

Additional Information The Regency 2-4 George Hudson Street

Regarding Exhibit JB/06 email from Peninsula UK confirming they have been instructed as a HR consultancy firm for the Regency, I would draw members attention to the Section 182 guidance Para 2.6 which states the following:-

“2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises. “

Members are further asked to note Exhibit JB/07 email from applicant Mr Man (after an agreement was made with Peninsula) advising that he has nothing to ask in respect of the Police Representation.

No additional conditions have been offered to mitigate any concerns surrounding illegal working at the Premises from the applicant.

Members are also asked to consider the Section 182 Guidance Para 9.12

“9.12 Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority’s main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local areas. The police should usually therefore be the licensing authority’s main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority’s interest or expertise in the promotion of a particular objective may not be immediately apparent. However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing. “

In line with Section 18 (9) of the licensing act which states the following:-

(9)The requirements of this subsection are that the representations—

(a)were made by a chief officer of police for a police area in which the premises are situated, and

(b)include a statement that, due to the exceptional circumstances of the case, he is satisfied that the designation of the person concerned as the premises supervisor under the premises licence would undermine the crime prevention objective.

Given the additional witness statements and evidence from the Police members are asked to consider that there are exceptional circumstances in this case to suggest that the applicant who has applied to be the premises licence holder and DPS is not the person who will be responsible for day to day management of the Premises, but is a front person for the director Yan Tong FENG, who has been previously associated with Immigration offences at the Premises and failure to adhere to Premise Licence Conditions. It is for this reason the police would respectfully request the licence be refused.