

**REPORT TO THE
STATUTORY LICENSING
COMMITTEE**

5th December 2024

**LICENSING ACT 2003
APPLICATION FOR REVIEW OF A PREMISES LICENCE
SOMERSET CONVENIENCE STORE, 60 SOMERSET ROAD, NORTON, STOCKTON-ON-TEES,
TS20 2ND**

SUMMARY

The purpose of this report is for Members to consider an application for a review of a premises licence. The application has been made by the Licensing Authority acting as a Responsible Authority, on the grounds of the prevention of crime and disorder licensing objective.

RECOMMENDATION

That Members determine the review application.

THE APPLICATION

1. An application for a review of premises licence in respect of above the premises has been received from the Licensing Authority. The application relates to the undermining of the licensing objectives of the prevention of crime and disorder.
2. Mr Jenseesan AROCKYANATHAN is both the premises licence holder (PLH) and designated premises supervisor (DPS) at the premises since 28/02/24. Mr AROCKYANATHAN has breached section 15 of the Immigration, Asylum and Nationality Act 2006 and has received a civil penalty notice for illegal working. A copy of the application and supporting evidence including a summary transcript of interview is attached at Appendix 1 and 2 respectively.
3. A copy of the current premises licence showing licensable activities and licensable hours is attached at Appendix 3.
4. A map showing the location of the premises is attached at Appendix 4.

RESPONSIBLE AUTHORITIES

5. A statement in support of the licence review on the grounds of undermining the crime and disorder licensing objective has been received from Cleveland Police and is attached at Appendix 5.
6. A representation in support of the licence review on the grounds of undermining the crime and disorder objective has been received from Immigration Enforcement and is attached at Appendix 6.
7. A representation in support of the licence review on the grounds of the crime and disorder objective has been received from the Public Health Team and is attached at Appendix 7.

ADDITIONAL INFORMATION

PREMISE LICENCE HOLDER PLH	Mr Jeneesan Arockyanathan	28/02/2024 - Present
DESIGNATED PREMISES SUPERVISOR DPS	Mr Jeneesan Arockyanathan	28/02/2024 - Present

8. Since serving the application to review the premises on Mr AROCKYANATHAN, he has informed officers he has exercised his right of appeal against the civil penalty. Immigration enforcement have confirmed an appeal has been received.

POLICY CONSIDERATION

9. Members must carry out their functions with a view to promoting the four licensing objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

10. Members are respectfully reminded of the need to give due consideration to Stockton Borough Councils Licensing Policy Statement and the Section 182 Revised Guidance issued December 2022 under the Licensing Act 2003 when considering this application for review. Details regarding the full range of powers available to members can be found at section 11 of the Guidance.

11. At section 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 the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;
- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for employing a person who is disqualified from that work by reason of their immigration status in the UK;
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

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.

12. Copies of these documents can be found at:

www.stockton.gov.uk/article/1672/Welcome-to-Stockton-on-Tees-Borough-Council-s-Statement-of-Licensing-Policy

www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003/revised-guidance-issued-under-section-182-of-the-licensing-act-2003-december-2022-accessible

MEMBERS OPTIONS

13. Members are advised that under the provisions of Section 51(4) The Licensing Act 2003 the authority may, at any time, reject any ground for review if it is satisfied –

- that the ground is not relevant to one or more of the licensing objectives, or
- in the case of an application made by a person other than a responsible authority, that-
- the ground is frivolous or vexatious, or
- the ground is a repetition

14. If Members are not minded to reject this application, then under the provisions of Section 52(3) The Licensing Act 2003, the authority must, having regard to the application and any relevant representations take such steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the four licensing objectives. The steps are –
- a) to modify the conditions of the licence which could include reducing opening hours or requiring door supervisors at a particular time;
 - b) to exclude a licensable activity from the scope of the licence;
 - c) to remove the designated premise supervisor for example, because they consider that the problems are the result of poor management;
 - d) to suspend the licence for a period not exceeding three months;
 - e) to revoke the licence
 - f) and for this purpose, the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

Where the authority takes a step mentioned in (a) or (b), it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

15. The Committee also have the option to leave the licence in its existing state.
16. The premises licence holder has been invited to today hearing.
17. All interested parties who submitted representations have been invited to todays hearing.

ASSOCIATED PAPERS

The following appendices are attached for information:

- Appendix 1 Application for review
- Appendix 2 Supporting documents
- Appendix 3 Copy of the existing licence
- Appendix 4 Location Map
- Appendix 5 Representation from Cleveland Police
- Appendix 6 Representation from Immigration
- Appendix 7 Representation from Public Health

Assistant Director Regulated Services and Transformation:

Contact Officer:

Telephone No.

Email Address:

Financial Implications:

Marc Stephenson

Leanne Maloney-Kelly

01642 526566

leanne.maloney-kelly@stockton.gov.uk

None

Community Safety Implications:

The Licensing Act 2003 requires the licensing authority to have regard to:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Legal implications

Any decision made in respect of the review application can be appealed to the magistrate's court within 21 days by –

- 1 The applicant

- 2 The premises licence holder
- 3 Any other person who made relevant representations

Any decision made in respect of the review does not have effect until –

- the end of the period given for appealing against the decision, or
- If the decision is appealed against, the time the appeal is disposed of.

Human Rights

Members should have regard to the Human Rights Act when conducting this hearing.

Background Papers:

Stockton Borough Council Licensing Policy Statement and Section 182 Guidance.

Ward(s) and Ward Councillors:

Norton Central
Cllr Lisa Evans
Cllr Steve Nelson

Application for the Review of a Premises Licence or Club Premises Certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I Elliott Beavers (Responsible Authority)

(Insert name of applicant)

Apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Somerset Convenience Store 60 Somerset Road Norton Stockton-On-Tees	
Post town	Post code (if known) TS20 2ND

Name of premises licence holder or club holding club premises certificate (if known) Mr Jenseesan Arockyanathan

Number of premises licence or club premises certificate (if known) 041172
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Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates

(please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Licensing Authority c/o Elliott Beevers Licensing Officer Stockton-on-Tees Borough Council 16 Church Road Stockton-on-Tees TS18 1TX
Telephone number (if any) 01642 524802 / 07796 493661
E-mail address (optional) elliott.beevers@stockton.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

✓

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Please state the ground(s) for review (please read guidance note 2)

As a Responsible Authority under the Licensing Act 2003 I represent licensing at Stockton-on-Tees Borough Council. I apply for a review of the premises licence for Somerset Convenience Store 60 Somerset Road, Norton, Stockton-On-Tees, TS20 2ND due to the undermining of the licensing objectives:

- Prevention of Crime & Disorder

Mr Jenseesan AROCKYANATHAN is both the premises licence holder (PLH) and designated premises supervisor (DPS) at the premises since 28/02/24.

