dining Room	
Warm Air Unit			Bedroom	
Water Heater			Hall	
Wall Heater			Landing	
Non Domestic	✓	1	Utility	✓
Internal Pipework			Bathroom	
Meter				

Nature of Problem	Tick	Tick
Escape	✓	Ventilation
Flue	✓	Other

### SAFETY ACTION TAKEN (Delete as appropriate)

The appliance/installation has been categorised as Immediately Dangerous, disconnected and labelled 'Danger Do Not Use'.  ID

The appliance/installation has been categorised as At Risk, turned off and labelled 'Danger Do Not Use'.  AR

### RIDDOR

Reported to HSE under RIDDOR 11 (1) Gas Incident (e.g. CO)

Reported to HSE under RIDDOR 11 (2) Dangerous Gas Fitting

**Description of fault identified**  
 Activated CO alarm in 18A. Readings found coming from shop extractor fan. 123ppm - 441ppm were recorded. Turned ECV off and removed handle to make safe. Advised to contact GSRE to service appliances and Extractor fan needs moving.

If you do not already know a 'Gas Safe' registered installer please contact the Gas Safe Register on 0800 408 5500 or via their website [www.gassaferegister.co.uk](http://www.gassaferegister.co.uk). This will provide you with a choice of registered installers in your area. Alternatively, you can call our Helpline on 0800 371 782.

I acknowledge receipt of this notice and understand that defects noted above were found or suspected when the Cadent representative visited.

Gas installation tightness test results N/A Recorded pressure drop \_\_\_\_\_ Mbar

Was a smell of gas reported / detected?  YES  NO

Please note: Where a smell of gas is reported or detected, any pressure drop will result in the installation being isolated as per industry standards.

Temporary Heating/Cooking Supplied  YES (tick)

Temporary Appliance Details:

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The gas user was not present and this notice has been left on the premises

Date \_\_\_\_\_

Customer's Signature \_\_\_\_\_

Date \_\_\_\_\_

Position held if non-domestic customer \_\_\_\_\_

Engineer's Signature \_\_\_\_\_

Date Issued 13/05/23

Pay No. 6000 7131

Job Voucher No. 3005174196

DCI Team (Data Assurance),  
 Brick Kiln Street, Hincley, Leicester LE10 0NA Tel: 0345 835 1111

Cadent

Your Gas Network

Cadent Gas Limited • Post Way, Amby Park, County CVF 8N  
 Registered in England, Reg No. 1006004

0521

A Review of the Premises Licence Number PL000378

and

Linguine Restaurant

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**EXHIBIT GDI/LRREV/2**

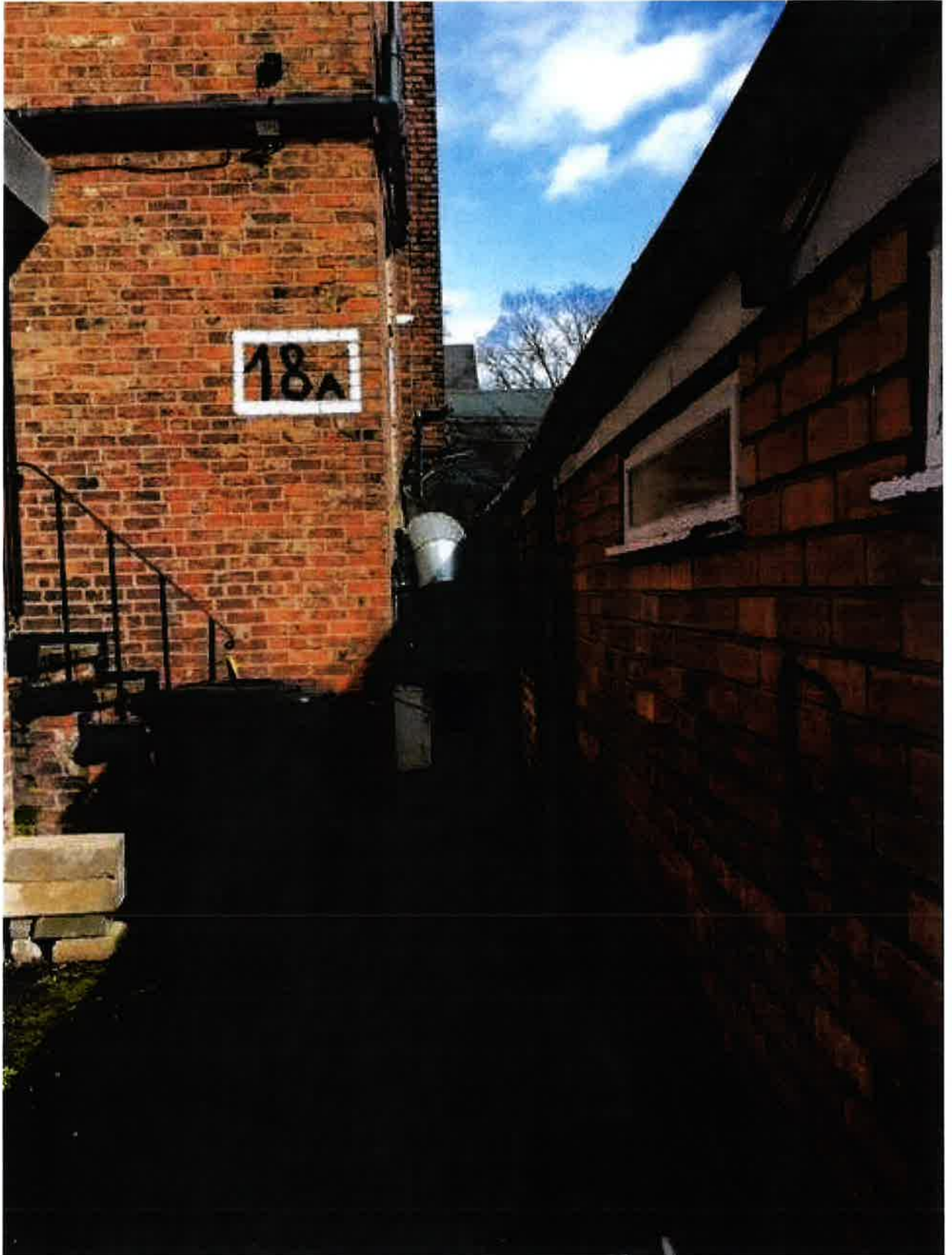
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I verify that this is the exhibit marked GD/LRREV/2 in my statement.

