

Hastings Borough Council

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 Police Inspector Simon Burroughs

apply for a review of a premises license under Section 51 Licensing Act, 2003 for the premises described below.

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description The Balti Hut 72 Queens Road Hastings East Sussex TN34 1RL	
Post town Hastings	Post code (if known) TN34 1RL

Name of premises licence holder or club holding club premises certificate (if known) Late Night Refreshment Premises Licence Holder Shahnur RAHMAN

Number of premises licence or club premises certificate (if known) HOP50284

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)

x

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

x

**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

Police Inspector Simon Burroughs
Licensing Inspector for East Sussex
c/o Battle Police Station
North Trade Road,
Battle
East Sussex

Telephone number (if any)

07912 894826

Simon.burroughs@sussex.police.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 ✓

x

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

Prevention of crime & disorder

Sussex Police contend that above licensing objective has been undermined by a serious criminal act committed on 05/01/2022 by employees of the Balti Hut Takeaway. This is a family run/owned business controlled by The Rahman's which employs multiple family members. The family also own and control the Ocean Spice Restaurant, White Rock, Hastings. I submit a separate review application for the alcohol license of the Ocean Spice.

On 5th January 2022 an employee of The Balti Hut Takeaway at 72 Queens Road, Hastings was the victim of an assault occasioning Grievous Bodily Harm (GBH). The offenders were four members of the Rahman family, including Siddiquir Rahman, the Premises Licence Holder of The Ocean Spice. (Sussex Police reference 47220002747)

The victim was an illegal immigrant who originated from the Sudan and had been working illegally at The Balti Hut for a number of weeks. The victim had complained several times that he had not been paid and on the night of the assault refused to carry on working for them and threatened to contact the government. It is my contention that the victim was being exploited by the Rahman family.

The victim was told to wait outside The Balti Hut and was attacked and chased by staff member Mominur Rahman through Hastings to the railway station. Mominur was joined by his brothers Ridwanur and Shahnur Rahman. The Rahman's carried out a sustained and unprovoked attack in which they punched, kicked, and stamped on the victim. Whilst the assault is ongoing Siddiquir Rahman drives to the location and joins his sons in assaulting the victim by kicking him to the head and torso and stamping on his head.

The incident was caught on CCTV and all four offenders were arrested on suspicion of GBH. (Appendix 1- EA257/01- 3.21mins of CCTV footage). There is a longer video available which tracks the incident from the Balti Hut and through the Hastings Town Centre should the committee wish to see it. (Appendix 2 – BM/01 – 23mins of CCTV footage). To assist the Committee in viewing the CCTV the descriptions of clothing are -

Monimur – Light blue shirt
Ridwanur – White top & trousers
Shahnur – black top & light trousers
Siddiquir - Apron

As a result of the assault the victim sustained a fractured wrist along with multiple cuts and bruises (proven in court).

Mominur, Ridwanur and Shahnur Rahman were all convicted of Section 18 GBH and Siddiquir Rahman was found guilty of Affray.

On 18th November 2023 they received the following sentences at Crown Court:

SIDDIQUR RAHMAN

Affray – 18 months imprisonment, suspended for 18 months.
To pay £500.00 compensation to Yahya ALI - collection order.
To pay £3,500.00 costs - collection order.
Victim Surcharge - £190.00 - collection order.
Payable in 6 months.

MOMINUR RAHMAN

Attempted Section 18 – 4 years and 5 months (53 months) imprisonment
Having an offensive weapon – 9 months imprisonment concurrent
To pay £500.00 compensation to Yahya ALI - collection order.
To pay £3,500.00 costs - collection order.
Victim Surcharge - £190.00 - collection order.
Payable in 6 months.

RIDWANUR RAHMAN

Attempted Section 18 – 3 years and 9 months (45 months) imprisonment

To pay £500.00 compensation to Yahya ALI - collection order.

To pay £3,500.00 costs - collection order.

Victim Surcharge - £190.00 - collection order.

To be paid at the rate of £50.00 per month, first payment in 2 months.

SHAHNUR RAHMAN

Attempted Section 18 – 4 years imprisonment.

To pay £500.00 compensation to Yahya ALI - collection order.

To pay £3,500.00 costs - collection order.

Victim Surcharge - £190.00 - collection order.

Payable in 6 months.

In conclusion the victim of the brutal assault was a vulnerable male who was clearly taken advantage of when illegally employed at The Balti Hut. Knowing his illegal status, The Rahman family exploited him by initially paying him less than the minimum wage and ultimately refusing to pay him at all for work completed.

The Rahman family had previously received fines totalling £90,000 for employing illegal immigrants at The Ocean Spice.

This suggests a flagrant disregard for the law and the welfare of a number of vulnerable victims by the owners and employees at The Balti Hut and Ocean Spice.

It is the opinion of Sussex Police that the owners and management of The Balti Hut are not fit to be the holders of a late-night refreshment licence. The Premises Licence Holder is Shahnur Rahman who has held the position since 2014 and was sentenced to 4 years in prison for his part in the Section 18 GBH assault.

Sussex Police therefore respectfully request that consideration be given to revoking the late-night refreshment licence.

Please provide as much information as possible to support the application (please read guidance note 3)

Please list any additional information or details for example dates of problems which are included in the grounds for review if available.

tick ✓ yes

Have you made an application for review relating to the premises before

Please

If yes please state the date of that application

Day Month Year

--	--	--	--	--	--	--	--

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

**Hastings Borough Council
Immigration**

tick ✓ yes

Please

- 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

.....

Date

.....

Capacity

.....

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

PC Daren Spalding
c/o Battle Police Station
North Trade Road
Battle
East Sussex

Post town

Post Code

TN33 0EX

Telephone number (if any) 07599515602

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) daren.spalding@sussex.police.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.