On the 11th July 2024 during an intelligence led joint visit with Licensing Officers and Home Office Immigration Enforcement Officers to two people were found to be working in breach of their conditions.

Immigration enforcement considered the information and evidence and concluded Mr Jenseesan AROCKYANATHAN has breached section 15 of the Immigration, Asylum and Nationality Act 2006 by employing (an) adult(s) subject to immigration control who have:

- a) not been granted leave to enter or remain in the UK, or
- b) their leave to enter or remain in the UK is invalid or has ceased to have effect, or
- c) who are subject to a condition preventing them from accepting the employment.

A civil penalty notice for illegal working of £80,000 was issued to Jen & Jamie Ltd company number, 13803511. A check of Companies House shows Mr Jenseesan AROCKYANATHAN is sole director of this company and has been since 15/12/21.

Licence holders are expected to upload and promote the Licensing Objectives. Section 182 guidance which accompanies the Licensing Act 2003 states that certain activity should be treated

particularly seriously, and this includes employing someone who is disqualified from work by reason of their immigration status in the UK, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Please provide as much information as possible to support the application (please read guidance note 3)

Further evidence including statements and interview transcript will be provided.

Please tick

✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to the premises please state what they were and when you made them

None

Please

tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature *E.F. Seavers*

.....
...

Date **14.10.24**

.....
...

Capacity **Responsible Authority**

.....
...

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

I Elliott Beavers (Responsible Authority)**Part 1 – Premises or club premises details**

Postal address of premises or, if none, ordnance survey map reference or description Somerset Convenience Store 60 Somerset Road Norton Stockton-On-Tees	
Post town	Post code (if known) TS20 2ND

Name of premises licence holder or club holding club premises certificate (if known) Mr Jenseesan Arockyanathan

Number of premises licence or club premises certificate (if known) 041172
<ol style="list-style-type: none"> 1. Following the application for a review of the premises licence held at the above address I attach additional evidence, acting as a Responsible Authority. 2. I am Licensing Officer employed and authorised by Stockton Borough Council. I have been employed in the Licensing Team since September 2021 and part of my duties is to investigate possible offences and conduct compliance checks in relation to the Licensing Act 2003. 3. On 11th July 2024 I joined Immigration enforcement officers on an intelligence led visit to Somerset Convenience Store located at 60 Somerset Road, Norton, TS20 2ND. The purpose of this visit was for Immigration officers to conduct checks on employees at the premises to ensure they have the right to work in the UK. 4. When entering the premises it was noted there was 3 female members of staff present. Immigration officers ran checks on these females which resulted in two of them being questioned further and subsequently arrested for breaching their working conditions. 5. On 13th August 2024 Jen & Jamie LTD which is the business registered at 60 Somerset Road, Norton, TS20 2ND was issued with a Civil Penalty of £80,000 due to the two females found to be working in the shop in breach of their conditions. A copy of this Civil Penalty notice can be found as EB1. 6. The Designated Premises Supervisor and Premises Licence Holder of Somerset Convenience Store, Companies House note Jeneesan AROCKYANATHAN as the sole director of Jen & Jamie LTD. Information from Companies House can be found as EB2. 7. On 9th September 2024, a referral was made from Cleveland Police to Trading Standards following confusion over a call for help made to police from a staff member at Somerset Convenience Store on 9 September 2024. 8. When Police spoke to the store owner, the store owner could not confirm the name or address of the staff member. A copy of the referral can be found as EB3. 9. Mr AROCKYANATHAN was interviewed by Licensing Officers on 12 September 2024 on the matters above. A copy of this summary transcript can be found as EB4. 10. Mr AROCKYANATHAN was asked about the two females who were found to be working illegally in his shop. He said these two females were friends of his partner. He denied these people were employed or getting paid and said they were there for training and seeing how the shop operated. He denied there was a view to employ these people after the training. 11. Mr AROCKYANATHAN claimed to know all of the staff that he employees however admitted he did not know these two females.

12. An application for the review of the premises licence was made as Mr Arockyanathan has failed to uphold the prevention of crime and disorder objective by employing illegal workers which is prohibited under the Licensing Act 2003 and the Immigration Act 1971 (as amended).

Signature

E.F. Seavers

Date

20/11/24

Capacity: Responsible Authority



Immigration Enforcement

Jen & Jamie Ltd
58-60 Somerset Road
Stockton-On-Tees
TS20 2ND

Civil Penalty Notice Illegal Working

This is an important notice. Please do not ignore it. You must either pay a penalty or object within 28 days of the date this notice is given.

This Civil Penalty Notice is issued in respect of (a) breach(es) under section 15 of the Immigration, Asylum and Nationality Act 2006.

Notice issue date: 09/08/2024
Notice given date: 13/08/2024

Reference: [REDACTED]

You are liable for a civil penalty

We encountered (a) suspected breach(es) of section 15 on 11/07/2024 at the following address: **Premier Store, 58-60 Somerset Road, Norton, TS20 2ND.**

We have considered the information and evidence in your case, and concluded that you have breached section 15 of the Immigration, Asylum and Nationality Act 2006 by employing (an) adult(s) subject to immigration control who have a) not been granted leave to enter or remain in the UK, or b) their leave to enter or remain in the UK is invalid or has ceased to have effect, or c) who are subject to a condition preventing them from accepting the employment.

Your penalty amount

Your penalty is £80000.00. You must pay on or before 10/09/2024. However, your penalty amount is discounted by 30% to **£56000.00** if you pay your penalty within 21 days (on or before **03/09/2024**) under the **Fast Payment Option**.

Your penalty breakdown

	Name	Date of Birth	Penalty value	Penalty reason
1	[REDACTED]	[REDACTED]	£40000.00	Breach of work restrictions
2.	[REDACTED]	[REDACTED]	£40000.00	Breach of work restrictions

Evidence of (a) breach(es) of the law

We hold the following evidence, as indicated by the presence of a cross [X] in the applicable box(es) below, that you have employed (an) illegal worker(s) in breach of section 15 of the Immigration, Asylum and Nationality Act 2006:

Interview records from officials who visited your business premises

Photographic evidence

Other: .

This evidence shows that the illegal worker(s) identified were employed by you under a contract of service or apprenticeship and carried out work for which they did not have permission to undertake. The attached **Statement of Case** sets out the reasons for the breach for each worker and the supporting evidence.

