

In the matter of:

**LICENSING ACT 2003**

**FLAMES, LANCASTER**

**APPLICATION FOR A REVIEW OF PREMISES LICENCE**

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**WITNESS STATEMENT OF RUDOLF COLLAKU**

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I, Rudolf Collaku, of 49 Denmark Street, Lancaster, LA1 5LY WILL SAY as follows:

1. I am a 42 year-old man who was born in Albania, but came to the United Kingdom to study in 2000. I initially stayed in London, but came to live and study in Lancaster in 2001. I studied economics at Lancaster University, where I got my degree. I have lived in Lancaster ever since, now living with my partner, [REDACTED] (who I have been with for six or seven years), and our two sons who are aged four years and two years.
2. [REDACTED] and I own and operate the takeaway called Flames and located at 1-3 Rosemary Lane, Lancaster, LA1 1NR. I have operated the premises since I first took a lease of it in or around May 2014. [REDACTED] has worked in the business for six or seven years and her contribution to the running of the business has gradually increased over that time.
3. Flames serves lots of different fast foods such as pizzas, burgers and kebabs. We trade from around 17:00 every day and usually close at around 03:00, although sometimes later if we are busy. We cater for collection and delivery and offer good value, so it is a popular place. We tend to get busy between 18:00 and 20:00, but more than half of our trade is after 00:00. Around 60-70% of our custom is delivery, but we are very popular with people on nights out. That side of the customer base is very varied, but we are particularly popular with students, who I have heard call us an "institution".

4. My main roles and responsibilities in the business are accounts and bookkeeping; recruitment, marketing; stock-keeping; and, then more hands-on jobs like taking orders, food preparation, cooking and cleaning. Nermin initially only undertook the hands on tasks like food preparation, cooking and cleaning but over time has begun to help with things like recruitment and marketing.
5. In addition to [REDACTED] (who is employed), we have three other full-time staff:
  - (i) [REDACTED] who has been with us around four and a half years. He works from the time we open to the time that we close five days each week. He normally focuses on deliveries, but does sometimes work in the kitchen too.
  - (ii) [REDACTED] who has been with us around eighteen months. He also works five days each week from the time we open to the time that we close. He mainly works in the kitchen, but can help out on deliveries when he is needed.
  - (iii) [REDACTED] who has been with us for five or six years. Like the others, he works five days each week from the time we open to the time that we close. He works in the shop, taking orders, preparing food, cooking and cleaning.
6. As with all licensed premises, we have had minor issues over the years, but our most serious ones have concerned immigration. As outlined in the Review Pack, we have been subject to a number of visits, which have resulted in combined fines totalling £110,000. I have recently agreed a payment plan relating to the fines which means I have to pay £2,000 each month by direct debit.
7. I do not have any justification for the offences I have committed relating to immigration. I did not appreciate the seriousness of the issues, I was naïve, I was stupid, and I regret my actions. I believed people when they told me they had documents when I should have insisted on seeing them, and I trusted people when I should have taken responsibility myself. I cannot undo what I have done but I wish I could.

8. Whilst I accept most of what is outlined in the Review Pack, I do not accept some of the allegations from the Police. In particular, I would comment as follows:
- (i) The allegations relating to labour exploitation in March 2019 were entirely false. They came from my cousin's wife when their marriage broke down, were malicious, and were extremely distressing for me. I was arrested and investigated but in the end was not charged with anything because I was not guilty of anything. The money that was in the safe was not unusual – it was at a time when the vast majority of our customers paid in cash. In hindsight it would have been better practice to bank the cash more often, but there was nothing untoward about it being there.
  - (ii) I accept that the parking can be an issue. Drivers can be difficult to control but we do what we can to stop them parking there. I do believe that the situation has been improved significantly since the Community Protection Warning letter was served.
  - (iii) I have very little recollection about the incident in June 2022 which the representation from the Police says related to modern slavery. I do not believe I was ever interviewed in relation to any such allegations and am sure I would have remembered if anybody questioned me about something like modern slavery.
9. Home Office Immigration Enforcement say in the Review Pack that the last time they visited was in May 2024. That is not accurate. They also visited in July 2024, as evidenced by the Notice to Occupier at Annex 1 to this Statement. On that visit they found that I was fully compliant with the terms of the Illegal Working Compliance Order. They told me that everything was in order and they said “well done” and “keep it that way”.
10. Whilst, as I have explained, I have no excuse for the offences relating to immigration that I committed, it is not the case that I have not improved things at the premises, which is what Home Office Immigration Enforcement and the Police seem to be saying. The Compliance Order imposed conditions, I have complied with those conditions and as a result, everything was as it should be the next time that Home Office Immigration Enforcement visited my premises. I have included Right to Work checks for each of my current staff at Annex 2 by way of illustration.

