

A

STATEMENT

I, as sole trader purchased the business at Go Local of 52 Littlefield Lane Grimsby DN34 4PL in about 2014. During that time, with the exception of the present complaint, I have had no problems with the business including underage drinking and the business has now tightened up its licensing procedures with strict attention to the Challenge 25 Scheme, ensuring that staff are properly and regularly trained and aware, as I and the Designated Premises Supervisor are, of the obligations under the licensing legislation. Following discussions with the licensing authority we have consulted our solicitors, John Barkers of Grimsby, and I attach a copy of their letter of advice to us and a copy of the letter of authority which they suggest we give to all staff who will serve alcohol, under the authority of the Designated Premises Supervisor. Training has been given to staff and this will be provided on a long ongoing basis, including to new staff who may start with us.

The basis of the complaint for the review is a breach of Immigration Law. The circumstances of this event are that on this occasion the authorities found that my brother, who was staying with me, was on the premises. I was in front of the shop and my brother was watching television whilst standing behind the till. My brother had a visa to enter the United Kingdom and I was not aware that he was not allowed to work. I now know differently. As a family member he was helping us and was not being paid. I now know that he should not have been providing such help. My brother left the United Kingdom for India on the 12th September and there will be no repetition. I am mindful that we may receive a civil liability penalty for this infringement and this is a shock to me and the business and we know there can be no repetition.

B

STATEMENT

The business owners have now familiarise themselves with the Immigration legislation.

A personnel record file is now being kept for each member of staff including any applicants for a job. A copy of each employees passport or failing that picture driving license and where appropriate bio-metric identification cards are being copied and retained on such file, to ensure that all employees are entitled to be in the United Kingdom and work legally, including if the occasion arises, citizens of European Union, to ensure they are legally in the United Kingdom under the EU Settlement Scheme. The business is now taking details of all employees national insurance numbers and registering all employees with HM Revenue & Customs under the PAYE scheme. The business owners believe that with the operation of such measures the employment of illegal workers will be eradicated.

To:

We, _____ the premises licence holder and Barinderjeet Gaddu the designated premises supervisor of the licenced premises at _____ hereby authorise you as an employee of the business of _____ to serve alcohol to customers of the business in accordance with any instruction and training given by us to you.

We remind you that in selling alcohol as part of your duties you are required to adhere to the regulations of the licensing legislation in particular, but not exclusively, those dealing with the sale of alcohol to underage persons and the times that such sales of alcohol are permitted. This authority can be withdrawn by us at any time.

We should be obliged if you would please acknowledge receipt of the acceptance of the foregoing by signing and returning the duplicate of this letter to us.

Yours faithfully

Signed:

Signed:
Barinderjeet Gaddu

Licensing Act 2003

Representation by any Person or Licence/Certificate Holder following an Application to Review a Premises Licence or Club Premises Certificate

Representations may be made at any time during a period of 28 consecutive days starting on the day after the application for review was given to the Licensing Authority.

In the case of a closure order issued by the Police, representations may be made during the seven days that follow relevant notice being given to the Local Authority by the Magistrates Court, starting on the day after the day the notice was received.

Representations are only relevant to an application if they relate to at least one of the four **Licensing Objectives** listed below:

- **The Prevention of Crime and Disorder**
- **Public Safety**
- **Prevention of Public Nuisance**
- **The Protection of Children from Harm**

Representations can be made about an application for review by any person. Representations may be made on behalf of the above by a representative e.g. MP, solicitor, or a friend.

Please indicate in which capacity you are making this representation by ticking a box below:

- The current licence holder
- A representative of the current licence/ certificate holder
- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

Note: Please be aware that that this form cannot be treated as confidential. Your representation will be passed to the Applicant or to the representative of the Applicant to allow them the opportunity of addressing your concerns. This form will also be published on the council's website and read out in public at the sub-committee hearing.

By ticking this box, I agree to my contact details being made public. (Please note if you do not wish for your information to be made public, your representation may not be accepted or requested that it be withdrawn). Email addresses and contact telephone numbers will not be publicly available.

Please enter contact details of the person making representation:-

Name:	Sandeep Kumar Gaddu
Address including Postcode:	52, LITTLEFIELD LANE, GRIMSBY DN34 4PL.

Telephone:	[REDACTED]
Email:	[REDACTED]

Please tick this box if you consent to any notice of any hearing being sent to you to the e-mail address provided by you above.

