



**Premises Licence Application May 2019**

**270-272 High Road, Loughton, IG10 1RB**

**Supplementary documentary information in support of objection.**

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## **1.0 Outline of circumstances leading to the objection to the grant of a Premises Licence.**

- 1.1** The grounds for objection are that the crime and disorder objective of the Licensing Act has been undermined in that Immigration Compliance and Enforcement officers of the Home Office discovered disqualified persons working illegally on the premises. The relationship between the previous Premises Licence Holder and Designated Premises Supervisor is such that Essex Police consider that the reality is that the business will continue to act with the same 'controlling minds' and that this application is merely an attempt to pull the wool over the eyes of the authorities; that nothing is changed and the crime prevention objective will continue to be undermined.
- 1.2** The statutory crime prevention objective in the 2003 Act includes the prevention of immigration crime and the prevention of illegal working in licensed premises. In particular, employing a person who is disqualified from work by reason of their immigration status is a criminal activity which, according to the Home Office Guidance to the Licensing Act 2003, should be treated "particularly seriously".
- 1.3** On Thursday 6<sup>th</sup> December 2018 Immigration Compliance & Enforcement (ICE) officers attended Wo Fat, 270-272 High Road, Loughton, IG10 1RB. They entered using their powers under section 179 Licensing Act 2003.
- 1.4** Immigration Officers conducted checks of those present and found a total of seven persons listed as immigration offenders with no permission to remain or work in the United Kingdom. **Document 1** is a statement from the Chief Immigration Officer summarising the offenders.
- 1.5** With the evidence obtained a Notice of Potential Liability (NOPL) to a civil penalty of up to £20,000 per illegal worker was served in respect of these illegal workers upon Mr Chi Kwong WU, who identified himself as the manager to attending officers.
- 1.6** The premises has previously been found to be employing illegal workers and was subject to an immigration enforcement operation on 13<sup>th</sup> September 2013 when seven of the twelve workers present at that time were found to be immigration offenders. This demonstrates that those responsible for the business know that it is illegal to employ persons with no right to work; but again have perpetrated these offences on a large scale and on the balance of probabilities it must be assumed that it is the business operators' common practice to do so as a means of drastically reducing their costs.
- 1.7** Essex Police subsequently applied for a review of the Premises Licence; and at the hearing of the sub-committee on 18<sup>th</sup> March 2019 the licence was revoked.
- 1.8** Prior to the sub-committee hearing an application was made to transfer the Premises Licence to Vital Eats Ltd (a similar company name to this applicant) and vary the DPS to Mr Chi Kwong WU; Essex police objected to both of these and they were withdrawn by the applicant.
- 1.9** Essex Police object to the grant of a Premises Licence to Vital Foods Ltd. **Document 2** is a copy of the Certificate of Incorporation. This shows that the company director upon creation was Chi Kwong WU who was present at Wo Fat on 6<sup>th</sup> December 2018 when Immigration Compliance & Enforcement (ICE) officers attended with Essex Police Licensing; and identified himself as the manager and the brother of Mr Chi Chiu WU; the Premises Licence Holder and Designated Premises Supervisor at the time. This is evident in the statement of Licensing Officer Peter Jones. (**See Document 3**)

- 1.10** Mr Chi Kwong WU swiftly resigned and a new director was appointed. Essex Police suggest this is a ruse to suggest the previous licence holders and management no longer have involvement with the premises. (**Documents 4 and 5**)
- 1.11** **Document 6** is a copy of the land registry records showing the leaseholder is a company called Longwillow Limited (Company No. 06517438).
- 1.12** **Document 7** is from Companies House showing the director of Longwillow Ltd since 29<sup>th</sup> December 2009 as Mr Chi Chiu WU the previous Premises Licence Holder and Designated Premises Supervisor.
- 1.13** **Document 8** is the latest registered annual return for Longwillow Ltd from 2016. This shows the majority shareholders are Mr Chi Chiu WU the previous Premises Licence Holder and Designated Premises Supervisor; and Mr Chi Kwong WU the director of Vital Foods Ltd at the time of incorporation.
- 1.14** It is therefore reasonable to adduce that Mr Chi Kwong WU had a financial interest in the premises with Mr Chi Chiu WU and had some control over the premises and therefore was implicit in the employment of illegal workers.
- 1.15** The previous Premises Licence holder Mr Chi Chiu WU remains the director of the leasehold company and shareholder; and therefore regardless of this application remains financially linked to the premises and Essex Police suggest will remain involved in the operation of the premises.
- 1.16** Given the information to hand and provided within, it is no stretch to conclude that the controlling parties remain Mr Chi Chiu WU and Mr Chi Kwong WU and that the application for a Premises Licence is to Vital Foods Ltd; whose director upon incorporation was Mr Chi Kwong WU who is the brother of the previous Premises Licence holder Mr Chi Chiu WU, and that the new Director Jialian WEI has been put up as a front to attempt to deceive the Licensing Committee.
- 1.17** It is contended that nothing has changed at the premises and that Mr Chi Chiu WU remains the owner of the premises taking an active interest.
- 1.18** It is also pointed out that as shown in **Document 1**, that this is the 2<sup>nd</sup> occurrence of illegal workers being found at this premises whilst Longwillow Limited have been leaseholders of the premises.
- 1.19** A copy of the decision notice from the review hearing mentioned at 1.7 above is enclosed as **Document 9**; in it the sub-committee state.

