



Home Office

## **Premises Licence Review**


Go Local t/a Lifestyle Express

52, Littlefield Lane

Grimsby,

DN34 4PL

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# Case Summary

On 08 September 2022, Immigration Enforcement officers conducted a visit at Lifestyle Express, 52, Littlefield Lane, Grimsby, Northeast Lincolnshire, DN34 4PL accompanied by an officer from Police Licensing following an allegation that [REDACTED] a male, Indian national aged 25-34 years with no permission to be in the UK was working illegally at two Go Local Shops for cash in hand.

The shops were identified as:

- Go Local t/a Lifestyle Express, 52 Littlefield Lane, Grimsby, DN34 4PL
- Go Local t/a Todays Express, 117 Chelmsford Avenue, Grimsby, DN34 5BZ

Both premises were visited simultaneously by Immigration Enforcement officers and Police Licensing officers.

At the time of the enforcement visit at 52 Littlefield Lane, Mr Sandeep Kumar Gaddu was the license holder and had been since 18 April 2016, the DPS was Mrs Barinderjeet Gaddu.

Mr Sandeep Kumar Gaddu and the DPS (Mrs Barinderjeet Gaddu) are both listed on Companies House as Directors of PS News Ltd who own:

- Go Local t/a Lifestyle Express, 52 Littlefield Lane, Grimsby, DN34 4PL
- Go Local t/a Todays Express, 117 Chelmsford Avenue, Grimsby, DN34 5BZ

Police Licensing are submitting a review of Go Local t/a Todays Express, 117 Chelmsford Avenue, Grimsby, DN34 5BZ.

Copies of all witness statements or pocket notebook (PNB) entries made by relevant immigration officers and other relevant documents are appended; should the sub-committee wish to read these.

# Licensed Premises History

On 18 April 2016, Mr Sandeep Kumar Gaddu was granted a premises license for Lifestyle Express, 52 Littlefield Lane, Grimsby, DN34 4PL.

On 08 September 2022, Go Local t/a Lifestyle Express, 52 Littlefield Lane, Grimsby, DN34 4PL was visited by Immigration Enforcement officers. One individual was encountered working illegally.

The individual was [REDACTED], an [REDACTED] [REDACTED] [REDACTED], who was working in breach of his visa conditions.

A referral notice was made for a civil penalty for the employment of an individual with no right to work in the UK. The outcome of which is currently pending.

# Enforcement Visit dated 08 September 2022

On 08 September 2022, the North East ICE team conducted a visit on the premises. One arrest was made for illegal working. In attendance was officer in charge (OIC) [REDACTED] accompanied by, Chief Immigration Officer (CIO) [REDACTED], and Immigration Officers (IOs) [REDACTED]. Also present was Police Licensing officer PC [REDACTED].

The premises hold a late-night food license and an alcohol license. Entry was gained under Section 179 of the Licensing Act 2003.

The encounter regarding the illegal worker is described below.

[REDACTED]

At 17:47hrs Immigration Officers [REDACTED] received an instruction via airwaves radio to enter the shop via the front. Upon entry at 17:48hrs IO [REDACTED] observed one individual who later became known to him as [REDACTED], an [REDACTED] national born [REDACTED], who was stood behind the shop counter and was the only person present other than Immigration or Police officers.

OIC [REDACTED] asked IO [REDACTED] to speak to him regarding his immigration status. Interview with [REDACTED] commenced at 17:49hrs using BigWord Interpreter P22814 over the phone. [REDACTED] initially provided a different spelling of his name which resulted in initial checks finding no match. At 18:06hrs IO [REDACTED] arrested [REDACTED] as a person who was suspected to be subject to immigration detention.

Home Office checks identified a match for [REDACTED]. He had been issued with a visit visa which was valid from 23 March 2022 and expired on the 23 September 2022. The provisions of his visa granted him permission to enter the United Kingdom as a visitor but prohibited him from undertaking any form of employment whilst in the United Kingdom.

