

**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 Sergeant Gareth Gosling on behalf of the Chief Officer of Dorset Police

(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	
Hillside Stores 289 Kinson Road	
Post town Bournemouth	Post code (if known) BH10 5HE

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

Number of premises licence or club premises certificate (if known)
BH101479

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)

☐

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

Drug & Alcohol Harm Reduction Team
Poole Police Station
Wimborne Road
Poole
Dorset

Telephone number (if any)

E-mail address (optional)

licensing@dorset.pnn.police.uk

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

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

Please tick one or more boxes ✓

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

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

The Prevention of Crime and Disorder

Dorset Police bring this premises licence before the members of the Licensing Sub-Committee for review on the basis that there is evidence that this premises is associated with employing illegal workers contrary to immigration legislation.

In consultation with partners from HM Immigration, Compliance and Enforcement Team (Home Office), Dorset Police no longer have confidence in the Premises Licence Holder to uphold the licensing objectives.

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

This application for a review of the premises licence for the premises known as *Hillside Stores / Premier Stores*, is being submitted by Dorset Police as we can demonstrate that this premises has undermined the licensing objective to Prevent Crime & Disorder.

It is and always has been the intention of Dorset Police Drug & Alcohol Harm Reduction Team to engage and support licensees throughout Dorset to promote the four licensing objectives of Preventing Crime & Disorder, Preventing Public Nuisance, Promoting Public Safety and Protecting Children from Harm.

Partners from the South Central Immigration, Compliance and Enforcement Team within HM Immigration Service conducted a visit to this premises on Thursday 7th November 2024 following receipt of intelligence which indicated that Immigration offences were routinely being committed at that premises.

The lead officer in that operation has provided evidence highlighting key concerns and the impact that premises that are responsible for committing Immigration offences have on our communities. The Premises Licence Holder is directly associated with the offences and further details of these offences, including the arrest of one individual for working illegally at the premises, is included in attached Supplementary Submission from HM Immigration Enforcement.

Section 11.27 of the Revised Guidance issued under Section 182 of the Licensing Act 2003 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;"*

Section 11.28 continues, *"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."*

The Guidance identifies that this activity is sufficiently serious to justify revocation of the premises in the first instance. Members of the Sub-Committee will note from the statement of the lead officer that individuals associated with this premises, including the Premises Licence Holder, should have had regard to the requirements when employing individuals into their business, further supporting the necessity to consider revocation of this premises licence.

In addition to the immigration offences, Dorset Police are particularly concerned that this premises was storing large quantities of Nitrous Oxide canisters that have recently included as a Class C substance where its intended use is not legitimate and likely to be used to inhale. There has been a national public health concern that led to this change in legislation and the continued possession of this substance at this premises is a significant concern.

Dorset Police, through our Drug & Alcohol Harm Reduction Team, working with other colleagues within Dorset Police and our external partners, support licensed premises to provide value to their communities and to do so compliantly and in promotion of the licensing objectives. This premises, having been under the control of the existing operator for some time, has been identified as not operating to the high standards that are expected by Dorset Police and our partners.

Dorset Police are committed to supporting our partners to relentlessly pursue those premises that cause harm to any of our communities, and in doing so, support compliant businesses adding social and economic value to the community.

Dorset Police invite the Sub-Committee to consider all the options available to them under the Licensing Act 2003 with consideration to be given to revocation of the Premises Licence if the members of the Sub-Committee cannot be reassured that the operator is able to deliver licensable activities compliantly and in promotion of the licensing objectives.

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

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



Date **16th April 2025**

Capacity **Police Sergeant**

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)



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:			
Sujeevan MURALIMOHAN			
Name and Address of Premises:			
Premier, Hillside Stores, 289 Kinson Road, Bournemouth			
Post Town:	Dorset	Post Code:	BH10 5HE

Representations are being made for the following reasons:

Intelligence was received by the Home Office surrounding allegations of illegal working at the **Premier Store/Hillside Stores, 289 Kinson Road, Bournemouth, Dorset, BH10 5HE**. An enforcement visit was therefore requested to be conducted to investigate this allegation.

Following this visit, Home Office Immigration Enforcement (HOIE) considers that **Sujeevan MURALIMOHAN** (director of Hillside Store and Premises License Holder) is not taking suitable measures to prevent crime and disorder. Following our enforcement visit it was found that the business has employed an illegal worker 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: -

- It deprives HMRC and the Government of revenue by non-payment of tax and national insurance.
- It exploits the undocumented by paying them less than the minimum wage and provides no employment or income protection.
- It encourages those without permission to work to seek similar employment.
- It allows a business to unfairly undercut other businesses by employing cheap labour.
- Illegal workers are often housed in cramped and unsatisfactory conditions by the employer as part of their working arrangement.