Signed:

A handwritten signature in black ink, appearing to be 'G.D.' followed by a horizontal line.

Dated 21/08/2024



A Review of the Premises Licence Number PL000378

and

Linguine Restaurant

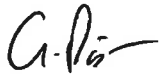
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**EXHIBIT GDI/LRREV/3**

---

I verify that this is the exhibit marked GD/LRREV/3 in my statement.

Signed:

A handwritten signature in black ink, appearing to be 'A. P.' followed by a horizontal line.

Dated 21/08/2024



A Review of the Premises Licence Number PL000378

and

Linguine Restaurant

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**EXHIBIT GDI/LRREV/4**

---

I verify that this is the exhibit marked GD/LRREV/4 in my statement.

Signed:

A handwritten signature in black ink, appearing to be 'C. D. S.', written in a cursive style.

Dated 21/08/2024

Serial No  
AAA 130667



# DANGER DO NOT USE WARNING NOTICE



Registered Business/engineer details can be checked at [www.gassaferegister.co.uk](http://www.gassaferegister.co.uk) or by calling 0800 408 5500.

Gas safe is a registered trade mark of HSE and is used under licence

**Details of Registered Business**

Gas Safe Register No 500111  
 Registered Engineer's Name NICK DEAKIN  
 Gas Safe Register Licence Number 5429800  
 Business Gas Safe Register  
 Address P.O Box 631  
Derby  
 Postcode DL1 9GD  
 Contact No 0800 408 5500

	Appliance Type	Location	Defects identified on gas equipment (tick appropriate boxes) <input checked="" type="checkbox"/>					Other (specify below)
			Gas Escape	Meter Issue	Pipework Issue	Chimney/Flue	Ventilation	
1	<u>Worcester Boiler</u>	<u>UTILITY</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	<u>IMPERIAL RANGE COOKER</u>	<u>KITCHEN</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**Details of Site**

Name (Mr/Mrs/Miss/Ms) SHWANA ZANA  
 Address 20 NORTHENDEN RD  
SALE  
MANCHESTER  
 Postcode M33 3BR  
 Contact No

Where an appliance/installation has been identified as 'Immediately Dangerous' or At Risk, it should not be used until the situation has been resolved. However, in a limited number of situations, turning off the gas installation will not remove or reduce the risk. In such circumstances the engineer will explain the situation and advise on the necessary course of action to take. See overleaf for information on what to do next.

**Describe Fault(s) on Gas Equipment**

HIGH CO READINGS FROM  
Boiler.  
SAFETY DEVICES ON THE  
INSTALLATION DISABLED.

