

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 Ocean Spice 43 White Rock Hastings East Sussex TN34 1JL	
Post town Hastings	Post code (if known) TN34 1JL

Name of premises licence holder or club holding club premises certificate (if known) Siddiquir 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 the Premises Licence holder and owner of the Ocean Spice Restaurant – Siddiqur Rahman. This is a family-owned business (The Rahmans) which employs multiple family members. The family also own and control the Balti Hut takeaway, 72 Queens Road, Hastings. I submit a separate review application for the late-night refreshments license of the Balti Hut.

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 Siddiqur 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 Siddiqur 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
Siddiqur - 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 Siddiqur 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 addition to this serious incident, police records demonstrate a pattern of anti-authoritarian and hostile incidents towards, Police, Immigration, ESFRS and partners from the Local Authorities. These span many years. The latest example is demonstrated in the MG11 witness statement provided by PC Les Golding CG374. PC Golding undertook a joint safeguarding visit on the 25th April 2023 with the East Sussex Discovery Team and Fire Brigade. (Appendix 3, MG11 PC Golding ref. 47230076751). The key evidence in this statement states –

“When we entered the restaurant and disclosed why we were there, there was an obvious reluctance to engage with police. Initially only Siddiqur RAHMAN was along with his son Mominur RAHMAN there, but it was apparent that a phone call had been made which entailed more males turning up to the restaurant very quickly. I have been a front-line police officer for over 20 years and to me this was a tactic of intimidation.

None of the workers would engage with professionals.

Siddiqur during the latter part of the visit lost his temper with police and complained verbally in an angry manner about our visit. He made some suggestion that he had successfully sued a professional for harassment. It was clearly pointed out why our visit had taken place and the powers that were used to enter the property. This did not calm Siddiqur down. Siddiqur remained physically upset by our visit by continuing to be gesticulating his hands. Concerns this could escalate a decision was made for police to retreat.”

A previous example of obstruction, anti police and authority actions is demonstrated in a statement by PC Scott Elliott CE179 dated 1st December 2019. On this occasion Police were undertaking a warrant at Ocean Spice. (Appendix 4, MG11 PC Elliot ref. 47190196542) The key evidence in this statement states –

“PC FRENCH's BWV footage shows PC FREEMAN and PC ELLIOTT walking MOMINUR to the van and appears to be trying to protect said officers from Saddiqur RAHMAN (27yrs) who was trying to obstruct the transport of MOMINUR. Saddiqur RAHMAN (27yrs) could be heard

shouting "IF YOU TOUCH ME AGAIN, I'LL KNOCK YOU OUT". At 20:07hrs, on PC FRENCH's BWV, Saddiqur RAHMAN (27yrs) and Saddiqur RAHMAN (53yrs) can be seen being abusive and in the face of officers."

In conclusion, these incidents illustrate a pattern of behaviour which is clearly evidenced in Police witness statements and CCTV footage to prove that Siddiqur Rahman as DPS and also head of the businesses and family is wholly unsuited to the role of Premises license holder and/or DPS.

Sussex Police therefore respectfully request that consideration be given to revoking the 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

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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.