*‘... This was not just a case of confusion over paperwork, it was an exploitation of vulnerable people. The two brothers Chi Chu Wu and Chi Kwong Wu were and are involved in the management of the restaurant known as Wo Fat, on both occasions.*

- 1.20** This application is not a change of operational management and the total disregard for the framework of regulatory legislation is liable to continue if the licence were to be granted. The Licensing Act 2003 is prospective (what is likely to happen) (see East Lindsey District Council v Abu Hanif (t/a Zara's restaurant and take away) [2016] EWHC 1265 Admin. (Appendix 8.11).

- 1.21 One only has to look at what has happened in the past to glimpse what is likely to happen in the future. On two occasions illegal workers were found at the premises. The previous licence holder and DPS is the director of the lease holding company and brother of the original director of the applicant company. This was and remains a joint business venture and employing of illegal workers is likely to continue.
- 1.22 The Licensing Authority is required to take steps to promote the prevention of crime and disorder (which includes illegal working) and Essex Police would ask that the sub-committee refuses the grant of the Premises Licence.

## 2.0 Immigration Offences

- 2.1 Illegal workers are those subject to immigration control who either do not have leave to enter or remain in the UK, or who are in breach of a condition preventing them taking up the work in question. It is an employer's responsibility to be aware of their obligations and ensure they understand the immigration landscape to avoid the risk of prosecution, the imposition of a civil penalty or the revocation/suspension of their Premises Licence.
- 2.2 Since 1996 it has been unlawful to employ a person who is disqualified from employment because of their immigration status. A statutory excuse exists where the employer can demonstrate they correctly carried out document checks, i.e. that they were duped by fake or forged documents.
- 2.3 The Immigration Act 2016 came into force in July 2016 and its explanatory notes state that "*these offences were broadened to capture, in particular, employers who deliberately did not undertake right to work checks in order that they could not have the specific intent required to 'knowingly' employ an illegal worker*".
- 2.4 Since 2016 an employer may be prosecuted not only if they knew their employee was disqualified from working but also if they had reasonable cause to believe that an employee did not have the right to work: what might be described as **wilful ignorance**, where either no documents are requested or none are presented despite a request. This means an offence is committed when an employer 'ought to have known' the person did not have the right to work.
- 2.5 Since 2016 it has also been an offence to work when disqualified from doing so. It is obvious that without a negligent or wilfully ignorant employer, an illegal worker cannot work. Such an employer facilitates a criminal offence and Essex Police highlights this as relevant irrespective of whether a civil penalty is imposed or a prosecution launched for employing an illegal worker.
- 2.6 In this context, under section 3(1)(C)(i) Immigration Act 1971 (as amended by the 2016 Act) restrictions are not limited simply to employment (i.e. paid work) but now includes all work.
- 2.7 Thus an individual with no right to work in the UK commits offences if they undertake paid or unpaid work, paid or unpaid work placements undertaken as part of a course etc. are self-employed or engage in business or professional activity. For instance, undertaking an unpaid work trial or working in exchange for a non-monetary reward (such as board and lodging) is working illegally and is a criminal offence committed by the worker and facilitated by the 'employer'.

### **3.0 Statutory Guidance (s182 LA 2003) and the Authority's Licensing Policy**

**3.1** Whilst this is an objection to a grant of a Premises Licence, Essex Police believes that part of the guidance relating to reviews is appropriate in considering whether allowing this licence to be granted would undermine the licensing objective of preventing crime and disorder, which includes illegal working. In particular; Essex Police submits that paragraphs 11.24 – 11.29 of the Guidance is relevant.