**Detail what is required to rectify the unsafe situation**

**CLASSIFICATION OF SAFETY CATEGORY and Safety Action Taken (tick appropriate box)**

	<input checked="" type="checkbox"/>
1 The appliances/installation has been classified as 'Immediately Dangerous', disconnected from the gas supply and labelled "Danger Do Not Use".	<input checked="" type="checkbox"/>
2	<input type="checkbox"/>
3	<input type="checkbox"/>
4	<input type="checkbox"/>
1 The appliances/installation has been classified as 'At Risk', turned off to made safe and labelled "Danger Do Not Use".	<input type="checkbox"/>
2	<input type="checkbox"/>
3	<input type="checkbox"/>
4	<input type="checkbox"/>
1 The appliances/installation has been classified as 'At Risk' but turning off will not remove or reduce the risk and hence must be referred to the appropriate organisation as advised for further assessment.	<input type="checkbox"/>
2	<input type="checkbox"/>
3	<input type="checkbox"/>
4	<input type="checkbox"/>

**RIDDOR\* Reporting** \*See definition overleaf (if appropriate tick box)

Reported to HSE under RIDDOR 11(1) (Gas Incident)

Reported to HSE under RIDDOR 11(2) (Dangerous Gas Fitting)

**Details of Customer/Landlord (or agent where appropriate)**

Name (Mr/Mrs/Miss/Ms)  
 Address  
NA  
 Postcode  
 Contact No

I confirm that as the responsible person for this gas installation at the address detailed above I have been served this Warning Notice. Note: As a gas appliance/installation has been classified as either Immediately Dangerous or At Risk, as detailed above, continued use of the appliance/ installation, after being advised not to do so, may be in breach of the Gas Safety (Installation and Use) Regulations.

Responsible person signature [Signature] Print name SHWANA ZANA Date 18/05/23

I confirm that the situations recorded above, have been identified and brought to the attention of the Responsible Person in accordance with the Gas Safety (Installation and Use) Regulations and Gas Industry Unsafe Situations Procedure.

Gas Safe Engineer's signature [Signature]  
 Date of issue 18/05/23

The responsible person was not present. Where possible the gas installation has been made safe and this record left at the premises.

Page 69  
 (Do Not use) the  
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 ousing association  
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# The Licensing Act 2003

## Responsible Authority Representation Form

FAO The Licensing Service, Licensing Section, Trafford Town Hall, Talbot Road, Stretford, M32 0TH

<b>Section 1 - Application Details</b>	
<p><b>I wish to make a representation regarding the application for the review of a premises licence for the following premises:</b></p> <p>Premises name: Linguine Italian Restaurant</p> <p>Premises name and address: Linguine Italian Restaurant, 20 Northenden Road, Sale, M33 3BR.</p>	
<p>Type of Application: Application for the Review of a Premises Licence</p>	
<p>Application Number (if known):</p>	<p>PL000378</p>

<b>Section 2 – Responsible Authority’s Details</b>																							
<p><b>Responsible Authority’s Details:</b> Please tick appropriate box:</p> <table border="1"> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Chief Officer of Police</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Fire and Rescue Authority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Local Planning Authority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Health and Safety Authority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Environmental Health Authority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Bodies recognised as being responsible for protection of children from harm</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Local Authority Director of Public Health</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Local Weights and Measures Authority (Trading Standards)</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Licensing Authority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Home Office Immigration Enforcement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Other</td> </tr> </table>		<input checked="" type="checkbox"/>	Chief Officer of Police	<input type="checkbox"/>	Fire and Rescue Authority	<input type="checkbox"/>	Local Planning Authority	<input type="checkbox"/>	Health and Safety Authority	<input type="checkbox"/>	Environmental Health Authority	<input type="checkbox"/>	Bodies recognised as being responsible for protection of children from harm	<input type="checkbox"/>	Local Authority Director of Public Health	<input type="checkbox"/>	Local Weights and Measures Authority (Trading Standards)	<input type="checkbox"/>	Licensing Authority	<input type="checkbox"/>	Home Office Immigration Enforcement	<input type="checkbox"/>	Other
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<input type="checkbox"/>	Licensing Authority																						
<input type="checkbox"/>	Home Office Immigration Enforcement																						
<input type="checkbox"/>	Other																						
<p>Full name:</p>	<p>John LLOYD</p>																						
<p>Job Title:</p>	<p>Police Officer</p>																						
<p>Tele number:</p>	<p>07391860064</p>																						
<p>Email:</p>	<p>john.lloyd@gmp.police.uk</p>																						

Address:

GMP  
Stretford Police Station,  
Talbot Road, Stretford.  
M32 0XB

### Section 3 – Representations

In relation to the review of a premises licence, if the licensing committee are minded to modify the terms of the licence, either immediately or after a period of suspension, we would like to see the conditions outlined in section 3B included on the licence for the reasons outlined in section 3A.

### Section 3A – The Licensing Objectives

To prevent  
crime and  
disorder

*Please state your reasons:*

The Designated Premise Supervisor has a responsibility and obligation to keep within the law and to follow the licensing objectives.