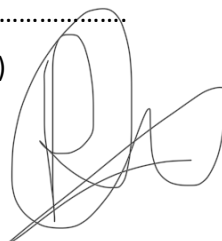
11. I have been advised of the options that are available to the Committee and I am aware that both Home Office Immigration Enforcement and the Police have requested that the licence is revoked. I do not believe this would be the most appropriate outcome.
12. Whilst I acknowledge that I have done wrong, I have also been punished significantly. I have some substantial fines that I fully intend to pay and in reality they are big fines that involve paying life-changing sums of money. That will hurt me and my family significantly, but I am accepting it and I understand why such penalties exist. Without diminishing what I have done wrong, I genuinely think that to revoke the licence as well would be going too far.
13. If the licence is revoked then I will not have an income. [REDACTED] and I do not have other work so we and our sons are reliant on Flames for income. Without a licence, the business would not survive and it is very possible that the fines would result in me becoming bankrupt. The fines could then not be repaid, my family would be without an income and so would the other staff members who the business supports.
14. I beg the committee to give me another chance so that the business can be saved, I can repay the fines that I owe, and I can show the authorities that I can be trusted to carry on operating compliantly. In doing so, I fully accept that this would be my very last chance.

I believe that the facts stated in this witness statement are true.

Signed:

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(Rudolf Collaku)



Dated:

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**APPENDIX 1**

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Immigration Enforcement

REF: EV15-954,740

### Notice to Occupier

Address of Premises: FLAMES, 1-2 ROSEMARY LANE, LANCASTER, LAINNE

**\* Informed consent**  
I hereby consent to Immigration Officers [and Police Officers and] entering and searching the above-named premises for on

I am aware of the extent of the proposed search and if, in the course of conducting the above search, criminal activity is found or a breach of immigration law is suspected, enforcement action may be taken. Enforcement action may include the seizure of property which may be used as evidence of an offence and may include the arrest of any person suspected of committing offences or breaching immigration law. (If illegal workers are found or the premises are let to tenants without leave to remain, evidence obtained during the course of this visit may lead to the issue of a civil penalty and / or the issue of an illegal working closure notice). I am also aware that, once lawfully on the premises, immigration officers may exercise statutory powers of search in connection with the removal of persons in breach of immigration law or the imposition of a civil penalty.

I can confirm that I am entitled to grant consent to enter and that informed consent has been fully explained to me in a language I understand. I understand that I am not obliged to provide consent and that my consent can be withdrawn at any time.

Signature: ..... Date: .....  
Name: ..... Over 18 YES  NO   
Status relative to premises: .....

**\* STATUTORY POWER UNDER WHICH SEARCH WAS MADE (WITH WARRANT)**  
Warrant (copy attached) issued under Paragraph / Section ..... of .....  
Date granted ..... / ..... / ..... by .....

**\* STATUTORY POWER UNDER WHICH SEARCH WAS MADE (WITHOUT WARRANT)**  
Paragraph / Section 5 of SCHEDULE 6 IMMIGRATION ACT 2016  
Some of these powers require written authority of a Chief Immigration Officer or above, which will normally be recorded at 1 below. This notice will show at 2 if authority has been recorded elsewhere.

**1. Recording on this notice**  
I hereby authorise the search of the above-named premises.  
Signature ..... Date / Time .....  
Name ..... Rank .....  
**2. Recorded elsewhere**  
Where authority recorded: ILLEGAL WORKING COMPLIANCE ORDER  
By whom (name / rank): WARRINGTON MAGISTRATE'S COURT  
Date / Time recorded: 23/05/2024

Entry forced: YES  NO   
Authorised by: .....  
Damage: YES  NO  If Yes, record full details and take photographs.  
Premises Secured YES  NO

**Officer in charge of search**  
Name: IO S WRIGHT 19652  
Office: NORTH WEST ICE  
Address: CAPITAL BUILDING, LIVERPOOL, L39PP  
Date: 24/07/2024  
Time of entry: 1951 Hrs Time of Departure: ..... Hrs

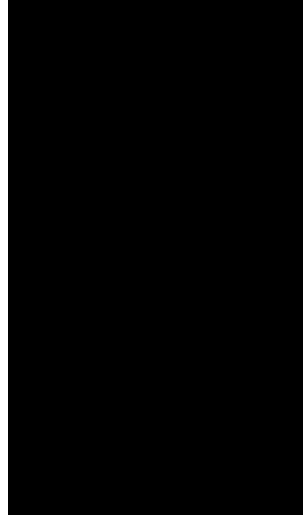
\* Delete as applicable

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**APPENDIX 2**

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## Right to work



Rotate ↻



They can work in the UK.

### Details

They can work in any job.

▶ [Legal basis of status](#)

### If you employ this person

To [avoid a penalty](#), you must:

- check this looks like the person you meet face to face or by video call
- keep a secure copy of this online check (either electronically or in hard copy), for the duration of the employment and for 2 years after



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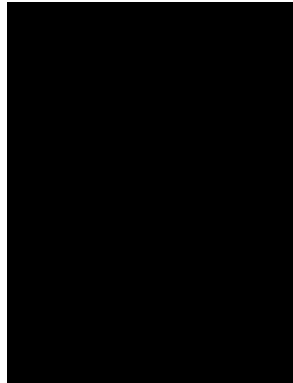
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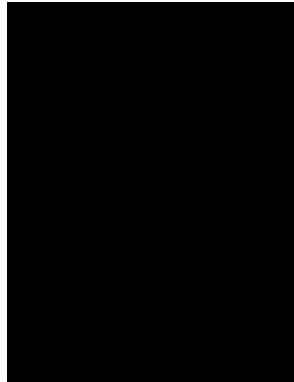
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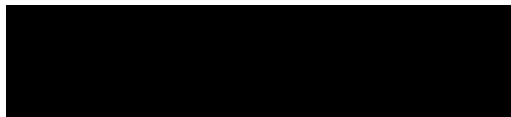
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