IO [REDACTED] arrested [REDACTED] as a person liable to be detained and removed from the UK under Paragraph 16(2) Schedule 2 of the Immigration Act 1971(as amended). An administrative caution was given by IO [REDACTED] at this time and [REDACTED] reply to this caution was "ok".

A record of the interview is exhibited as PH01 08.09.2022 in Appendix A of this review pack.

It has been alleged that [REDACTED] was not working at the premises and had in fact been watching cricket while Mr Sandeep Gaddu had temporarily left his shop unattended.

At approximately 18:20, IO [REDACTED] reviewed CCTV which showed that [REDACTED] had been working (stocking shelves and serving customers) for 75 minutes prior to the arrival of ICE and police officers.

Further checks of the CCTV showed [REDACTED] working on 24 August, 08 and 09 September 2022, serving customers behind the counter.

Mr Sandeep Gaddu later admitted that [REDACTED] had been working illegally.

## Reasons for Review

This business has employed a person with no right to work in the UK.

The statutory guidance issued under section 182 of the Licensing Act 2003 outlines that certain criminal activity may arise in connection with licensed premises which should be treated particularly seriously.

Relevant to this case is: for employing a person who is disqualified from that work by reason of their immigration status in the UK.

Section 11.28 of the guidance also 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

Whether by negligence or wilful blindness illegal workers were engaged in activity on the premises, yet it is a simple process for an employer to ascertain what documents they should check before a person can work. In this case, the illegal worker had entered on a visitor visa which includes the right to visit family or friends, partake in tourism, volunteer for 30 days with a registered charity. They cannot undertake paid or unpaid work or become a self-employed person. The conditions attached to the visa would have been made clear during the visa application and issuance. Guidance is readily available online which outlines permitted activities a standard visitor to the UK can and cannot do. The guidance is on <https://www.gov.uk/standard-visitor>.

It is an offence to work when a person is disqualified to do so, and such an offence can only be committed with the co-operation of a premises licence holder or its agents.

Immigration Enforcement submits that for commercial reasons those engaged in the management of the premises employed an illegal worker and a warning or other activity falling short of a review is inappropriate; therefore, Immigration Enforcement has proceeded straight to review.

In addition, the license has Annex 2 conditions which states that all CCTV recordings shall be kept for a minimum of 31 days. Police Licensing officers [REDACTED] and [REDACTED] both confirm that the CCTV recordings sampled inline with their enquiries fell short of the 31 days.

The license also states that Challenge 25 material shall be displayed at the premises. Correspondence received from John Barkers Solicitors dated 03

October 2022 includes a copy of a to Mr Gaddu. This letter refers to a meeting on 26 September 2022 between the two parties, advise given to Mr Gaddu in point 2 states that he should operate the Challenge 25 Scheme.

It is clear from this that the license holder did not display Challenge 25 material at the time of the visit and thus failed to meet another condition of the license.



## **Outcome Sought**

The objective of the Licensing Act 2003 (the Act) is to provide a clear, transparent framework for making decisions about applications by individuals or businesses wishing to sell or supply alcohol or provide certain types of regulated entertainment and late-night refreshment.

There are four licensing objectives which underpin the Act, and which need to be taken into account and promoted throughout the licensing process.

The licensing objectives are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance and
- the protection of children from harm.

Lifestyle Express under the control of Mr Sandeep Kumar Gaddu, and the DPS was Mrs Barinderjeet Gaddu have employed an illegal worker. This business has clearly failed to meet the prevention of crime and disorder objective by failing to carry out the necessary pre-employment checks to make sure that the people employed at the premises have the right to work in the UK. It must also be noted that the license holder had breached the conditions regarding CCTV and Challenge 25.

The license holder would have been aware of their responsibilities to uphold the licensing objectives as they are clearly defined as part of the premises license application.

Taking in to account the facts of this review, and considering the review brought forward by Police Licensing, Immigration Enforcement asks that the premises licence is revoked. Merely remedying the existing situation (for instance by the imposition of additional conditions or a suspension) is insufficient to act as a deterrent to the licence holder and other premises' licence holders from engaging in criminal activity by employing illegal workers.

