

To Licensing Authority
Woking Borough Council
Civic Offices,
Gloucester Square,
Woking



Date – 10.02.2023

The Home Office (Immigration Enforcement) (IE) as a Responsible Authority wish to apply for a review of the premises licence under S.51 of the Licensing Act 2003 for a premises known as Latino Ristorante Italiano as IE feel that the licensing objective of the prevention of crime and disorder is not being upheld at the venue as the premises has been employing illegal workers.

The Guidance issued to local authorities by the Home Office under s.182 of the Licensing Act makes it clear that there is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. This includes employing a person who is disqualified from work by reason of their immigration status

The basis for this review request is as follows:

Latino Ristorante Italiano is a restaurant/pub in 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 to 0000 Saturdays and 1000 to 2300 Sundays. There is also a licence for late night refreshments to be sold between 2300 to 0000 Monday to Saturday and 2300 to 2330 Sundays. The Premises Licence Holder and DPS is the same person Mr Giuliano Pugliese.

Home Office (Immigration Enforcement) have received intelligence relating to the premises to suggest that there are people employed with no right to work in the UK.

As a result of this intelligence, on the 19th January 2023 Home Office (Immigration Enforcement) and Police Officers from the Surrey area conducted a visit to Latino Ristorante Italiano, Unit 4 Harlan House, 44 Commercial Way, Woking, GU21 6HW.

Entry was gained under Section 179 of the Licencing Act 2003. On arrival the restaurant was very busy downstairs. They were not using the upstairs restaurant.

The Immigration Enforcement team consisted of 10 officers plus 2 officers from Surrey Police.

When officers entered the restaurant, the Officer In Charge (OIC) spoke to the employee behind the bar area who confirmed he was the person in charge as the owner/manager of the restaurant. The OIC made it clear why we were there and also explained our powers under s179 as to how we are able to check the property.

3x staff members were encountered downstairs, the 2 males were spoken to by the Police Officers for Immigration checks to be conducted, this was done for both of the males working downstairs. The female who was downstairs was taken upstairs to enable other officers to carry out a check, and she was also cleared and able to return to work.

1x BRA male who was working in the kitchen and had been referred to officers after the Police Officers had carried out their checks, had no right to be working and he was served Immigration paperwork as a Worker in Breach of his landing conditions

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He had a return flight booked for February, but agreed to Voluntarily Depart and has bought his departure forward to depart on the 25.01.2023.

The kitchen was upstairs with more seating area, whilst Officers were in the kitchen more staff were encountered including 1x male who was referred to Immigration Officers for further checks to be conducted.

Working in Breach of your landing conditions is an Offence under Section 24(1)(b)(ii) of the Immigration Act 1971(aa).

Immigration officers conducted a Q&A with the owner who stated that he had been in charge of this business for 15 years so he would have been here when Immigration Enforcement had visited previously in 2013 and 2014 with the same allegations of employing illegal workers. He stated that the male had only come in to work for a trial on the night we conducted the visit.

The owner was also asked why the correct procedure was not followed when the male was employed at the restaurant, he responded with;

'Most of the time, they don't work with passport, insurance number. When we let somebody come, we trust them, we ask them to bring everything the next day. It's not everything straight away. As a restaurant, we really struggle, if someone ask for Job, sometimes we need people straight away, we would say come for a try out and after we would ask for documentation. We do not ask for documentation on first day'.

He was also unaware of the right to work checks that an employer should be carrying out stating that the accountant deals with all of those things.

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 licence. It appears that the manager of this premises is using his restaurant business to employ illegal workers which is strictly prohibited under the Licensing Act 2003 and Immigration Act 1971(aa)

Home Office (Immigration Enforcement) request that the Licensing Sub-Committee revoke the premises licence to prevent further serious crime and to protect the community from further harm. A Civil Penalty Notice notifying Mr Giuliano Pugliese that he is liable for a fine was served to him when officers attended the address

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