#### **3.2 Paragraph 11.26**

*Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the Premises Licence, for the promotion of the crime prevention objective. (...). The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.*

**3.3** Thus the financial hardship occasioned by the existing revocation of the Premises Licence should not sway the sub-committee but instead it should look at what is appropriate to promote the objective within the wider business and local community given “*illegal labour exploits workers, denies work to UK citizens and legal migrants and drives down wages*” (Rt. Hon James Brokenshine, Immigration Minister on the introduction of the 2016 Act).

#### **3.4 Paragraph 11.27 of the Guidance states:**

*There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises (...) for employing a person who is disqualified from that work by reason of their immigration status in the UK.*

Essex Police would draw the sub-committee's attention to the change in wording of this paragraph following the April 2017 revision of the guidance, where the previous reference to 'knowingly employing' was removed.

#### **3.5 Paragraph 11.28 of the Guidance states:**

*It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.*

Essex Police considers this paragraph self-explanatory; where an enterprise employs illegal workers it is the duty of Essex Police to work with Immigration Enforcement to bring forward reviews and for the authority to consider revocation in the first instance.

3.6 In support of this statement; Essex Police would draw the sub-committee's attention to the "Guidance for Licensing Authorities to Prevent Illegal Working in Licensed Premises in England and Wales" (Home Office)[April 2017] where at section 4.1 it states;

*"It is envisaged that licensing authorities, the police, Home Office (Immigration Enforcement) and other law enforcement agencies will use the review procedures effectively to deter illegal working".*

3.7 Since the main draw for illegal migration is work, and since low-skilled migrants are increasingly vulnerable to exploitation at the hand of criminal enterprises, the government has strengthened enforcement measures and the statutory Guidance to deter illegal workers and those that employ them.

3.8 Deterrence is a key element of the UK government's strategy to reduce illegal working and is supported by both the Guidance and Case Law.

#### 4.0 Case Law

4.1 Deterrence as a legitimate consideration by a licensing sub-committee has been considered before the High Court where remedial measures (such as the imposition of additional conditions) were distinguished from legitimate deterrent (punitive) measures such as revocation.

4.2 *R (Bassetlaw District Council) v Worksop Magistrates' Court; [2008] WLR (D) 350.* Issues relevant to the case before today's sub-committee which were considered in the *Bassetlaw* judgement included whether a licensing authority was restricted to remedial action (as opposed to punitive action such as revocation); and **the precedence of wider considerations than those relating to an individual holder of a Premises Licence** when certain criminal activities (as specified in the Guidance) took place.

4.3 It specifically examined (and set aside in the case of 'certain activities') those parts of the Guidance now contained within paragraph 11.20 and 11.23, viz.

*In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.*

*However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the **promotion of the licensing objectives and for the prevention of illegal working in licensed premises.***

4.4 In her judgement, Mrs Justice Slade stated (at 32.1 & 33.1 of the citation):

*“Where criminal activity is applicable, as here, wider considerations come into play and the furtherance of the licensing objective engaged includes the prevention of crime. In those circumstances, deterrence, in my judgment, is an appropriate objective and one contemplated by the guidance issued by the Secretary of State. (...) However, in my judgment deterrence is an appropriate consideration when the paragraphs specifically directed to dealing with reviews where there has been activity in connection with crime are applicable.”*

4.5 *East Lindsey District Council v Abu Hanif (Trading as Zara’s Restaurant and Takeaway), [2016] EWHC 1265 (Admin)*

This is a recent High Court decision (published April 2016) which has established that in considering whether the licensing objectives may be undermined one should look at what is likely to happen in the future.

4.6 The case reaffirms the principle that responsible authorities need not wait for the licensing objectives to actually be undermined; that crucially in considering whether the crime prevention objective has been engaged or likely to be engaged a prospective consideration (i.e. what is likely to happen in the future) of what is warranted is a key factor. It also reaffirmed the case of *Bassetlaw* in concluding that deterrence is a legitimate consideration of a sub-committee.

Mr Justice Jay stated: *“The question was not whether the respondent had been found guilty of criminal offences before a relevant tribunal, but whether revocation of his licence was appropriate and proportionate in the light of the salient licensing objectives, namely the prevention of crime and disorder. This requires a much broader approach to the issue than the mere identification of criminal convictions. **It is in part retrospective, in as much as antecedent facts will usually impact on the statutory question, but importantly the prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest,** having regard to the twin considerations of prevention and deterrence. In any event, I agree with Mr Kolvin that criminal convictions are not required.”* (Paragraph 18)

Mr Justice Jay added: *“Having regard in particular to the twin requirements of prevention and deterrence, there was in my judgment only one answer to this case. The respondent exploited a vulnerable individual from his community by acting in plain, albeit covert, breach of the criminal law. In my view his licence should be revoked.”* (Paragraph 23)

**RESTRICTED (when complete)**

**WITNESS STATEMENT**

(CJ Act 1967, s.9 MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

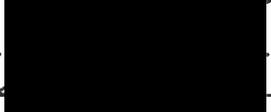
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Statement of: **DAVIS**.....