If the committee disagree and believe conditions can be added, possibly with a suspension or otherwise, please consider the following:

- The employer must carry out checks relating to the right to work of their employees working at the premises and any prospective employees before entering into a contract of employment.
- The employer must retain copies of documents as a result of conducting checks relating to the right to work. These must be stored securely by the employer at the premises, or a digital copy must be immediately accessible from the premises for ease of inspection by immigration officials.

- **The employer, or any person appearing to represent the employer, must be able to produce on demand documents relating to the right to work at the request of a Police officer, Licensing officer or an Immigration officer who enters the premises to carry out an inspection under section 179 (1A) of the 2003 Act.**

**This submission and appended documents provide the licensing subcommittee with background arguments and information pertinent to that contention. These provide the sub-committee with a sound and defensible rationale as to why it should revoke the license.**

## Appendix A – Supporting Evidence

OIC [REDACTED] – Witness Statement

CIO [REDACTED] – Witness Statement

IO [REDACTED] – Witness Statement

IO [REDACTED] – Witness Statement

Police Licensing Officer [REDACTED] – Witness Statement

Police Licensing Officer [REDACTED] – Witness Statement

Copy of letter to Mr Gaddu (03 October 2022)

### WITNESS STATEMENT

Criminal Procedure Rules, r 27.2: Criminal Justice Act 1967, s.9: Magistrates' Court Act 1980, s.5B

Statement of

URN:

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[Redacted Name]

Age if under 18

Over 18.....

(if over 18 insert 'over 18')

Occupation:

IMMIGRATION OFFICER .....

This statement (consisting of: ... .. pages 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 anything in it which I know to be false, or do not believe to be true.

Signature:

[Redacted Signature]

Date:

11/09/2022

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

I am the above named officer; I work as part of an arrest team for Yorkshire and Hmberside ICE, I'm based in Sheffield.

On 08<sup>th</sup> SEPTEMBER 2022, I was the Officer In Charge of visits and accompanied by IO [Redacted], CIO [Redacted] and IO [Redacted]. Also assisting with the visit was Police Licensing Team a Police Officer whom I know to be [Redacted].

We had been investigating an allegation of illegal working taking place at business premises GO LOCAL, LITTLEFIELD LANE, GRIMSBY, DN34 4PL. The allegation related to a person named "[Redacted] INDIAN MALE aged between 25-34yrs working between two shops illegally. The other shop named in the allegation was GO LOCAL COMMUNITY CONVENIENCE STORE, WESTWOOD HO, CHELMSFORD AVENUE, GRIMSBY, DN34 5EN. A simultaneous visit was conducted to both premises, in this statement I cover both businesses.

The team entered the premises GO LOCAL, LITTLEFIELD LANE, GRIMSBY, DN34 4PL at approximately 17:45hrs, entry was via the main entrance. On entry I observed one male behind the counter. I was informed by another officer over airwaves a female was encountered in the rear storeroom. I introduced myself to the male behind the counter, I now know this male to be [Redacted].

Signature: .....

Signature witnessed by: .....

Continuation of Statement of [REDACTED]

A. He doesn't work here.

Q. Why was he the only person stood behind the counter when I entered?

A. He was watching cricket whilst I took delivery across the road. He lives upstairs and I asked him to come downstairs whilst I took delivery across the road so no one stole my stock.

Q. If a customer came in, what was he supposed to do?

A. Ask the customer to wait.

Q. Why would you be taking delivery across the road?

A. Barr took my delivery to the Premier across the road. They dropped 30-40 crates of pop over there, I needed to get my van and get the pop.

I was informed by airwaves by OIC [REDACTED] who was in attendance at the CHELMSFORD premises. He told me a male had been encountered working at the premises, IO [REDACTED] confirmed the male was the same male who had previously been encountered working illegally at the shop NOVEMBER 2021. I now know this male to be [REDACTED], [REDACTED] also known as [REDACTED]. He was the sole person present at the business at CHELMSFORD.

Q. Chelmsford Avenue, who's currently working there?

A. The lady at the back of this shop.

Q. But she is here not over at CHELMSFORD?

A. I don't know.

Q. How long have you been left this premises?

A. About 10, 20 minutes.

Signature: .....