GMP were made aware of two visits made by the Home Office Immigration Enforcement to Linguine Italian Restaurant, 20 Northenden Road, Sale, M33 3BR.

These visits were dated on 23<sup>rd</sup> May 2024 where a female was arrested attempting to flee the premises and a further follow up visit was conducted on the 21<sup>st</sup> June 2024. During this second visit there were a further two individuals, whom were identified as working at the premises with no right to work in the UK. The details are included in the detailed report from Immigration Enforcement.

I've grounds to believe the premises and those associated with the running of the business have fell somewhat below what is expected of them in meeting the licensing objectives and preventing crime and disorder, due to the fact on two separate visits, illegal workers have been found working in the premises.

The employment of illegal workers, often paid below minimum wages without any insurance or rights and such repeated behaviour, shows a disregard for the law and the action taken.

	<p>The employment of illegal workers could have been easily prevented if the owners/those responsible had followed the appropriate checks they are required to do, as previously mentioned by either negligence or wilful blindness has neglected to follow these rules and allowed illegal activity to take place at their business.</p> <p>Further to the two positive result visits by Home Office Immigration Enforcement a review of Greater Manchester Police systems looking back over the last 12+ months show on the 6<sup>th</sup> May 2023 there was a report made by Zana that whilst at his place of work there was a serious altercation between himself (as the victim) and one of his business partners. Upon Police arrival it was clear a disturbance had occurred and there had been a disagreement between the two parties (Zana and his business partner) this had resulted in damage caused to items inside the restaurant, threats being made an assault and an accusation of the offender holding a knife.</p> <p>The CCTV footage was viewed by officers on the night but unfortunately no copy was made at the time and was agreed to provide a copy at a later date, however it appears this CCTV had not be saved/retained and as a result had been lost. The offender was arrested and bailed.</p> <p>As part of the investigation ZANA was asked to provide details of the staff working that night as possible witnesses, it's reported he was unable to provide sufficient contact details for the staff, this knowing now that staff had been working their illegally in early 2024 raises concerns and questions why he wasn't able to provide staff details for that night in May 2023. As a result of the lost CCTV, no witnesses and ZANA retracted his support for any prosecution the two crimes for Affray/Assault were closed with no further action being brought against the suspected offender. On the details I can see within the investigation its clear on the balance of probability disorder occurred that night, although for evidential reasons this didn't pass the threshold for any criminal proceedings it is relevant in this matter.</p> <p>I believe this restaurant is being run and operated in a manner which is not consistent with the licensing objectives.</p>
Public safety	<i>Please state your reasons:</i>

To prevent public nuisance	<i>Please state your reasons:</i>

The protection of children from harm	<i>Please state your reasons:</i>
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## Section 3B – Suggestions/Further information

Please give any suggested conditions that could be added to the licence to remedy the cause of your representations, or other considerations you would like the Licensing Sub-Committee to take into account.

The fact that after the first visit in May 2024 that those responsible for the premises have continued with their behaviour as proven on the second visit in June 2024 causes serious concerns due to them continuing to commit offences.

This disregard causes serious concern over the running of the business and those involved being responsible, these actions display a conscious decision to operate in this manner and quite rightly raise concerns that they have failed to meet the expected standards of a license holder and premise license holder and take steps to prevent crime and disorder.

The failure to secure their CCTV and provide contact details for staff in the assault/affray in May 2023 despite ZANA being the victim raised further concerns over the ability to operate a licensed premises safely.

I agree with the recommendation from the Immigration Enforcement that the committee consider the revocation of the premise license and the removal of the DPS, the business has previously continued acting illegally and failed to learn from the first Enforcement visit and evidenced some failings with regards a Police investigation. This outcome would prevent the business reopening and trading in the way it has previously evidenced and is suspected would continue to do so.

I confirm that this representation may become a public document

Signed PC John LLOYD 18264                      dated 23/08/2024

N.B if you do make a representation you will be expected to attend the Licensing Sub-Committee hearing and any subsequent appeal proceedings.

It is an offence, under section 158 of the Licensing Act 2003, to knowingly or recklessly make a false statement in connection with this representation. This is punishable, on summary conviction, by a fine not exceeding level 5 on the standard scale.

Please return this form along with any additional sheets to: **The Licensing Service, Trafford Council; Trafford Town Hall, Talbot Road, Stretford, Manchester, M32 0HT** or email to [licensing@trafford.gov.uk](mailto:licensing@trafford.gov.uk).

This form must be returned within the Statutory Period. Please check with the Licensing Section by emailing [licensing@trafford.gov.uk](mailto:licensing@trafford.gov.uk)