What you need to do

You must pay your penalty of **£80000.00** on or before **10/09/2024**. However, if you pay on or before **03/09/2024** the amount is discounted to **£56000.00**. If you wish to object you must do so by **09/09/2024**.

If we don't hear from you

If you do not pay your penalty, set up an instalment plan by **10/09/2024**, or object by **09/09/2024**, the penalty will be registered with the civil court, after which enforcement action may be commenced immediately (see section 18 of the Immigration, Asylum and Nationality Act 2006). This may have an adverse impact on your ability to obtain future credit and act in the capacity of a director in a company.

Your information may be placed into the public domain as a non-compliant employer. Regardless of payment of the civil penalty you should also be aware that your information may be shared with other government departments and agencies, for example the Insolvency Service. This may result in company director disqualification and if you have a sponsor licence, this could also be suspended or revoked. If you are subject to immigration control, your civil penalty liability may be considered in any future immigration application you make.

The Data Protection Act 2018 governs how we use personal data. For details of how we will use your personal information and who we may share it with please see our Privacy Notice for the Border, Immigration and Citizenship system at <https://www.gov.uk/government/publications/personal-information-use-in-borders-immigration-and-citizenship>. This also explains your key rights under the Act, how you can access your personal information and how to complain if you have concerns.

How you pay

Post: Send a cheque made payable to 'The Accounting Officer' quoting the reference number **327400** to: Order to Cash Team, Shared Services Connected Limited, HO Box 5003, Newport, Gwent NP20 9BB

Online: Use the link <https://www.gov.uk/payments/home-office/pay-home-office> to make a payment online and stating **327400** as your reference number.

Phone: Call **0345 0100 122** with your credit or debit card details and stating [REDACTED] as your reference number. **Bank:** Through your online business banking or in branch: Home Office bank details: **Nat West**, Sort code: [REDACTED], Account number: [REDACTED], Account name: **Home Office**, Reference: [REDACTED]

Instalments: You may request to pay the penalty by way of an instalment plan by Direct Debit. If you wish to take up this option you should contact the Shared Services Connected Limited by e-mail to Order-to-cash@homeoffice.gov.uk or telephone on **0345 0100 122** stating that you wish to request an instalment plan. Alternatively, you can write to the Order to Cash Team at: Order to Cash Team, Shared Services Connected Limited, HO Box 5003, Newport, Gwent, NP20 9BB.

We do not set up instalment plans where payment is made under the Fast Payment Option.

How you object

You may object to this **Civil Penalty Notice** on three grounds. These are set out in the enclosed **Objection Form**. We must receive your objection on or before **09/09/2024**. Please cross the box against one or more of the possible grounds on which you want to object, provide your reasons and sign at the bottom. You should send this form to us, together with any **supporting evidence** to: Civil Penalty Compliance Team, PO Box 665, Salford, M5 0LY. Or you can email it to us with scanned documents at CPCTenquiries@homeoffice.gov.uk or fax it to us on **0370 336 9287**.

If you would like a third party (e.g. a legal representative) to object on your behalf, you must ensure you send us a signed letter of authority. We will then send all communications to your authorised representatives. We will consider your objection and inform you of our decision within 28 days. You will not have to pay the penalty while we consider your objection. If you object to your penalty before the due date in this notice, you will continue to be eligible for a discounted penalty amount through the fast payment option. This option is only available where you have not been found employing illegal workers within the last three years.

If you need more information to ensure your future compliance

You can call our employer enquiry helpline on **0300 790 6268** if you have any questions.

You can visit our website on

<https://www.gov.uk/government/collections/illegal-working-penalties-codes-of-practice-for-employers> to view our Code of practice on preventing illegal working and guidance for employers, including guidance which sets out how we administer illegal working civil penalties. You can use our online employers' toolkit to help you understand your responsibilities and how to carry out the correct right to work checks on your employees. You can conduct an online check on your employee or prospective employee if they give you permission to do so. You can access the service here: <https://www.gov.uk/view-right-to-work>.

The Home Office offers training packages to increase your understanding of the immigration system which includes courses on immigration awareness, right to work and document fraud. For further information please contact IE-CAS@homeoffice.gov.uk.

Jen and Jamie Company Information

The screenshot shows a web browser window with the following elements:

- Browser Tab:** JEN & JAMIE LTD people - Find
- Address Bar:** find-and-update.company-information.service.gov.uk/company/13803511/officers
- Search Bar:** Search for a company or officer
- Company Name:** JEN & JAMIE LTD
- Company Number:** 13803511
- Buttons:** Follow this company, File for this company
- Navigation Tabs:** Overview, Filing history, People, More
- Section:** Officers
- Filter:** Filter officers, Current officers
- Summary:** 2 officers / 0 resignations
- Officer 1:** PETER JEVARAJAH, Anuysiya
Role: **ACTIVE** Secretary
Appointed on: 15 December 2021
- Officer 2:** AROCKYANATHAN, Jeneesan
Role: **ACTIVE** Director
Date of birth: March 1972
Appointed on: 15 December 2021
Nationality: British
Country of residence: United Kingdom
Occupation: Director

The Windows taskbar at the bottom shows the search bar with "Type here to search", several application icons, and the system tray with the time 12:42 and date 19/11/2024.

Header Details

Originator: ZWCC00000000
Message Reason: CS

Case Details

Case ID: ZWCC18490888
Case Code: 06 Enquiry - Consumer law/rights.
General Description: police info, re local shop, notify
Case Created: 09 / 09 / 2024 at 15:29:30
Recent Adviser: ZWIST
Case Updated: 09 / 09 / 2024 at 15:46:41
Sensitive Case: N
Additional Complaint:
Detriment:
Country Of Trade: GB
Survey Consent: NA

Customer Details

Name: Mr, Paul Chatterton
Address: Police Station, Town Centre, , BILLINGHAM, TS23 2LJ
Telephone: [REDACTED]
Email: [REDACTED]
Customer Code: 02 Business caller,
Customer Region: NE
Customer TSID: sotees
Consumer Awareness: 43 Friend / Family Recommendation

Contact Details

Contact Date: 09 / 09 / 2024 at 15:29:18
Contact Channel: 01
Communication Direction: I

Notes/Advice Given

SUMMARY: PCSO 6353 Cleveland Police Force - Police called to report shop. Police contacted shop as a call came from shop for help, victim is an employee of the shop, Police asked store owner the details of victim, store owner was unable to confirm name of address. Police found this strange that owner wouldn't know employee details. ADVICE: will notify TS. CB/ref/0808 ACTION: notify