Signature witnessed by: .....

Continuation of Statement of [REDACTED]

Q. So why would you allow him again in your shop?

A. It was not me.

Q. Who allowed him then?

A. I don't know.

Q. Someone must, do you have an arrangement for him to come downstairs and work?

A. He doesn't work.

Q. My colleagues state there were 7-8 customers in the queue. All seemed to know [REDACTED] well.

A. No response.

Q. My colleagues have also seen customers receipt which shows they were served one minute before they arrived, so he is serving.

A. No response.

Q. Who allows [REDACTED] to work in the your shop?

A. I don't know.

Q. OK PC [REDACTED] and my colleague are going to review your CCTV for here.

A. OK.

My colleague IO [REDACTED] and PC [REDACTED] went with MR SANDEEP GADDU to review the CCTV. I was informed by IO [REDACTED], when he observed the CCTV showing [REDACTED], serving customers at the till for two hours prior to our arrival. He was also observed stacking shelves. Mr SANDEEP GADDU then finally admitted [REDACTED] was working at the shop.

Signature: .....

Signature witnessed by: .....

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Statement of

URN:

Age if under 18

(if over 18 insert 'over 18') Occupation:

Immigration Officer

This statement (consisting of 2 pages 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 anything in it which I know to be false, or do not believe to be true.

Signature:

Date:

16 SEPTEMBER 2022

Tick if witness evidence is visually recorded

(supply witness details on rear)

I am an Immigration Officer currently employed at the Home Office. I am based with the Yorkshire and Humberside Immigration, Compliance and Enforcement team. Part of my duties involve responding to Intelligence to identify persons in the UK illegally and those seeking to abuse UK Immigration Law.

On 08 SEPTEMBER 2022 I attended an Intelligence led Immigration Enforcement visit to Go Local, 52 Littlefield Lane, Grimsby, DN34 4PL. The visit team comprised of OIC Immigration officer (IO) , IO , IO and myself CIO .

Entry to the commercial premises was gained under Section 179 of the Licensing Act 2003, authorised by HMI on 02 AUGUST 2022.

We attended the property at approximately 17:45hrs. Myself and OIC entered the shop by the one and only customer entrance at the front of the property whilst IO and remained outside the address for containment.

Upon entry I observed that there were no customers within the shop and only one male whom I now know to be , who was standing directly behind the cash register. I greeted and stated that my colleague would speak with him to explain the purpose of the visit whilst I conducted a sweep of the business premises.

I made my way through the shop and discovered a female whom I now know to be sitting on the bottom of the stairs in the stock area of the shop on her mobile phone watching a video. These stairs lead up to the residential property above the shop. I identified myself and explained the reason for the visit. I interviewed and established that she had both valid leave to remain in the United Kingdom and permission to work. It transpired through this interview that does normally work there part time however today was her day off and she was not working, nor had she been all day. Therefore, was the sole person in charge of the shop.

Signature:

Signature witnessed by:

Continuation of Statement of [REDACTED]

Whilst I was speaking with [REDACTED], IO [REDACTED] and [REDACTED] were called into the shop. IO [REDACTED] interviewed [REDACTED] and IO [REDACTED] positioned himself as my cover officer.

I completed my enquires with [REDACTED] at approximately 18:03 at which point I positioned myself at the front of the shop to provide extra cover should it be needed.

At approximately 19:08 I left the address to prepare the cell van for transport of [REDACTED] who had been arrested by IO [REDACTED] for Working In Breach of his leave. I did not re-enter the shop after this time.

[Lined area for additional text]

Signature:

[REDACTED]

Signature witnessed by:

.....



### WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Statement of [REDACTED] URN: [REDACTED] [REDACTED] [REDACTED]

Age if under 18 ..... (if over 18 insert 'over 18') Occupation: Immigration Officer

This statement (consisting of 2 pages 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 anything in it which I know to be false, or do not believe to be true.

