

# 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 Caroline LAIRD

*(Insert name of applicant)*

**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 (delete as applicable)**

### Part 1 – Premises or club premises details

**Postal address of premises or, if none, ordnance survey map reference or description**

Latino Ristorante Italiano,  
Unit 4 Harlan House,  
44 Commercial Way,  
Woking,  
GU21 6HW

**Post town**

Woking

**Post code (if known)**

GU21 6HW

**Name of premises licence holder or club holding club premises certificate (if known)**

Mr Giuliano Pugliese

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

19/00449/PREMIS

## 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**

Name and address	
Caroline Laird (Immigration Enforcement Officer 18876) Immigration Enforcement 581 Staines Road, Hounslow, Middlesex, TW4 5DL	
Telephone number (if any)	07788 360023
E-mail address (optional)	Caroline.Laird@homeoffice.gov.uk

**This application to review relates to the following licensing objective(s)**

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

**Please state the ground(s) for review (please read guidance note 2)**

One of the licensing objectives which underpins the Licensing Act 2003 is the prevention of crime and disorder and all operators are expected to take steps to promote the licensing objectives.

Home Office (Immigration Enforcement) believe that Mr Giuliano Pugliese is not preventing crime and disorder and therefore should no longer be allowed to hold a premises or personal licence.

Mr Giuliano Pugliese is using this business to employ illegal workers which is strictly prohibited under the Licensing Act 2003 and Immigration Act 1971(aa).

Employing illegal workers in the UK has the following impact on the community and society as a whole:-

1. It deprives HMRC and the Government of revenue by non-payment of tax and national insurance.
2. It exploits the undocumented by paying them less than the minimum wage and provides no employment or income protection.
3. It encourages other overstayers / illegals to seek similar work.
4. It allows a business to unfairly undercut other businesses by employing cheap labour.
5. Illegal workers are often housed in cramped and unsatisfactory conditions by the employer as part of their working arrangement.

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

**3) Use additional sheets if necessary**

LATINO RISTORANTE ITALIANO, Unit 4, Harlan House, 44 Commercial Way, Woking, GU21 6HW is a restaurant in the town of Woking, Surrey. The premises has a licence to sell Alcohol for consumption on and off the premises between the hours of 1000 and 0000 Weekdays, 1000 and 0000 on Saturdays, and 1000-2300 Sundays.

There is also a licence for late night refreshment from 2300 to 0000 Monday to Saturday and 2300 to 2330 on Sundays.

The Premises Licence Holder and the Designated Premises Supervisor are the same person Mr Giuliano Pugliese.

Home Office (Immigration Enforcement) have received information stating that the employer is employing workers that have no right to be working in the UK and is not carrying out the required checks.

As a result of this intelligence, Home Office (Immigration Enforcement) with 2x Police Officers from the Modern Day Slavery & Organised Crime Unit, planned an Enforcement visit which was conducted on 19.01.2023 with entry being gained by Immigration Officers from South Central ICE under Section 179 of the Licensing Act 2003.

When officers were inside premises, several workers were encountered by Immigration and Police Officers in the kitchen and behind the bar.

Immigration Officers encountered and arrested 1 person who had no right to be working in the UK.

Allowing people with no right to work in the UK, to work at the restaurant shows that there is absolute disregard to their responsibility as an employer to ensure their staff are legally permitted to work in the UK.

The required checks are not being carried out, which could put members of the public at risk due to no criminal history being known.

Mr Giuliano Pugliese was present at the time of the visit and was asked questions in relation to the male with no right to work, he admitted to letting him work without checking any documents 'to see how he got on' and also stated 'we are so short of staff I let him try for a few hours'. Mr Pugliese also admitted that no checks were done to ensure the male was allowed to work lawfully in the UK.

Due to this, a Civil Penalty Referral has been served on the business and it is currently under consideration as to whether a fine will be served on the business for the employment of people who have no work to be working in the UK.

Evidence has been found that the employer is not following the Licensing Objective set out above of 'Prevention of Crime and Disorder', I feel that appropriate action would be the revocation of the Premises Licence and also to consider whether Mr Giuliano Pugliese is a person that is responsible to hold a Personal Licence.