Adviser ID: ZWIST

Contact Outcome: 05

RNS Actions: 1

To: NETSsotees

RNS Code: N

Case Classification: 05 Notification - FYI trader is located in TS area

Trader Details

Trader ID: NETR23802124
Trader Name: Premier Shop
Trader Class: 02
Trader Address: 58-60 Somerset Road, , , STOCKTON-ON-TEES, TS20 2ND
Trader Details Verified: N

Region / Nation ID	NE
Trading Standards ID	sotees

	EB	Yeah, just what it looks like to us, you see I don't know the full story. We've got very limited information. The information we got is the police were called for help by an employee and the staff didn't know the employee's details.
	JA	Right.
	EB	Do you know about that or not?
	JA	Oh, it was Melanie. Melanie.
	EB	Melanie's your wife, isn't she?
	JA	Yeah.
	EB	Yeah.
	JA	No, my partner.
22:00	EB	Sorry, she's not your wife. Partner, sorry. Right okay. So, then in September 2024 there was intel about underage sales of vapes to Trading Standards. In August 2024 you passed an alcohol test purchase, that was recently when Village Store sold. In July 2024, information about selling tobacco to children to Trading Standards, you got a written warning with advice.
	JA	Yeah.
	EB	Right. Okay. So, then in September 2024, there was intel about underage sales of vapes to Trading Standards. In August 2024, you passed an alcohol test purchase, that was recently when Village Store sold. In July 2024, information about selling tobacco to children to Trading Standards, you got a written warning with advice.
	JA	We don't sell tobacco or cigarettes to everyone underage. Very strict. I'm the one that do the mostly jump over there. I'm pretty sure, maybe somebody wrong complain or I don't know.
	EB	Yeah. I mean to say, again, it's just a lot of information.
	JA	I'm very tight with them. Really tight. I don't know how these complaints come in.
	EB	And obviously in July 2024, we had the Immigration visit which I joined them on and you were issued a civil penalty of eighty thousand pounds. The same date I referred an issue to Trading Standards. You were selling what looked to be very realistic looking toy guns. Have they contacted you about that?
	JA	No.
	EB	No, that's fine. As I say, I'm not sure there's anything in the legislation stopping you, but obviously ... so, do you know where the fridge is and the counter?
	JA	Yeah, yeah, yeah.
	EB	Up there.

	JA	The one after that, normally there.
	EB	Yeah, the black ones.
	JA	Yeah, air pistol. Used to be everyone selling.
	EB	Did they? I mean I've not seen anyone doing it recently and it just looked very realistic.
	JA	Yeah. Really too old then, I think.
	EB	Yeah, and just obviously it's with possibly the clientele you need to think of people coming into your shop.
	JA	Well, I am taking off, yeah.
	EB	And who's buying them. Sort of, you need to make sure that they're using it for a legitimate purpose.
	JA	Yeah, yeah.
	EB	Because the last thing you would want is, obviously, someone coming into your shop, buying one of them to use, you know, in crime, for example.
	JA	Yeah.
	EB	So, again just think about what you are selling.
	JA	Yeah. I'm going to stop them.
23:58	EB	And then in June '24 we surrendered twenty more vapes, nineteen being oversized and one with a fake UK address. Again, you were given a written warning. So, if we just go to the immigration issues. So, on 11 th July 2024, Licensing and Immigration visited your store. Two females were found to be working in breach of their working conditions and you have since received a civil penalty for this. When were these two people employed?
	JA	It's not employed, they are friends my partner.
	EB	They were friends with your partner.
	JA	My partner, yeah.
	EB	Right. So, if they weren't employed, then why were they at the shop?
	JA	No, they come visited my partner and she teach them, this is the way we tell using things. And then they asked them a part-time job, but she not tell them. We need to ask from me, then I went holiday as well.
	EB	So, your partner was training them to use the stuff in the shop.
	JA	Yeah. Not use.

	EB	No.
	JA	How to sell the customers, training, do these things. They are not ... we are not employ.
	EB	Right.
	KW	So, they weren't employed. They were just friends of your partner's.
	JA	Yeah.
	KW	And they were in the shop just seeing how the shop ran.
	JA	Yeah.
	KW	But they weren't working, is that what you're saying?
	JA	No, they are not working, no. But what you won't understand now, from the immigration people also they have got already, I think this month end, no this year end visa as well. They are legal immigrant, not illegal immigrant.
	EB	Yeah. I know, yeah. So, they're legal immigrants.
	JA	Yeah.
	EB	However, I'm not sure exactly what the specifics were, but I think they were sponsored by another company.
	JA	Yeah, another company and then after ...
	EB	But that resolved.
	JA	... they suspend another company and then I heard about news nowadays. But before we don't know that.
	EB	Right.
	JA	But we are not employ as well.
	EB	Right. Obviously, if they're working, that's where it's illegal. If you're saying that they weren't working, have you made any steps to appeal that civil penalty?
26:04	JA	Yeah. Well, we've done that, yeah.
	EB	You've appealed the civil penalty?
	JA	Yeah.
	EB	Right. Okay. That's fine. Okay, so with staff who are employed, if you're saying that they weren't employed, what right to work checks do you carry out, so to make sure that they are allowed to work?

	JA	No, we don't come to that point. They're come to the work. We only just train them, we don't ... yeah.
	EB	Yeah, so like, for example, if I turned up for your Somerset Road job, and said I want a job, or you were advertising for someone to work in there.
	JA	Yeah, yeah.
	EB	What checks would you carry out on me to make sure that I am allowed to work?
	JA	Well ID check properly, we did ID check properly.
	EB	Yeah.
	JA	Then we can do it, work with them, then you can start however you work and then we can ... when you see your work, then we can say okay, yeah you can work now.
	EB	Okay. So, you check their ID. If somebody wasn't a British national, would you check their residency permit?
	JA	Yeah. Residence permit, yes.
	EB	Yeah, and obviously we can check out with the Home Office as well.
	JA	Home Office right to check, yeah.
	EB	Yeah. Oh, right. So, are you aware of all that?
	JA	Yeah.
	EB	Okay, great. 'Cause obviously we just need to be careful if people do have residency permits, people do get fake ones.
	JA	Yeah, fake.
	EB	Where it might still be them and it'll say "indefinite leave to remain", but obviously they might have no work, then they can't work and ...
	JA	Even if people bring their provisional licence, also fake licence they are bringing to me.
	EB	Right.
	JA	Look like a fake one. You are not old enough. Carry on, no.
	EB	Yeah. So, just obviously, make sure we are crosschecking that with the Home Office and things like that.
	JA	Yeah.
	EB	Does anybody live at, or above the Somerset Road shop?