Signature: [REDACTED] Date: 18 SEPTEMBER 2022

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

I am an Immigration Officer currently employed at the Home Office. I am based with the Yorkshire and Humberside Immigration, Compliance and Enforcement team. Part of my duties involve responding to Intelligence to identify persons in the UK illegally and those seeking to abuse UK Immigration Law.

On 08 SEPTEMBER 2022 I attended an Intelligence led Immigration Enforcement visit to Go Local, 52 Littlefield Lane, Grimsby, DN34 4PL. The visit team comprised of OIC Immigration officer (IO) [REDACTED], CIO [REDACTED], IO [REDACTED] and myself IO [REDACTED].

Entry to the commercial premises was gained under Section 179 of the Licensing Act 2003, authorised by HMI [REDACTED] on 02 AUGUST 2022.

We attended the property at approximately 17:45hrs. OIC [REDACTED] and CIO [REDACTED] entered the shop by the one and only customer entrance at the front of the property whilst myself and IO [REDACTED] remained outside the rear of the address for containment.

OIC [REDACTED] then radioed for myself and IO [REDACTED] to enter the shop for further support.

IO [REDACTED] interviewed the male who was stood behind the counter [REDACTED] and I positioned myself as a cover officer to CIO [REDACTED] who was speaking to [REDACTED].

Enquiries with [REDACTED] were completed at approximately 18:03 at which point I positioned myself as cover for OIC [REDACTED] who was speaking to the owner of the business Mr S Gaddu.

At approximatey 18:20 OIC [REDACTED] instructed me to review the CCTV footage with PC [REDACTED] which was located upstairs.

CCTV footage showed [REDACTED] had arrived at the shop at 1630hrs Thursday 8th September 2022, he was working for the 75 mins before we arrived, serving customers and stocking shelves. The owner Mr S Gaddu was present whilst I was reviewing the footage and at that point, he admitted that his brother [REDACTED] had been working illegally.

Signature: [REDACTED]

Signature witnessed by: .....



### WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of:

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Immigration Officer

This statement (consisting of 2 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:  ..... Date: 01/10/2022

I am the above named officer; I work in the arrest team of Yorkshire and Humber Immigration, Compliance and Enforcement, part of the Home Office based in Sheffield.

At 17:45hrs on 08/09/2022 I arrived in the vicinity of the Go Local convenience store located at 52 Littlefield Lane, Grimsby, DN34 4PL. Power of entry for the visit was under Section 179 of the licensing Act 2003. The team visiting consisted of Immigration Officer  who was the Officer In Charge of the visit, Chief Immigration Officer , Immigration Officer  and myself. Also present and assisting the team was a Police Officer known to me as PC . Initially Immigration Officer  and myself took up position at the rear of the premises whilst Immigration Officer , Chief Immigration Officer  and PC  entered the shop from the front.

At 17:47hrs Immigration Officer  and myself received an instruction via airwaves radio to enter the shop via the front. Upon entry at 17:48hrs I observed one individual who later became known to me as  who was stood behind the shop counter and was the only person present other than Immigration or Police officers.

Immigration Officer  asked me to speak to him regarding his Immigration status. Interview with  commenced at 17:49hrs using Bigword Interpreter P22814 over the phone.  initially provided me with a different spelling of his name which resulted in initial checks finding no match. At 18:06hrs I arrested  as a person who I suspected to be subject to Immigration detention.

Home Office checks identified a match for [REDACTED]. He had been issued with a visit visa valid which had been issued and was valid from 23/03/2022 and expired on the 23/09/2022. The provisions of his visa granted him permission to enter the United Kingdom as a visitor but prohibited him from undertaking any form of employment whilst in the United Kingdom.

I interviewed [REDACTED] from 18:06hrs until 18:50hrs specifically in relation to his work activities at the shop. He repeatedly denied working at the shop and stated he did not get paid as it was his brothers shop. When I put it to him that he had been observed on CCTV footage for at least an hour and half prior to our arrival working on the counter, serving customers, handling money and operating the till he could provide no explanation. He did state that "WHEN MY BROTHER IS NOT IN THE SHOP I SOMETIMES SERVE CUSTOMERS" and admitted during questioning that his brother contacted him when he required help at the shop though remained adamant that he was not working there despite the evidence he clearly had been.