HOIE supports the review from the Dorset Police Drug & Alcohol Harm Reduction Team regarding the following business:-

Premier/Hillside Stores, 289 Kinson Road, Bournemouth, Dorset, BH10 5HE.

HOIE conducted an enforcement visit to **PREMIER/HILLSIDE STORES** just after midday on the **07/11/2024**. During this visit **PREMIER/HILLSIDE STORES** was found to be employing an illegal worker. Below is a full breakdown of each of the findings by Immigration Enforcement during the visit.

During this visit, HOIE encountered 1 Indian (IND) male who was suspected of illegally working at the business premises, based on the intelligence that had been received. The shop was open to the public and holds a Premises License which permits the business to sell alcohol - Licensable Activity. Upon entry, there were no customers present although there were customers using the shop during our visit. The male was alone in the shop. He was initially spoken to by the OIC to explain to him why we were there, explain our Power of Entry, and serve the relevant documents to effect a lawful entry, however he went behind the counter and started to use his phone, and did not listen to what was being said to him. He refused to obey numerous requests from 2 Immigration Officers asking him to stop using his phone and to engage with us. He refused to do so. He then lodged himself behind the counter and refused to come out and actively resisted any attempts by Immigration Officers to engage, to the point that he lashed out at the Immigration Officers. This unfortunately resulted in the IND male having to be handcuffed in order to de-escalate the situation, effect arrest, prevent his escape, protect colleagues, protect the public and protect himself.

The details of the 1 male are as follows:-

██████████, ██████████, Indian male. ██████████ entered the UK on a student visa on ██████████/2022 but failed to enroll on his course which led to his visa being curtailed and leave expiring on ██████████/2023, at which point he became an Overstay in the United Kingdom with no right to work.

He was initially encountered on the shop floor on entry, in the Staff Only area at the back of the shop, but moved behind the counter shortly thereafter.

██████████ was interviewed in relation to employment at the business, where all he named **Sujeewan MURALIMOHAN**, as the person who had employed him and tells him when to work. He also stated during interview that **MURALIMOHAN's** "missus" (sic) also told him when to work, but did not mention her name.

During interview, ██████████ admitted to starting at **PREMIER/HILLSIDE STORES** on the 18th/19th October 2024 and working from 3 days per week, Monday, Wednesday and Thursday, from 0900 to 1300, although if someone else could not work their shift, he would come in. ██████████ stated that it was not work, he was "just training", as he did not get paid. However, on entry, ██████████ was the only person present in the shop, and he was unsupervised.

During interview, ██████████ admitted to receiving training to sell alcohol.

During interview, ██████████ admitted to receiving training on how to use the till and handle cash.

During interview, ██████████ admitted to receiving training on how to stock the shelves.

As [REDACTED] appears to have received a substantial level of training to conduct several of the main functions of running the shop, it is therefore a reasonable suspicion that he is no longer undertaking any training, but is being paid a wage that is potentially cash in hand.

Following his arrest, it was discovered that [REDACTED] had £100 in cash in his trouser pocket. He denied that it was his, and that it belonged to his boss and was the "shop's money", which **MURALIMOHAN** confirmed, and this money was returned to **MURALIMOHAN** who advised that the reason he had it in his trouser pocket was to keep the till low to prevent robbery.

During interview, on being told that **MURALIMOHAN** had stated to the Immigration Officer interviewing him that he had started in April 2024, [REDACTED] then stated that he had stopped training in April and had not been back at the shop until October 2024 when he was requested back by **MURALIMOHAN**. This does not appear to follow any standard training regime and on balance of probabilities is more suggestive of actual employment.

During interview, when asked if he had confirmed to **MURALIMOHAN** that he was not allowed to work, [REDACTED] stated **MURALIMOHAN** did not know.

During interview [REDACTED] confirmed that he had provided his BRP, Passport and Driving Licence to **MURALIMOHAN**. Had **MURALIMOHAN** conducted the requisite Right to Work checks using this documentation in April 2024, it would have been evident to him that [REDACTED] had no permission to work in the United Kingdom due to him being an Overstay since 2023.

The owner/DPS, **Sujeewan MURALIMOHAN** was not initially present at the premises when we arrived, however he did come to the shop shortly thereafter.

Sujeewan MURALIMOHAN was interviewed on the premises regarding the 1 illegal worker found, as he had been identified as being responsible for the hiring process at the premises. **MURALIMOHAN** stated to an Immigration Officer that he was involved in the employment of workers for this business.

During interview, **MURALIMOHAN** stated that [REDACTED] was not really employed but that he "calls him in when there is no staff" and "just uses him for cover".