Age if under 18: **OVER 18**. (If over 18 insert "over 18") Occupation: **CHIEF IMMIGRATION OFFICER**

This statement (consisting of 4 pages signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature .....  Date: 4<sup>th</sup> February 2019

Tick if witness evidence is visually recorded  (supply witness details on rear)

I am a Chief Immigration Officer of the Home Office Immigration Enforcement Immigration Compliance & Engagement Team East of England, based at Custom House, Viewpoint Road, Felixstowe, Suffolk IP11 3RF. I have been an Immigration Officer since April 1991 and have worked at a number of ports of entry to the UK, although my main work has been in the areas of enforcement and crime investigation. My current role is as the senior officer of the Immigration Enforcement arrest team, operating in the counties of Norfolk, Suffolk and Essex, responding to intelligence relating to alleged immigration offences in this area, liaising with local police and other law enforcement agencies and supporting other government departments, local authorities and relevant other organisations in enquiries or investigations relating to non-British nationals. As part of my duties I have responsibility for the compilation and custody of Home Office records in both written and electronic form. These records are compiled by officers and members of staff during their duties, from information which they have particular and specific knowledge of at the time of compiling, in light of the volume of records compiled and the length of time that has elapsed, they cannot reasonably be expected to have any recollection of the matters dealt with in relation to a specific record.

At the request of Essex Police Licensing Team, I have examined Home Office records relating to immigration offenders encountered during an enforcement visit conducted to the

Signature: .....  Signature Witnessed by: .....  
Page 9 of 31

**RESTRICTED (when complete)**

Continuation of Statement of: **DAVIS** .....

premises of "Wo Fat" located at 270-272 High Road, Loughton, Essex IG10 1RB.

Home Office records show that on 6 December 2018 Immigration Officers from this team conducted an enforcement visit to these premises to locate and arrest persons subject to immigration control who were suspected of working illegally in the United Kingdom. This enforcement operation was conducted following receipt of specific intelligence that the business was employing illegal workers and had been doing so for twelve months and that they also lived at accommodation above the business. Additional searches of Home Office records show that the same premises was subject to enforcement visit on 13 September 2013, when seven of the twelve staff present were arrested as immigration offenders.

Home Office records show that a total of seven immigration offenders were recorded as being encountered by the officers during the execution of the search which was conducted under section 179 of the Licensing Act 2003. They are recorded as:

■■■■ a Chinese national born ■■■■ who was first encountered by Immigration Officers following his arrest at a Chinese restaurant in Cambridgeshire on 5 November 2009; he subsequently applied to remain in the United Kingdom and was released as part of this process. On 9 April 2010 he was listed as an absconder as he had failed to attend two separate interview appointments. On 23 December 2014, legal representatives acting on his behalf contacted the Home Office but again he failed to attend an interview appointment and nothing more was heard from him until his arrest on 6 December 2018. He was detained and transferred into Immigration detention facilities on the same night, where he remains pending his removal. He has never been granted any permission to remain or to work in the United Kingdom.

■■■■ a Chinese national born ■■■■ originally arrived in the United Kingdom on 14 June 2009 when he claimed to be under the age of 18 and to have no genuine travel documentation. He applied to remain in the United Kingdom and was initially detained pending consideration of this, his application was refused but having been released, he absconded and was listed as an absconder on 15 October 2009. Nothing more was heard from him until his arrest on 6 December 2018. He was detained and transferred to immigration detention facilities the

Signature: .....  
2004/05(1)

.....Signature Witnessed by: .....

**RESTRICTED (when complete)**

Continuation of Statement of: **DAVIS** .....

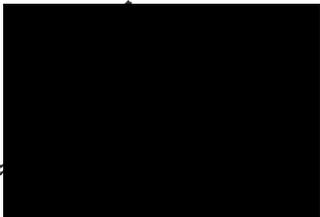
same night, where he remains pending his removal. He has never been granted any permission to remain or to work in the United Kingdom.

**DAVIS** a Chinese national born **DAVIS**, he had never been encountered prior to his arrest on 6 December 2018 but stated that he'd arrived in the United Kingdom illegally by boat in 2009. He was detained and transferred to immigration detention facilities the same night but has been released pending further consideration of his case. He has never been granted any permission to remain or to work in the United Kingdom.

