

Premises License

Did you know that if you are caught employing an illegal worker you can lose your premises licence?

CASE STUDY

Most employers are now aware that if they are caught employing an illegal worker having not checked their documents properly, they could be liable for a fine of £20,000 per worker, but few realise that under the provisions of the Licensing Act 2003, the business could be closed as a result of a premises licence review.

Case Study 1

The Red Lion Truckstop in Northamptonshire was visited by Immigration Officials and Police in April 2016 and seven individuals were arrested for not having permission to be in the UK. A civil penalty notice for up to £140,000 was reported by the local press. The expertise of People Force International helped reduce this fine by over 80%.

However, the case was also referred by Northamptonshire Police to the local council in order to revoke the premises' licence. Council officials had a number of options including suspending the licence for up to 3 months or revoking it immediately.

People Force International worked with a licensing solicitor to represent the employer at the appeal hearing. As a result, the licence was not revoked or even suspended, but renewed on condition that the owner continued to work with a professional firm of advisers like People Force International to ensure all employees had the correct documents and therefore the right to work going forward. Red Lion Truckshop owner Ali Sadrudin commented:

"The expertise, services and professionalism of People Force International during this highly sensitive process was second to none – they had deep knowledge and experience of immigration right to work procedures. At times it felt like I was going to lose my livelihood, but having People Force International by my side working hard to help me was extremely reassuring".



Case Study 2



Il Bacio, an Italian restaurant on the outskirts of London, employed a Colombian national who was found to be in the UK illegally. The restaurant had wrongly assumed him to be Spanish and as a result had not requested evidence of his right to work. After a visit by the Home Office they received a fine of £10,000 and were referred to the local council for a licensing review. At the hearing the premises' licence was suspended, but with a right of appeal before the suspension started, provided they engaged an immigration specialist such as People Force International to satisfy certain criteria set by the court. People Force International engaged with the business owners and at the subsequent inspection by local council licensing officers it was agreed that our advice had met the demands of the court and Il Bacio retained their licence.

Referrals to council licensing units in these situations are on the increase. Whilst not yet mandatory, legislation is in place which is expected to be enacted into law in the Spring of 2017 that will insist on a business **automatically** having its licence reviewed if it is found to be employing illegal workers without having carried out the proper checks.

Contact People Force International if you have run into any issues with the Home Office or your council's licensing unit and we can help you.

At People Force International, we have experience in successfully representing employers who have found themselves in this situation.