Having considered the information available to me I deemed that [REDACTED] had entered the UK using a valid visa but that he had been working in breach of the conditions of that visa in breach of Section 24(1)(b)(ii) of the Immigration act 1971, as amended.

[REDACTED] family, his wife and children, came to the shop as we were preparing to remove him to the Immigration cell van. All officers left the store at approximately 19:05hrs and [REDACTED] was transported to Birchin Way Police custody suite in Grimsby where I served Immigration forms on [REDACTED] informing him that his leave was curtailed with immediate effect due to him having worked in breach of his visa. I placed him on Immigration Bail, as authorised by Chief Immigration Officer [REDACTED], further prohibiting him from working whilst in the United Kingdom.

Signature: [REDACTED]

Signature witnessed by: .....

**WITNESS STATEMENT**

Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s.9

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Statement of: [REDACTED]

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Police Constable 2360

This statement (consisting of 2 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: [REDACTED] (witness)

Date: 16/09/2022

I am a Police Constable in Humberside Police currently I hold the post of Alcohol Licensing Officer at Cromwell Road Police Station, Grimsby.

On Thursday 8<sup>th</sup> September 2022 I was on duty in full uniform in company with officers from the Immigration Service. The Immigration Officers believed that there a person working at Go Local shop, 52 Littlefield Lane, Grimsby illegally.

At 1745 hours I attended the Go Local shop, 52 Littlefield Lane, Grimsby with Immigration Officers. I would describe the shop as a small convenience store, which sells various household and food products. The shop has a premises licence to sell alcohol.

These are the conditions of Annex 2 of the Premises Licence:

CCTV shall be installed at the premises and shall cover entry and exit points, the store area, the sales counter and areas where alcohol is displayed.

All CCTV recording shall be kept for a minimum of 31 days

Staff shall receive regular training

A refusals log shall be kept and entries made of all occasions where staff have requested identification prior to sales of alcohol

A list of staff authorised to sell alcohol at the premises shall be displayed

A waste bin shall be provided to the exterior of the premises

Alcohol shall not be consumed in the premises

Challenge 25 material shall be displayed at the premises

'Alcopops' shall not be located for sale adjacent to the confectionary

The front of the shop has two windows either side with a glass door set back in the middle of the windows. The windows have posters advertising what they sell inside. The shop floor area is approximately 7 metres by 5 metres. Once inside the serving counter to the left and runs about 2 ½ metres. Behind the counter there was a cigarette and tobacco cupboard and various spirits. Further along the left there was various wines, beers, lagers and ciders displayed on shelves and in fridges. There was one central aisle with a same aisle at the left near to the alcohol displays and on the right was a fridge and magazines and newspaper. At the rear of the shop was a doorway on the right which led to the storeroom and living quarters.

Once inside the Immigration Officers spoke with person serving behind the counter which they had to do through a phone interpreter. One of the other Officers spoke with a female at the rear of the shop.

After about 5 minutes a male entered who I recognised as the owner and Premises Licence Holder, as I have dealt with him on a previous occasion through police contact. He identified himself as Sandeep GADDU he stated that he had only been out of the shop 10 to 20 minutes as he was dealing with a delivery.

I covered the door of the shop while Immigration Officers spoke with the people in the shop.

At 1755 hours I spoke with Mr GADDU introducing myself as part of Police Alcohol Licensing, I discussed the conditions on the premises licence one of which was the CCTV conditions. Mr GADDU stated that his CCTV only recorded for 10 to 15 days, this then changed to 15 days. I asked him if he aware of the licence conditions he stated, "YES, BUT ITS NOT MINE ITS IN MY WIFE'S NAME."

I informed him that I would have to view the CCTV system to see if this was accurate.

At 1820 hours Mr GADDU showed me upstairs to where the CCTV system was located. Mr GADDU stated he did not know how to use the CCTV and let me use the CCTV under his supervision.