**DAVIS** a Chinese national born **DAVIS** was found to be working in the restaurant kitchen and on being spoken to admitted that he'd arrived in the United Kingdom with a visit visa, records show that this was issued valid from 8 January 2015 to 8 July 2015. He was arrested as an overstayer and was detained and transferred to immigration detention facilities the same night. He has since submitted an application to remain in the United Kingdom. He has never been granted any permission to work in the United Kingdom.

**DAVIS** a Chinese national born **DAVIS**. She admitted having entered the United Kingdom illegally and there were no records created of her prior to her arrest, she was detained and transferred to immigration detention facilities the same night but has since submitted an application to remain in the United Kingdom. She has never been granted any permission to remain or to work in the United Kingdom.

**DAVIS** a Malaysian national born **DAVIS**. He initially claimed to be a British national, however on further questioning by an Immigration Officer he was found to be Malaysian and his passport was produced which showed that he had received several grants of entry as a short term visitor, the last of which was shown as six months on 29 October 2003. He was arrested as an overstayer and was detained and transferred to immigration detention facilities the same night. He has since submitted an application to remain in the United Kingdom. He has never been granted any permission to work in the United Kingdom.

Signature:   
2004/05(1)

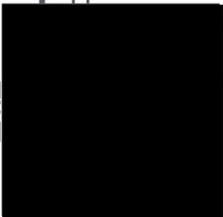
Signature Witnessed by: .....

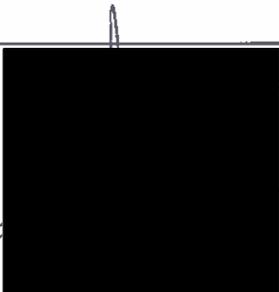
**RESTRICTED (when complete)**

Continuation of Statement of: **DAVIS** .....

originally recorded as a Chinese national born . Records show that he originally arrived in the United Kingdom on 13 December 2002 when he sought to remain. His application was refused and he subsequently made further submissions in 2010 and 2014 but these were rejected, he failed to report to in line with his restrictions in 2015 and had not been heard of until he was arrested on 6 December 2018. He was detained and transferred to immigration detention facilities the same night. He has since submitted an application to remain in the United Kingdom. He has never been granted any permission to work in the United Kingdom.

I make this statement of my own free will from records that I have seen and accessed today, 4 February 2019. I am willing to attend court or any other judicial or review hearing if necessary.





Signature: 2004/05(1)

Signature Witnessed by: .....

FILE COPY



**CERTIFICATE OF INCORPORATION  
OF A  
PRIVATE LIMITED COMPANY**

Company Number **11891536**

The Registrar of Companies for England and Wales, hereby certifies that

**VITAL FOODS LTD**

is this day incorporated under the Companies Act 2006 as a private company, that the company is limited by shares, and the situation of its registered office is in England and Wales

Given at Companies House, Cardiff, on **19th March 2019**



\* N11891536L \*



Companies House



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES



**Application to register a company**



Received for filing in Electronic Format on the: **18/03/2019**

X81HA14B

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*Company Name in full:* **VITAL FOODS LTD**

*Company Type:* **Private company limited by shares**

*Situation of Registered Office:* **England and Wales**

*Proposed Registered Office Address:* **270-272 HIGH ROAD LOUGHTON ESSEX  
LOUGHTON  
ENGLAND IG10 1RB**

*Sic Codes:* **56101**



## ***Statement of Capital (Share Capital)***

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<i>Class of Shares:</i>	<b>ORDINARY</b>	<i>Number allotted</i>	<b>100</b>
<i>Currency:</i>	<b>GBP</b>	<i>Aggregate nominal value:</i>	<b>100</b>
<i>Prescribed particulars</i>			

**ORDINARY SHARES WITH EACH SHARE BEING ENTITLED TO ONE VOTE IN ANY CIRCUMSTANCES AND PARI PASSU TO DIVIDEND PAYMENTS, EACH SHARE IS ENTITLED TO PARTICIPATE IN A DISTRIBUTION ARISING FROM A WINDING UP OF THE COMPANY**

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### **Statement of Capital (Totals)**

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<i>Currency:</i>	<b>GBP</b>	<i>Total number of shares:</i>	<b>100</b>
		<i>Total aggregate nominal value:</i>	<b>100</b>
		<i>Total aggregate unpaid:</i>	<b>0</b>