	JA	Yeah, my partner.
	EB	Oh, does she? Oh, right. Right, that's fine. Just because obviously, when we had the issue with the Village Store, I don't want to cross them over, but they are linked. So, when we had the issue with the Village Store with Shaki, obviously he told me he was living at Somerset Road, which obviously you've later said he wasn't. Obviously, it's just a bit concerning that when officers are asking the staff questions that they're obviously not giving truthful answers.
28:11	JA	I don't know exactly he's living, but he said to me where he living and then I said just give the new address wherever you're living and then he gives Somerset thing without ...
	EB	Yeah. That's what he said to me, yeah. And obviously that was concerning and then I think that followed with a visit from the fire brigade, didn't it?
	JA	Yeah, fire brigade.
	EB	Because we weren't sure who was living there. So, we just need to make sure that staff are aware of obviously the powers of us as officers. We would never overstep the mark, but again we would expect when we are using our powers for them to be respected and for us again not to be obstructed, which I was trying to tell Shaki at the time. And again, that can be included in your training. You mentioned obviously, I think you trained them on licence conditions ...
	JA	Correct.
	EB	... Licensing Act, so just make sure they're aware.
	JA	Yeah.
	EB	That obviously they need to be truthful with people. So, you mentioned to me later as well that he just comes in on a voluntary basis, is that right? Shaki?
	JA	Voluntary basis, yeah.
	EB	Yeah. So, are you aware of the members of staff that you employ? Do you know all your staff?
	JA	I know all the staff, but there's two girls I don't know exactly.
	EB	Right. 'Cause obviously the concerning thing was really with Shaki, obviously if you ... you said to me that you didn't know where he was living. Obviously, if you don't know him very well, then it's a bit concerning he's been left in charge of the shop on his own.
	JA	Yeah, I just suddenly go to Booker and come back quickly. I said stay here and then I'll go to Booker and come back.
	EB	'Cause obviously there's no training records for him either 'cause he said he was voluntary, but obviously if anybody is selling alcohol, they do need to be trained.
	JA	Trained, yeah.

	EB	'Cause obviously, you know, if you're leaving him even for two seconds and then we come in and test purchase you and he sells, it's back on you.
30:01	JA	No. I told them already. I told him already.
	EB	Which you need to make sure it's all noted down and all the staff are aware.
	KW	Yeah, put that in your training records, even if it's a voluntary member of staff, that they've been trained.
	JA	They've been trained. Yeah, that's right.
	EB	Yeah. And we need to make sure people are competent enough to be left on their own and if not, obviously they need to be supervised. Right. So, have you got any further questions, sorry, Kirsty?
	KW	You just mentioned there's two girls who you don't really know who the ...
	JA	The immigration, the Somerset immigration.
	EB	Yeah, the Somerset ones.
	KW	Oh right, but Elliott asked, do you know everyone who you're employing, and you said yes, just two girls. But you said you never employed them in the first place.
	JA	Yeah, yeah.
	EB	So, did you know them or not?
	JA	No, I didn't know them. My partner know.
	EB	Your partner knows them.
	JA	Yeah.
	KW	But they were never employed?
	JA	Never employed.
	KW	Never paid?
	JA	Never, never.
	EB	Okay.
	JA	Even they don't know the currency, how we can ... they're new, I think. Even they don't know different fifty pence and twenty pence.
	EB	Right.
	KW	Right.
	JA	So, how you can ...

	KW	No.
	EB	Okay. So, following this interview, we'll need to decide what action we need to take next, which isn't decided yet. We obviously need to decide what's most appropriate. And obviously we'll take into account the history and what's happened now and obviously your answers in this interview. So, we could possibly prosecute yourself for the underage sale or the member of staff who's made it. We could choose to review the licence which could result in the revocation of the licence so you couldn't sell alcohol any more or further conditions being added to that to obviously make it stricter. We may ask you to do a minor variation if that's something that you'd be willing to do to again add further conditions, but not go down the route of a review. We may decide to give you a warning in this case or we may decide to take action against your personal licence for failings at the premises, such as lots of complaints, underage sales, vape non-compliance and the immigration issues. Again, it's not decided yet what action we are going to decide to take. It will need to be discussed with my supervisor to decide what's best. Obviously, when I do know, I'll let you know and then obviously we'll take whatever comes from there. Does that make sense?
32:19	JA	Yeah.
	EB	Yeah.
	JA	To be honest I really, really tight all the staff with everything I need to know. I mean no ID, no sale, that's it. No second answer. That's what I teach them. No ID, don't sell anything. Oh, you know my mum, you know my dad. It doesn't matter. Bring the ID photo, ID, that's it. No ID, don't sell. Really tight with them now, really tight. Even every single day I teach them. When I go to cash and carry and come back and then, you know, no ID, no sale, always remember.
	EB	Yeah. Okay. Have you got anything further to add before we conclude the interview?
	JA	I'm fine.
	EB	That's fine, okay. So, I'm now handing you the Notice to Persons Being Interviewed. Sorry, can you just get me the number please, Kirsty?
	KW	ESD 1779.
	EB	So, if you can just read that handwritten bit on top of that. So, that tells you how you can get a copy of the discs, if you'd like one.
	JA	Yeah. I read the line.
	EB	So, if you just read that for me, just read it for me. Just the handwritten bit there to confirm receipt.
	JA	Yeah. Oh, right. T50 or TSD?
	KW	ESD.
	EB	Yeah, ESD.

	JA	ESD/1779.
	EB	Great, that's fine. So, the time is now forty-six minutes past two and the interview is concluded.