The CCTV only recorded back to 20/08/2022 which was less than the 31 days required on the Premises Licence. I informed Mr GADDU that he was in breach of his licence conditions as it should be 31 days and that he was warned about this in November 2021.

I reviewed the CCTV at various dates and times from 20/08/2022.

At 1630 hours on Thursday 8<sup>th</sup> September 2022, CCTV showed the same male behind the counter serving customers with no other members of staff. The CCTV system showed the correct date but was 3 to 5 minutes slow.

At 1531 hours on the above date CCTV showed the same male in the shop by himself.

I again informed Mr GADDU that he was in breach of his licence because of the CCTV. I asked him if he could show me a training booking, a refusals book and a list of staff authorised to sell alcohol. Mr GADDU stated he could not supply any of this information.

Signature:



Signature witnessed by:

**WITNESS STATEMENT**

Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s.9

URN

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Statement of: [REDACTED]

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Licensing Officer

This statement (consisting of 3 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: [REDACTED] (witness)

Date:

I am a Licensing Officer for Humberside Police, covering the North East Lincolnshire area. I am based at Cromwell Road Police Station, Grimsby.

On Thursday 8<sup>th</sup> September 2022, I was on duty and in the company of Immigration Officers, I attended Go Local Extra, 117 Chelmsford Avenue, Grimsby, North East Lincolnshire, DN34 5BZ as it was believed that a person was working at the premises illegally.

We attended the shop at 1745 hours, with the Immigration officers entering first and myself following. I would describe the shop as a good sized convenience store which sells various food and household items, tobacco and alcohol. The premises holds a licence to sell alcohol, PM000324. There are no conditions on it other than the mandatory conditions.

The front of the shop has 2 windows either side of a glass door. There is a cash machine on the left hand side. There are posters in the windows advertising offers on products in the shop, including alcohol. On entering the store, the shop counter is situated to the right. Behind the counter there are a large number of spirits, cigarette and tobacco above head height and some other miscellaneous items. There are 3 aisles, with alcohol situated on the right aisle, nearest to the counter. There is wine on the shelves and large fridges along the wall, which are filled with various alcoholic drinks, beers, ciders and lagers. The other aisles contain food and household items. At the rear of the shop there is a door which leads to a small hallway, used for storage. There is a fire escape door here, a freezer, a door to an office and an open doorway accessing 2 further storerooms.

On entering, an Immigration Officer was talking to a male at the shop, who I had seen working there at a previous visit on 23<sup>rd</sup> November 2021. This was when I had previously attended with Immigration Officers, when the male was located working at the premises illegally, and was also wanted for a serious criminal offence. He was arrested and taken into custody on that occasion.

The male was speaking to the Immigration Officer and had said that he had been at the shop for 5 minutes whilst the owner had popped out. He kept saying the owner would be back soon and that he didn't work there. One of the Immigration Officers stated that he had seen him in front of the alcohol fridges, which he denied.

Whilst the male was being spoken to and checked by Immigration officers, I asked if I could check behind the counter, which he stated I could. I immediately saw that there was a metal baseball bat on the floor underneath the counter near the till. There was a ball nearby, which appeared unused. I took pictures of these items in situ, and a further picture of the baseball bat away from where it had been placed. I noticed the till screen was open and had the facility to reprint a receipt. I pressed this button which dispensed a receipt timed at 17:42 of 08/09/22, which was around 3 minutes before we entered. I also looked throughout the premises, in the storerooms and office to see if there was anything further of concern, which there wasn't.

After he had been spoken to by Immigration officers I spoke to the male, who I had previously been advised was known as [REDACTED] but his actual name was [REDACTED]. I believe it was at appx 18:10hrs. I firstly asked if he knew anything about the baseball bat behind the counter and why it was there. He did not know why it was there and said it belonged to the owners. I asked what he would do if someone was to enter the

shop to buy something, as it had been 25 minutes since we had been there and no one had returned. He struggled to answer this. I asked whether he had served someone just before we entered, as per the receipt and he did not say.