## *Initial Shareholdings*

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*Name:* **CHI KWONG WU**

*Address* **270-272 HIGH ROAD  
LOUGHTON ESSEX  
LOUGHTON  
ENGLAND  
IG10 1RB**

*Class of Shares:* **ORDINARY**

*Number of shares:* **100**

*Currency:* **GBP**

*Nominal value of each  
share:* **1**

*Amount unpaid:* **0**

*Amount paid:* **1**

OFFICIAL

MG11 (Interactive)

WITNESS STATEMENT

Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN [ ] [ ] [ ] [ ]

Statement of: Peter JONES

Age if under 18: (if over 18 insert 'over 18') Occupation: Licensing Officer 7706

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: P. JONES (witness) Date: 28/01/2019

I am a Licensing Officer employed by Essex Police. I have been employed by Essex Police since May 2003; and a Licensing Officer since August 2011.

On Thursday 6th December 2018 at 18:45hrs and in company of Immigration Compliance and Enforcement Officers (ICE); I attended WO FAT, 270-272 High Road, Loughton, IG10 2RB.

ICE entered first in order to make the sure the premises were safe; and to prevent persons from absconding. They went about their business interviewing all staff and identifying their right to work and remain in the UK.

A male approached me and identified himself as the manager. I now know this male to be Mr Chi Kwong WU; DOB [REDACTED]. I will refer to this male as MANAGER.

I asked MANAGER if he knew The Designated Premises Supervisor and Premises Licence Holder Mr Chi Chiu WU. MANAGER replied 'yes, he is my brother'. He went on to explain that he was out doing deliveries.

At this point the premises licence holder and DPS Chi Chiu WU arrived and identified himself to me. He produced his personal licence to me in order to confirm his identity. I asked him whether he has carried out any right to work checks on his employees. He said that he had and that they were at home. He then left to carry out more deliveries.

Signature: ..... Signature witnessed by: .....

16/08/17

OFFICIAL

Approximately 30 minutes later the premises licence holder and DPS Chi Chiu WU returned and presented me with payroll paperwork for November 2018. I took a photograph of this and produce it as my exhibit (PJ/1). The individuals shown on the payroll document do not relate to the individual ICE encountered working at the premises with no right to work or leave to remain in the UK.

ICE entered the residential addresses above the restaurant as these were identified by those detained as being where they lived. I remained with ICE as they entered these properties.

The properties were two maisonettes with multiple rooms, all being used as bedrooms with more than one bed in each. Each maisonette had a bathroom; which was dirty an in a poor state of repair. I produce exhibit (PJ/2) which are some photographs I managed to take to evidence the poor living conditions of the illegal workers.

Signature: ..... Signature witnessed by: .....



**Notice of ceasing to be a person  
with significant control (PSC)**

Company Name: **VITAL FOODS LTD**  
Company Number: **11891536**



Received for filing in Electronic Format on the: **21/03/2019**

X81PDJCX

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### Cessation Details

Date ceased: **19/03/2019**

Name: **CHI WU**

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### Register entry date

Register entry date **19/03/2019**

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### Authorisation

Authenticated

This form was authorised by one of the following:

Director, Secretary, Person Authorised, Liquidator, Administrator, Administrative Receiver, Receiver, Receiver manager, Charity Commission Receiver and Manager, CIC Manager, Judicial Factor.



**Appointment of Director**

Company Name: **VITAL FOODS LTD**

Company Number: **11891536**



Received for filing in Electronic Format on the: **21/03/2019**

X81PCN6H

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## **New Appointment Details**

Date of Appointment: **19/03/2019**

Name: **MR JIALIAN WEI**

The company confirms that the person named has consented to act as a director.

Service address recorded as Company's registered office

Country/State Usually Resident: **ENGLAND**

Date of Birth: **[REDACTED]**

Nationality: **BRITISH**

Occupation: **COMPANY DIRECTOR**



# Official copy of register of title

Title number EX814590

Edition date 16.05.2008

This official copy shows the entries on the register of title on 11 JUN 2019 at 14:17:12.

This date must be quoted as the "search from date" in any official search application based on this copy.

The date at the beginning of an entry is the date on which the entry was made in the register.

Issued on 11 Jun 2019.

Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

This title is dealt with by HM Land Registry, Peterborough Office.

## A: Property Register

This register describes the land and estate comprised in the title. Except as mentioned below, the title includes any legal easements granted by the registered lease but is subject to any rights that it reserves, so far as those easements and rights exist and benefit or affect the registered land.