LICENSING ACT 2003

PREMISES LICENCE (PART B)

PREMISES LICENCE NUMBER: 041172

PART 1

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

**Somerset Convenience Store
60 Somerset Road, Norton, Stockton-On-Tees, TS20 2ND**

WHERE THE LICENCE IS TIME LIMITED THE DATES

N/A

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

SUPPLY OF ALCOHOL



.....
Marc Stephenson
Assistant Director
Community Safety and Regulated Services

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

SUPPLY OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES

MONDAY: 08.00 until 23.00
TUESDAY: 08.00 until 23.00
WEDNESDAY: 08.00 until 23.00
THURSDAY: 08.00 until 23.00
FRIDAY: 08.00 until 23.00
SATURDAY: 08.00 until 23.00
SUNDAY: 08.00 until 23.00

Christmas Day: 12 Noon until 3.00pm and 7.00pm until 10.30pm
Good Friday: 08.00am until 22.30pm

THE OPENING HOURS OF THE PREMISES

MONDAY: 08.00 until 22.30
TUESDAY: 08.00 until 22.30
WEDNESDAY: 08.00 until 22.30
THURSDAY: 08.00 until 22.30
FRIDAY: 08.00 until 22.30
SATURDAY: 08.00 until 22.30
SUNDAY: 08.00 until 22.30

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF SUPPLIES

Supply Of Alcohol OFF The Premises

PART 2

NAME AND (REGISTERED) ADDRESS, TELEPHONE NUMBER AND E-MAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Mr Jenseesan Arockyanathan
58-60 Somerset Road, Norton, TS20 2ND

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

N/A

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Mr Jeneesan Arockyanathan

STATE WHETHER ACCESS TO PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

ANNEX 1

MANDATORY CONDITIONS AND EMBEDDED RESTRICTIONS

MANDATORY CONDITIONS

- **No supply of alcohol may be made under the premises licence:**
 - (a) at any time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at any time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- **Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.**
- **This Licence/Club Registration Certificate is subject to such further conditions as are consistent with any restrictions imposed on the use of the premises for the existing licensable activities under the licence by virtue of the enactments hereinafter set out:-**

The Children and Young Person Act 1933
The Cinematograph (Safety) Regulations 1955
The Sporting Events (Control of Alcohol etc) Act 1985
- **(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.**

(2) The designated premise supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-

 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- **A. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price**

B. For the purposes of the condition set out in paragraph A -

 - (a) "duty" is to construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -
$$P=D+(D \times V)$$

Where-
 - (i) P is the permitted price

- (ii) D is the amount of duty chargeable in relation to the alcohol as if duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
 - (ii) the designated premise supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994

C. Where the permitted price given by Paragraph (b) of paragraph B would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny

D. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph B on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

EMBEDDED RESTRICTIONS

- **Off-Licence Consumption**

Alcohol shall not be sold in an open container or be consumed in the licensed premises.

- **Off Licences and off sales depts of on licensed premises Permitted Hours**

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- a) On weekdays, other than Christmas Day, 8.00am to 11.00pm
- b) On Sundays, other than Christmas Day, 10.00am to 10.30pm
- c) On Christmas Day, 12 Noon to 3.00pm and 7.00pm to 10.30pm
- d) On Good Friday, 8.00am to 10.30pm

The above restrictions do not prohibit:

- a) During the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- b) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- c) The sale of alcohol to a trader or club for the purposes of the trade or club;
- d) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's Naval, Military or Air Forces.

ANNEX 2

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

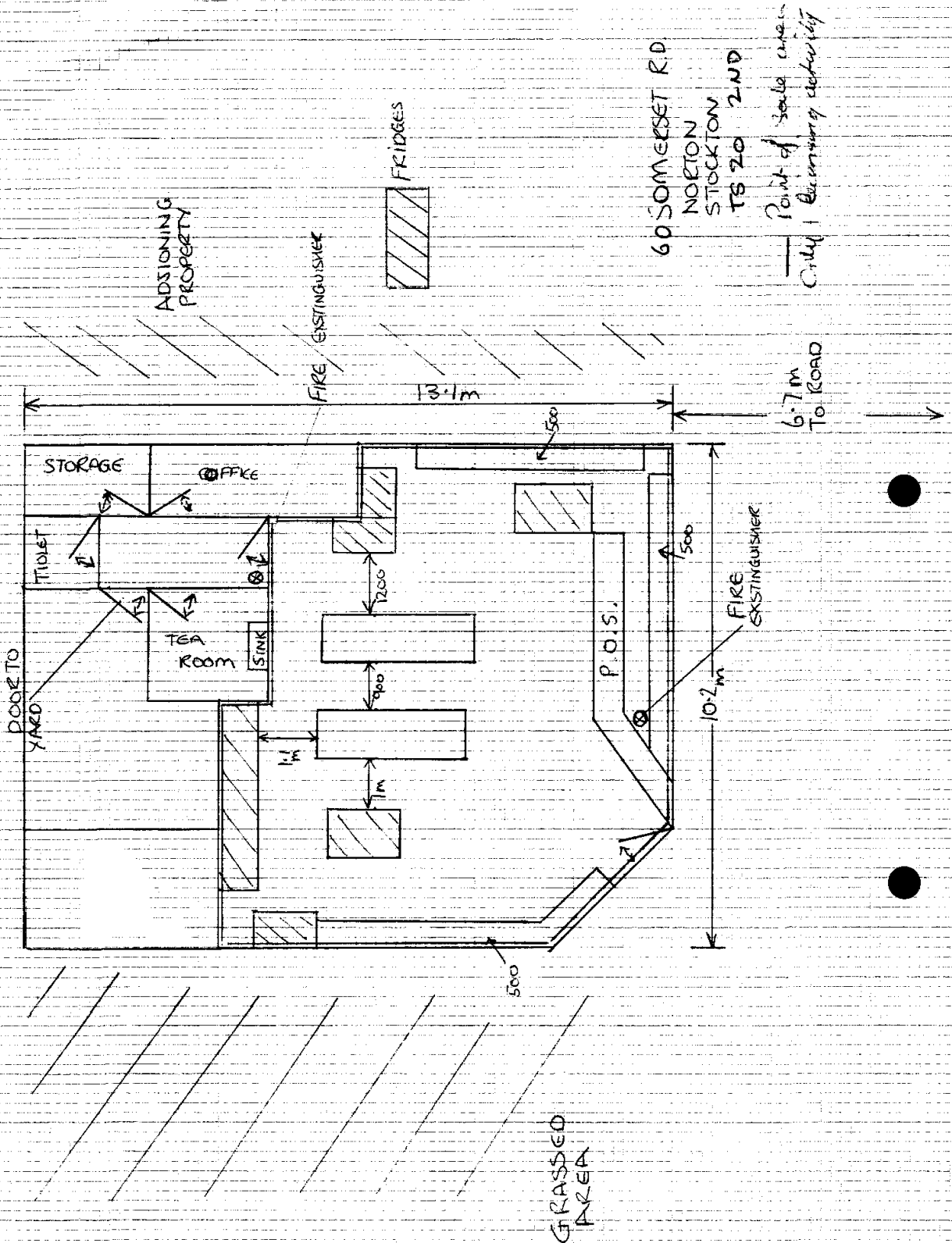
PREVENTION OF CRIME & DISORDER

- CCTV equipment shall be maintained in good working order in accordance with the manufacturer's instructions.
- A digital CCTV system shall be installed to the public areas of the premises.
- A notice or notices shall be displayed in and at the entrance to the premises where they can be clearly seen and read and shall indicate that it is unlawful for persons under 18 to purchase alcohol or for any person to purchase alcohol on behalf of a person under 18 years of age.
- Ensure sight of evidence of age from any person appearing to those engaged in selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol.