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

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**If you have made representations before relating to the premises please state what they were and when you made them**

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature            C LAIRD 18876  
.....

Date                    26.01.2022  
.....

Capacity              Immigration Enforcement Officer  
.....

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

**Post town**

**Post Code**

**Telephone number (if any)**

**If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)**

### **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.

# Guidance notes for applying for a review of a premises licence

## Licensing Act 2003

### Licensing - review of premises licences

Under the Licensing Act 2003 the local authority now takes full responsibility of all licensing matters, which previously were dealt with by the magistrate's court. All pubs, nightclubs, off-licences and late night takeaways must have a licence from the council in order to trade.

### What is a review?

The new licensing law came into effect in November 2005 and means that people living close to, and feel they are being affected by, a licensed premises can now ask the council to review the premises licence. People are firstly advised to try and reach an agreement with the premises itself, or by contacting the Police or the council's environmental protection team for noise issues.

If these measures fail, you can apply to the council to review the licence of the premises. The ground for a review must relate to one of the licensing objectives, which are:

- Prevention of crime and disorder
- Promotion of public safety
- Prevention of public nuisance
- Protection of children from harm.

The Licensing Authority can reject any ground for review if it considers it to be 'frivolous', 'vexatious' or 'repetitious' (i.e. the council might find the representations were vexatious if they arise because of disputes between rival businesses or frivolous if they clearly lacked seriousness. Repetitious would mean a representation identical or similar to an earlier application).

To apply for a review you must:

- Complete the application form
- Make a note of the name and address of the premises, and describe specific incidents such as dates and times, and how long the disturbance lasted on the incident report form

When applying for a review it is important to remember that a copy of your application will be made available to the public and you should be willing to present your views to the council's licensing sub committee. You cannot apply for a review anonymously.

### Applying for a review

On the same day that you send your review application to the council, you must also send copies to:

- The holder of the premises licence; and
- Each responsible authority

The contact details for the relevant responsible authorities are shown below. (If the premises licence is in respect of a vessel there are additional responsible authorities, details of which are available from the council's licensing section). The council will check to confirm that you have done this.

**Environmental health service: health and safety**

Woking Borough Council, Civic Offices, Gloucester Square, Woking, Surrey, GU21 6YL

**Environmental health service: pollution**

Woking Borough Council, Civic Offices, Gloucester Square, Woking, Surrey, GU21 6YL

**Planning service**

Woking Borough Council, Civic Offices, Gloucester Square, Woking, Surrey, GU21 6YL

**Surrey children's services**

Surrey County Council, Quadrant Court, 35 Guildford Road, Woking, GU22 7QQ

**Child employment team**

Surrey County Council, Quadrant Court, 35 Guildford Road, Woking, GU22 7QQ

**Surrey Fire and Rescue Service**

Headquarters, Croydon Road, Reigate, Surrey, RH2 0EJ

**Surrey Police**

Woking Police Station, Station Approach, Woking, Surrey, GU22 7SY

**Surrey Trading Standards**

Buckinghamshire and Surrey Trading Standards, Woodhatch Place, 11 Cockshot Hill, Reigate, Surrey RH2 8EF

**Public Health NHS Surrey**

Lesley Hackney, Public Health Business Manager, Room G55 County Hall, Penrhyn Road, Kingston Upon Thames, KT1 2DN

**Advertising a review**

When the council receives a request to review a premises licence, it has to advertise the application on or near the premises concerned and at the council offices. The advertising has to take place for 28 days and will contain details of the grounds for review. The name and address of the person who has applied for the review will be included in this information.

**Hearing a review**

The council has 28 days, following the end of the advertising period, to hold a hearing to consider the review application. Everyone who has made representations, including the premises licence holder, will be invited to attend the hearing which will be open to the public. All papers relevant to the hearing will also be publicly available. This will include details of the person(s) who applied for the review.



The licence holder will be able to respond to the request for the review and is likely to be legally represented at the hearing. Both parties can call witnesses.

The review panel will want to find out all the facts about the problems being experienced as a result of the operation of the premises and will ask questions of yourself, your witnesses and of the licence holder and their witnesses.

If the review panel, having heard all the facts, considers it necessary for the promotion of the licensing objectives, it can modify the licence conditions, exclude activities from the licence or suspend the licence.