Please confirm name and address of person or business affected in the vicinity, if different from the address given above:

Name:	
Address including Postcode:	

Please provide details of the review application to which you wish to make a representation.

Name of Applicant:	Home Office Immigration Enforcement alcohol Licensing Team Croston
Address including Postcode	Premises at 52 Littlefield Lane Grimsby DN34 4PL

Please give details of your representation in the box below. Indicate which of the Licensing Objectives your representation refers to by ticking the relevant box/es:

- The Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- The Protection of Children from Harm

Your representation must relate to one of the four licensing objectives, which are detailed below. Please detail the evidence supporting your Representation and the reason for your representation. If necessary, separate sheets may be used.

Objectives	Evidence
The Prevention of Crime and Disorder	Please see copy attached. A

Public Safety	
Prevention of Public Nuisance	
The Protection of Children from Harm	

If possible please suggest alterations to the application that would resolve the problem mentioned above, again paying attention to the licensing objectives

Please see copy attached. B.

Once the Licensing Section has received this form you will receive a written acknowledgment and you may be contacted to discuss the issue prior to any referral to a sub-committee hearing.

Please tick this box if you do not intend to attend or be represented at any hearing

If you wish to withdraw any representations you may do so confirming this in writing to the address given below, providing you do so no later than 24 hours before the any hearing, or otherwise orally at the hearing.

Signed 

Print Name: SANDEEP KUMAR GADDA

Date: 3rd November 2022

Please return this form to the following address:

The Licensing Manager, Doughty Road Depot, Doughty Road, Grimsby, DN32 0LL
licensing@nelincs.gov.uk

Our Ref: MKC/EB/044616-0003
Your Ref:

Please reply to the Grimsby Office
3 October 2022

Mr S K Gaddu
52 Littlefield Lane
Grimsby
North East Lincolnshire
DN34 4PL

Dear Sandeep and Barinderjeet

Re: Advice concerning licensing

I refer to our meeting on the 26th September.

From what I have seen including the letter from the licensing department it is clear that you are under observation as to the operation of your businesses from a licensing point of view.

In my opinion there are a number of matters which require attention as follows:-

- 1 I think that a letter should come from both the holder of the premises licence and Barinderjeet as designated premises supervisor to all the staff giving them authority on behalf of Barinderjeet and the premises licence holder to sell alcohol and remind them of their obligations as to the sale of alcohol including the times at which the sale of alcohol will take place and the need to check ages and seek identification where you are in the slightest doubt as to the age of any customer. The licensing authority are anxious to prevent breaches of the legislation and the protection of underage persons is paramount and you may find that a test to purchase may be attempted to see whether you comply with the regulations.
- 2 You should operate the Challenge 25 Scheme. I think that you should obtain from the local authority and from the internet documentation to display prominently in the shop both at the place where alcohol is displayed and at the till. You mentioned that you would consider installing at both shops a reminder system to ask for the age and evidence of age from any customer to whom alcohol is sold. Customers of a young age and who know they may be refused can obtain a certificate under the Challenge 25 Scheme which they can produce to show that they are over 18 and in the event of doubt you should also request a copy of their passport or picture driving licence. I think that you should maintain at both shops a refusals book indicating when you have had an attempt to have alcohol purchased and where you have refused to do so and the name of the customer if you have been able to ascertain that from any documentation, which should be inserted, as should the name of the member of staff who dealt with that person and the date and time of such attempted transaction is to also be inserted in the book. This should be readily available so that an entry can be immediately made for a failed attempt to purchase and of course this should be available for inspection by the licensing authority.

3 I think that you should be seen to be a responsible employer and undertake regular training of employees including an induction of any new employee and regular discussions and training with existing employees to keep them up to date as to the regulations. With that in mind I suggested and you agreed that you would contact the licensing department of the local authority indicating that you would like assistance as to training generally and also for any assistance which they can give you in relation to the Challenge 25 Scheme.

I enclose with this letter the suggested form of letter which I suggest is given to each member of staff authorising the sale of alcohol and reminding them of their obligations under the licensing legislation.

As indicated I enclose a note of my firm's costs in relation to this matter and look forward to hearing from you in settlement.

Best wishes.

Yours sincerely,

Malcolm Kenneth Cooke LL.B
Partner
John Barkers Solicitors
malcolm.cooke@jbarkers.co.uk

Enc.

PS

I think it would be a good idea if you were to arrange for your good staff who will remain with you to go on training courses with a view to their obtaining the licensee's certificate.