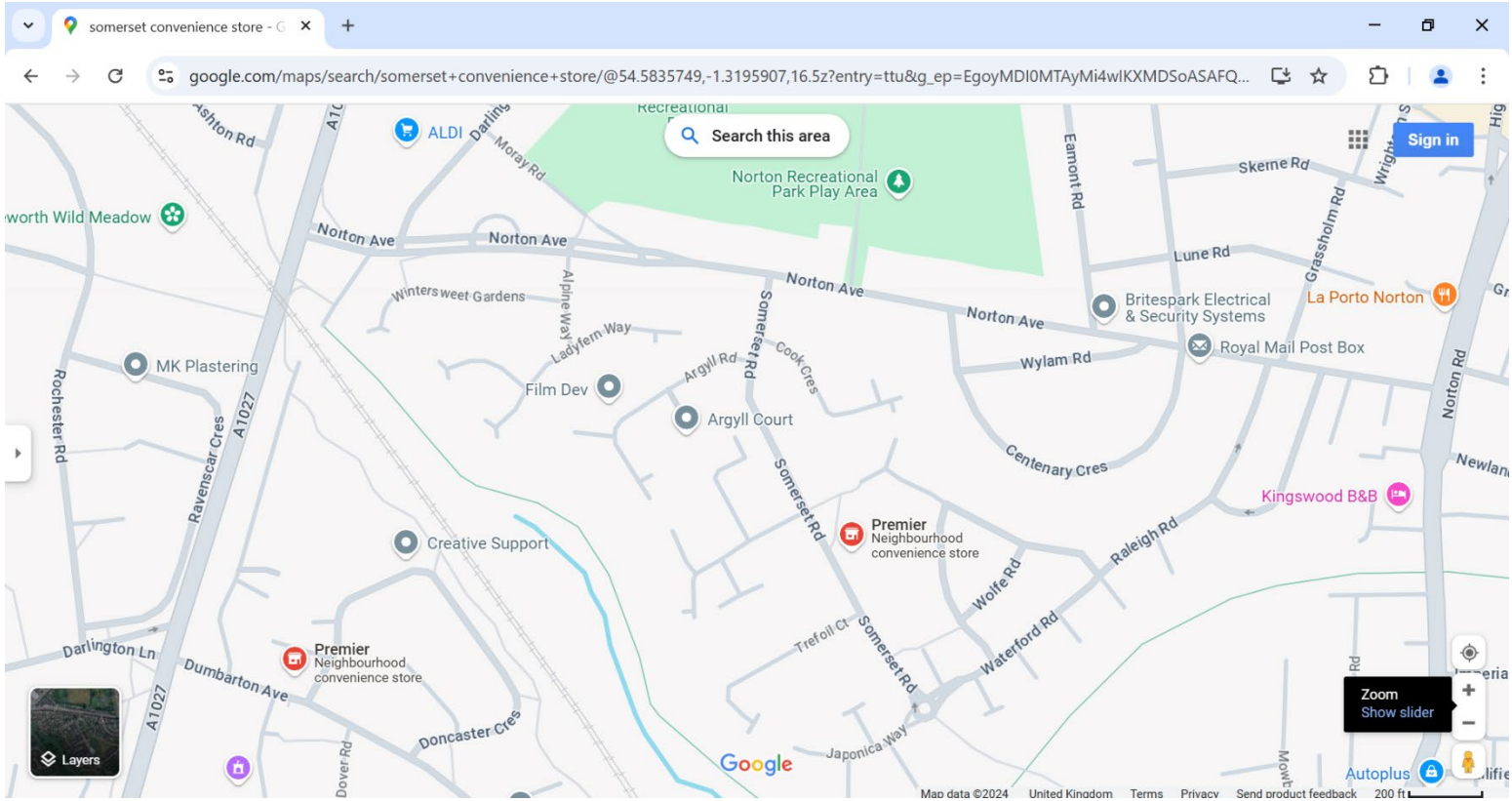
ANNEX 4

PLANS (NOT TO SCALE)

SCALE: 1:100



Location of Premises





CLEVELAND POLICE WITNESS STATEMENT

Appendix 5

(CJ Act 1967, s9 MC Act 1980, ss5A(3)(a) and 5B; Criminal Procedure Rules 2005, r.27.1(1)



URN	17				
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Statement of Glyn Eric Bavin

Age if under 18 Over 18 (If over 18 insert "Over 18") Occupation Police Sergeant 417

This statement (consisting of 4 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 anything in it, which I know to be false, or do not believe to be true.

Signature Glyn Bavin Date: 08/11/2024

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

I am a serving police officer with Cleveland Police. I am currently stationed with the Licensing Support Unit at Middlesbrough Police HQ, a role which I have carried out for the past five years.

My role within the Licensing Support Unit is that of Licensing Supervisor. I supervise the Police Alcohol Licensing Officers for the four districts of the Force. The Licensing Support Unit aims to work in partnership with licensing authorities, other responsible authorities and stakeholders to ensure the proactive promotion of the licensing objectives within the Force's area.

This statement is in relation to a review brought by Stockton council against Somerset Convenience Store 60 Somerset Road, Norton, Stockton-On-Tees, TS20 2ND, the premise is a convenience store which sells food and beverages.

The premise licence states that the store is for supply of alcohol for consumption off the

Signature Signature Witnessed by

[REDACTED]
CLEVELAND POLICE

Page No 2

Continuation of Statement of Glyn Eric Bavin

premise, between the hours of 09:00 hours to 23:00 hours. Name and registered address of premise licence holder is Mr ~~Jeneesan Arockyanathan~~ 27 Mulberry Wynd, Stockton-On-Tees, TS18 3BF.

Any premises with a licence has certain obligations with regards to both the four licensing objectives and the conditions laid down in their premise licence. This includes abiding by the allocated hours it is allowed to carry out licensable activity and following the conditions, both the mandatory one and those put forward by themselves or agreed with responsible authorities which are set out in annex 2 of the licence. Both sets of conditions are legally binding and should be adhered to.

The owners and management of the premise should also be aware of what is happening in their premise and should do everything in their power to assure that illegal activity is not happening from their premise and uphold the licensing objectives.