██████ was asked by Immigration officers to close the shop as he could not work there. He knew exactly where everything was to switch off, light switches, fridges, shutters etc. I made my way outside with some other officers whilst this was ongoing, and at appx 1820 hours, a car pulled up to the premises. A female known to myself from the November visit as Barinderjeet Kaur GADDU, the DPS on the licence, exited the vehicle and was allowed to enter the shop.

GADDU stated that ██████ had only been there for 10 minutes while someone had gone to get a takeaway. She was advised that it had now been over half an hour and no one had returned to work at the shop until she had turned up. Officers discussed the offence with her and ██████ was advised the shop could be opened up as someone was here to work. He again knew where everything was to switch on but was advised to stop by GADDU.

I then spoke to GADDU. I first asked about the baseball bat. She advised that it was for her children to play with. I advised that there wasn't really the space for that due to the car park and 2 busy roads nearby. She then stated it was for sale; I again challenged this as the bat and ball were separate with no price on either, there was no signage up to say it was for sale and there was nothing similar in the shop to say that you could purchase a baseball bat and ball from there. I advised that whilst it is there, it could potentially be used as a weapon. She stated it had been there last time and hadn't been used as a weapon, at which point I stated that I had asked her last time to remove it too, which she agreed with. I told her in no uncertain terms that the item needed to be removed from the premises entirely.

I then asked to look at the CCTV. She advised that she was not able to view it and it was her husband Sandeep that was able to do it. She advised he would be in the following day from 1200 hours. I asked how long the CCTV recorded for and if she could guarantee that the footage would be there when I returned. She advised it was 15 days and it would be available.

We then left the shop at 18:30 hours.

I returned to the shop with a colleague at 1400 hours on 9<sup>th</sup> September 2022. My Colleague was wearing a Body Worn Video camera. Sandeep was in the shop and was expecting us to attend. I checked that the baseball bat had been removed and it had. When the customers left, he shut the door for a short while and took us into the office. He gave me some folders for the business, including a training record. He opened up the CCTV system but did not know how to use it, other than logging on. He stated that it recorded for 30 days.

The first check that I conducted was from the 8<sup>th</sup> September 2022. I asked to look at 1730 hours, and had to take over to work the system. After selecting the relevant cameras, I could see that ██████ had indeed been working at the shop when we entered and he had been filling up the fridge as described by Immigration officers. I asked Sandeep what time ██████ had been in the shop that day and he replied "ABOUT 30 TO 40 MINUTES", when I asked what time he started he said "HE CAME IN ABOUT 5 O'CLOCK, NO NOT 5, HALF 4, 5 IN BETWEEN". He said it was due to having no staff. He also stated "I UNDERSTAND I'M OFFENCING, I KNOW, I ACCEPT THAT". He was advised that both he and his wife should be fully aware of the licensing act and there are rules to follow.

On looking back to 16:00 I found that ██████ had been working there from at least 1635 hours, he was seen serving customers, stocking shelves and refrigerators.

I then checked a couple of random dates – 6<sup>th</sup> September 2022 from 1600 hours, and when the time was moved further along, ██████ was seen working behind the counter again.

He stated that ██████ does not work here and only helped yesterday and it was bad luck. I asked whether he had helped any other time between last November and the 8<sup>th</sup> September, to which Sandeep stated "NO". I asked if he helped out on any other date, and he said Monday, and only helped 10-20 minutes yesterday. I asked if I searched other dates would I find him, he stated "NO, YOU CAN CHECK IT".

The date was then moved to 24<sup>th</sup> August 2022 to 1600 hours. The time was moved to 16:30 hours and again ██████ was found working at the shop. I then checked to the first available date it recorded to, which was a month (10<sup>th</sup> August) and this footage was not available as it was after the shop had shut. The 11<sup>th</sup> August was checked, which was negative.

The footage from the CCTV and conversation was recorded on Body Worn Video.



The severity of the situation was explained, he was advised he would likely receive a fine and further action would be considered for the privilege of holding an alcohol licence.

Signature: 

Signature witnessed by:

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**

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I refer to our meeting on the 26<sup>th</sup> 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](mailto: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.