ESSEX : EPPING FOREST

- 1 (16.05.2008) The Leasehold land shown edged with red on the plan of the above title filed at the Registry and being 270-272 High Road, Loughton and garages (IG10 1RB).

NOTE 1: As to the part tinted blue on the title plan only the ground and first floor is included in the title.

NOTE 2: As to the part tinted pink on the title plan only the ground floor is included in the title.

- 2 (16.05.2008) The title includes any legal easements referred to in clause LR11.1 of the registered lease but is subject to any rights that are granted or reserved by the lease and affect the registered land.

- 3 (16.05.2008) The land has the benefit of the rights granted by but is subject to the rights reserved by a Transfer of the freehold estate in the land in this title and other land dated 23 April 1998 made between (1) WH-One Corporation and Queenridge Properties Limited (2) Daws Investments Limited and (3) The New Property Co. Limited.

-NOTE: Original filed under EX595031.

- 4 (16.05.2008) Short particulars of the lease(s) (or under-lease(s)) under which the land is held:  
 Date : 4 April 2008  
 Term : from and including 4 April 2008 to and including 3 April 2028  
 Parties : (1) The New Property Company Limited  
 (2) Longwillow Limited  
 (3) Yan Kiu Lau

- 5 (16.05.2008) There are excepted from the effect of registration all estates, rights, interests, powers and remedies arising upon, or by reason of, any dealing made in breach of the prohibition or restriction against dealings therewith inter vivos contained in the Lease.

Title number EX814590

## A: Property Register continued

6 (16.05.2008) The landlord's title is registered.

## B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

### Title absolute

- 1 (16.05.2008) PROPRIETOR: LONGWILLOW LIMITED (Co. Regn. No. 06517438) of 49 High Street, Saffron Walden, Essex CB10 1AR.
- 2 (16.05.2008) The price, other than rents, stated to have been paid on the grant of the lease was £100,000.

## C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (16.05.2008) The land is subject to the following rights reserved by a Conveyance of the freehold estate in the land in this title and other land dated 9 January 1959 made between (1) Alec Arthur Seeley Diggins and Percy Gordon Diggins (Vendors) and (2) J.H. Investments Limited (Purchaser):-

"EXCEPT AND RESERVING unto the Vendors and the persons deriving title under them owner or owners for the time being of such adjoining land the right to connect surface water drains from their said land to the north-west to any convenient surface water drains that may hereafter be laid on the land hereby conveyed the person or persons exercising such right making good all damage thereby occasioned and all such rights and easements or quasi-rights and quasi-easements as would now be used or enjoyed in connection with such adjoining land over the said property if such adjoining land and the said property had at all times belonged to different owners and such rights and easements or quasi-rights and quasi-easements had been acquired by prescription."

End of register



*Companies House*  
— for the record —

**AP01** (ef)

**Appointment of Director**



*Company Name:* **LONGWILLOW LTD**

*Company Number:* **06517438**

*Received for filing in Electronic Format on the:* **01/02/2010**

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*New Appointment Details*

*Date of Appointment:* **29/12/2009**

*Name:* **CHI CHIU WU**

*Consented to Act:* **YES**

*Service Address recorded as Company's registered office*

*Country/State Usually Resident:* **ENGLAND**

*Date of Birth:* XXXXXXXXXX

*Nationality:* **BRITISH**

*Occupation:* **MANAGER**

## *Authorisation*

*Authenticated*

*This form was authorised by one of the following:*

Director, Secretary, Person Authorised, Administrator, Administrative Receiver, Receiver, Receiver Manager, Charity Commission Receiver and Manager, CIC Manager, Judicial Factor.



Companies House

**AR01** (ef)

**Annual Return**



Received for filing in Electronic Format on the: **15/03/2016**

X52S4X88

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*Company Name:* **LONGWILLOW LTD**

*Company Number:* **06517438**

*Date of this return:* **29/02/2016**

*SIC codes:* **68209**

*Company Type:* **Private company limited by shares**

*Situation of Registered Office:* **PLAZA BUILDING 102 LEE HIGH ROAD  
LONDON  
SE13 5PT**

**Officers of the company**

*Company Director* 1

Type: **Person**  
Full forename(s): MR CHI CHIU

Surname: WU

Former names: WU

*Service Address recorded as Company's registered office*

Country/State Usually Resident: ENGLAND

Date of Birth: XXXXXXXXXX Nationality: BRITISH

Occupation: MANAGER

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## Statement of Capital (Share Capital)