On the 11th of July 2024 during an intelligence led joint visit with Licensing Officers and Home Office Immigration Enforcement Officers to two people were found to be working in breach of their conditions. Immigration enforcement considered the information and evidence and concluded Mr ~~Jeneesan AROCKYANATHAN~~ has breached section 15 of the Immigration, Asylum and Nationality Act 2006 by employing (an) adult(s) subject to immigration control who have:

- a) not been granted leave to enter or remain in the UK, or
- b) their leave to enter or remain in the UK is invalid or has ceased to have effect, or

[REDACTED]
CLEVELAND POLICE

Page No 3

Continuation of Statement of **Glyn Eric Bavin**

c) who are subject to a condition preventing them from accepting the employment.

A civil penalty notice for illegal working of £80,000 was issued to Jen & Jamie Ltd company number, 13803511. A check of Companies House shows Mr ~~Jenseesan~~ AROCKYANATHAN is sole director of this company and has been since 15/12/21.

Paragraph 11.27 of the Section 182 Guidance to the Licensing Act 2003 (April 2018) states that "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"

In my experience Illegal workers are extremely vulnerable as they have NO support mechanisms in place and can be quite easily taken advantage off.

This is the second time that illegal workers have been found working at a premise where MR ~~Jenseesan~~ AROCKYANATHAN has been the premise licence holder.

Not only is AROCKYANATHAN willing to have illegal workers in his premise, but I have also submitted a similar statement in relation to another premise where MR AROCKYANATHAN is the premise licence Holder in relation to underage sales.

Cleveland Police cannot condone illegal activity being allowed to take place from a licensed premises, especially after they have been warned of this illegal activity by the


CLEVELAND POLICE

Page No 4

Continuation of Statement of **Glyn Eric Bavin**

council, and furthermore cannot condone working outside the remit of their premises licence and not abiding by the conditions of that licence when other premises are working hard to do just that.



Immigration Enforcement

Immigration representation in support of an application for the review of a premises Licence.

On behalf of the Secretary of State, Home Office (Immigration Enforcement) makes representations in support of the following application for the review of a premises licence, relating to the prevention of crime and disorder objective, including the prevention of illegal working and immigration crime in licensed premises.

IE wishes to make representations on an application for a review of a premises licence.

Details of Premises:			
Premises Licence Holder:			
Mr Jenseesan Arockyanathan			
Name and Address of Premises:			
Somerset Convenience Store 60 Somerset Road Norton			
Post Town:	Stockton-on-Tees	Post Code:	TS20 2NE

Representations are being made for the following reasons:

One of the four licensing objectives which underpins the Licensing Act 2003 is the prevention of crime and disorder and all operators are expected to take steps to promote the licensing objectives. Home Office (Immigration Enforcement) believes Mr Jenseesan Arockyanathan has failed to uphold the prevention of crime and disorder objective by employing illegal workers which is prohibited under the Licensing Act 2003 and the Immigration Act 1971 (as amended).

Employing illegal workers in the UK has the following impact on the community and society as a whole: -

1. It deprives HMRC and the Government of revenue by non-payment of tax and national insurance.
2. It exploits the undocumented by paying them less than the minimum wage and provides no employment or income protection.
3. It encourages other overstayers / illegals to seek similar work.
4. It allows a business to unfairly undercut other businesses by employing cheap labor.
5. Illegal workers are often housed in cramped and unsatisfactory conditions by the employer as part of their working arrangement.

Officers from Immigration Compliance and Enforcement together with Licensing Officers from Stockton-on-Tees Borough Council visited Somerset Convenience Store, 60 Somerset Road, Norton, Stockton-on-Tees, TS20 2NE on 11/07/2024. During the visit two persons were encountered working illegally in breach of their visas working conditions.

A civil penalty of £80,000 was issued to Jen & Jamie Ltd for the employment of two illegal workers.

Signatures

Signature of Responsible Authority

Home Office Immigration Enforcement

Date:

11/11/2024

Capacity:

Responsible
Authority

Details of Responsible Authority

Name and Address:

Home Office Immigration Enforcement
The Alcohol and LNR Licensing Team
40 Wellesley Road
Croydon
CR9 2BY

Email address
(optional):

IE.Alcoholreviews@homeoffice.gov.uk

Representations On A Current Application For A Review Of A Premises Licence Or Club Premises Certificate Under The Licensing Act 2003

Section 1 – Licence Application Details

Applicant Name (If Known)	Somerset Convenience Store
Premises Name and Address	60, Somerset Road Norton Stockton-on-Tees TS20 2ND

Section 2 - Responsible Authority

- Trading Standards
- Cleveland Police
- Environmental Health
- Cleveland Fire Service
- Planning
- Protection of Children From Harm
- Public Health

Section 3 – Representation Grounds

<p>The representation is relevant to one or more of the following licensing objectives:</p> <p>Please tick relevant box(es)</p>	<input checked="" type="checkbox"/> Prevention of Crime and Disorder
	<input type="checkbox"/> Prevention of Public Nuisance
	<input type="checkbox"/> Protection of Children from Harm
	<input type="checkbox"/> Public Safety

<p>The grounds of the representation is based on the following: (Please continue on a separate sheet if necessary)</p> <p>The Public Health team have reviewed the evidence provided by licensing colleagues in respect of Somerset Convenience Store and the recent illegal working found at the premises, which led to a civil penalty notice.</p> <p>After considering the information provided, Public Health is in full support of the review application submitted by SBC Licensing, due to the undermining of the following licensing objectives:</p> <ul style="list-style-type: none"> • Prevention of Crime & Disorder

It is the responsibility of the licence holder to uphold the conditions on their licence and to uphold the four licensing objectives, with robust procedures and staff training in place to support these.

The employment of persons not legally allowed to work in the UK is in clear breach of the principal licensing objective of Prevention of Crime and Disorder. Actions such as this drive the trade on illegal migration leading to the exploitation of already vulnerable people and is linked to modern day slavery. This puts illegal workers at risk of health inequalities, which disproportionately affect people in more vulnerable circumstances, such as undocumented migrants. Commonly this includes the experiencing of poor mental health, post-traumatic stress disorder (PTSD), anxiety and depression. This can then mean they experience high levels of unmet health needs and poor access to health services. ([Modern slavery and public health - GOV.UK](#), accessed on 8/11/24).

In the context of the evidence above, in order to prevent further undermining of the licensing objectives of Prevention of Crime and Disorder - and further risk to Public Health - Public Health fully supports the review application submitted by SBC Licensing.

Signed: T. Hyman

Position: Public Health
Practitioner, SBC Public Health

Dated: 11/11/2024

When complete this form should be returned to the address above or e-mailed to licensing.administration@stockton.gov.uk