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<b>Class of shares</b>	<b>ORDINARY</b>	<i>Number allotted</i>	<b>10</b>
		<i>Aggregate nominal value</i>	<b>10</b>
<i>Currency</i>	<b>GBP</b>	<i>Amount paid per share</i>	<b>1</b>
		<i>Amount unpaid per share</i>	<b>0</b>

### *Prescribed particulars*

**EACH SHARE IS ENTITLED TO ONE VOTE IN ANY CIRCUMSTANCES. EACH SHARE IS ENTITLED EQUALLY TO DIVIDEND PAYMENTS OR ANY OTHER DISTRIBUTION. EACH SHARE IS ENTITLED EQUALLY TO PARTICIPATE IN A DISTRIBUTION ARISING FROM A WINDING UP OF THE COMPANY.**

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## Statement of Capital (Totals)

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<i>Currency</i>	<b>GBP</b>	<i>Total number of shares</i>	<b>10</b>
		<i>Total aggregate nominal value</i>	<b>10</b>

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### *Full Details of Shareholders*

The details below relate to individuals / corporate bodies that were shareholders as at 29/02/2016 or that had ceased to be shareholders since the made up date of the previous Annual Return

*A full list of shareholders for the company are shown below*

*Shareholding 1* : 2 ORDINARY shares held as at the date of this return  
*Name:* CHI CHIU WU

*Shareholding 2* : 2 ORDINARY shares held as at the date of this return  
*Name:* CHI KWONG WU

*Shareholding 3* : 2 ORDINARY shares held as at the date of this return  
*Name:* CHI ON WU

*Shareholding 4* : 1 ORDINARY shares held as at the date of this return  
*Name:* CHI SANG WU

*Shareholding 5* : 1 ORDINARY shares held as at the date of this return  
*Name:* CHI MING WU

*Shareholding 6* : 1 ORDINARY shares held as at the date of this return  
*Name:* CHUN WING LEE

*Shareholding 7* : 1 ORDINARY shares held as at the date of this return

Name:

YIN PING WU

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## *Authorisation*

*Authenticated*

*This form was authorised by one of the following:*

Director, Secretary, Person Authorised, Charity Commission Receiver and Manager, CIC Manager, Judicial Factor.

Date: 18 March 2019

David Colwell Essex Police,  
Licensing Department,  
Braintree Police Station,  
Blyths Meadow,  
Braintree,  
CM7 3DJ

Civic Offices  
High Street  
Epping  
Essex  
CM16 4BZ  
Our Ref WK/201903326  
Your Ref: -

Dear David Colwell (Essex Police),

**Licensing Act 2003 - Committee meeting in respect of Wo Fat 270-272 High Road,  
Loughton, IG10 1RB**

Further to a meeting of this Authority's Licensing Sub-Committee on 18<sup>th</sup> March 2019 the above application was revoked.

Members concluded that the application for the above premises licence was revoked; subject to:

1. Article 1 of the First Protocol of the Human Rights Act 1988 that every person is entitled to the peaceful enjoyment of his possessions (in this case the Licence). No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
2. That any decision made in respect of the premises licence for Wo Fat Restaurant 270-272 High Road, Loughton, Essex, IG10 1RB must be necessary and proportionate.
3. Details under Section 52 (4) of the Licensing Act 2003.
4. Powers of a Licensing authority on the determination of a review, paragraphs 11.16 to 11.28 Guidance under section 182 of the Licensing Act 2003

You are advised that under the Licensing Act 2003, you have the right to appeal against this decision and it should be made to a Magistrates Court. Any appeal should be made within 21 days of the date of this letter.

I trust this clarifies the decisions made, but if you would like to discuss them further I can be contacted on the number above.

Yours sincerely

Mrs Handan Ibrahim  
Licensing Compliance Officer  
Licensing (01992) 54\*\*\*\*  
Email: [licensing@eppingforestdc.gov.uk](mailto:licensing@eppingforestdc.gov.uk)

and read  
Having received all the paperwork before us at this hearing and listened to the representations from the Police and the Solicitor on behalf of Wo Fat, we do not believe there is any other option open to us.

This is the second occasion when illegal workers have been found at the premises (in 2013 and 2018) which we believe would have continued had the visits from Immigration Officers not taken place. This was not just a case of confusion over paperwork, it was an exploitation of vulnerable people. The two brothers Chi Chu Wu and Chi Kwong Wu were and are involved in the management of the restaurant known as Wo Fat, on both occasions.

The guidance indicates our decision should be a deterrent to other potential perpetrators and no other decision would fulfil this objective. We considered the options to remove the designated premises supervisor of the Licence or the suspension of the Licence but as previously indicated we did not feel that this would be sufficient