During interview, **MURALIMOHAN** was asked what training [REDACTED] had received and he stated "how to serve customers and stock shelves". On being asked where the staff records were, **MURALIMOHAN** replied "My missus, she looks after all that. I think it's at home". This is a breach of his license condition "2.9. Training records shall be maintained and kept on the premises and made available for inspection by Authorised Officers upon request."

During interview, **MURALIMOHAN** was asked what duties [REDACTED] has at the business and **MURALIMOHAN** stated "Till and merchandise. He has no personal license, so always me and my missus is here". As previously stated, [REDACTED] was alone in the shop when we arrived.

During interview **MURALIMOHAN** stated that [REDACTED] had come to the business "a few months back" for training and had been working off and on at the premises since then especially when **MURALIMOHAN** needed to do school runs.

During interview, on being asked what Right to Work checks he carried out, in reply, **MURALIMOHAN** stated that he "wasn't really trying to employ" [REDACTED]. He stated that [REDACTED] had produced a residence permit, passport and driving licence but he had not conducted the checks in April as he had retained [REDACTED]'s passport at his house for this purpose but it was stolen due to his house being burgled in April 2024. This does not explain why **MURALIMOHAN** did not conduct the checks using the details on the residence permit allegedly provided to him at the time, or why he allowed someone to work at his premises either then or

from October 2024 without again conducting the correct Right to Work checks and confirming that he was lawfully able to employ that person.

During interview, on being asked whether [REDACTED] had told **MURALIMOHAN** what his immigration status was, **MURALIMOHAN** stated "He is a student. When he came for training, a year ago, the card was in date. I just use him for cover. He's not really employed. He said mostly he was in London sometimes Bournemouth". Although the card that **MURALIMOHAN** refers to had an expiry date on it, this is NOT confirmation that the bearer a) still has lawful permission to remain in the United Kingdom and b) still has the lawful permission to work, as situations change after the issue of these cards, such as is the case with [REDACTED]: he did previously have leave and permission to work, but the Right to Work checks are there to confirm that these permissions are still extant. Any prospective employee must have their status checked by the prospective employer, regardless of what is presented to them by that prospective employee, and to conduct regular checks to confirm the relevant permissions are still ongoing which is what **MURALIMOHAN** has failed to do.

During interview **MURALIMOHAN** stated that [REDACTED] was paid "sometimes in food, other times it's food and £10", as well as sometimes providing him with jumpers.

During interview, on being asked whether [REDACTED] sells alcohol, **MURALIMOHAN** stated that there is "normally a DPS on the premises when he does but he knows what to do". He also stated that the till prompts the Challenge 25 questions. On being asked what "he knows what to do" meant, **MURALIMOHAN** replied "The morning shifts when he is here the alcohol sales are low". This indicates that there are alcohol sales made on the shifts that [REDACTED] is working, and again, he was alone on the premises when we arrived.

During interview, on being asked what happens regarding tax and national insurance contributions in respect of [REDACTED] after **MURALIMOHAN** stated he does get paid some money, **MURALIMOHAN** stated "To be honest, he never works here, I don't really pay him because he is not trained", which is a contradiction to what he had previously said regarding [REDACTED] is only training at the premises, and also that he only brings him in for cover. As **MURALIMOHAN** stated [REDACTED] is not trained, this is a breach of his license condition "2.8. All staff shall be trained in the sale of alcohol under guidance issued by Trading Standards and retraining shall be carried out at regular intervals." There are also potential HMRC tax implications.

There appeared to be no written contract between the [REDACTED] and **MURALIMOHAN**, just a verbal request made by **MURALIMOHAN** or his wife, and [REDACTED], regarding the hours and days he should work.

LICENSING OBSERVATIONS

As OIC, I spoke to **MURALIMOHAN** surrounding some concerns relating to his license and what we had found on our visit.

I advised that the license was not on display; **MURALIMOHAN** was very dismissive when I asked where it was. He stated it was renewed on 18/10/2024 but has not been on display since then as it is in his office. When I asked him why it wasn't on display he just showed me his phone, told me he'd renewed it and again said it was in his office.

There was, in my opinion, insufficient Challenge 25 signage near all the coolers selling alcohol. **See Appendix A.** This is a potential breach of license condition 2.10 which requires Challenge 21 Signage (for example notices asserting "no proof of age - no sale" and "think 21") shall be displayed in prominent positions throughout the premises, including in particular at or near the till point, shop entrance and in areas where alcohol is displayed. Other than such signage, a notice stating the opening hours of the shop and such signs as may be required by law (for example the

"No Smoking" sign), no notices or signs shall be attached or affixed to the entrance to the premises whenever the same are open so as to maintain as good an external view as possible.

He did not, in my professional opinion, seem to take anything on this visit seriously, either relating to his license or employing people in the correct manner.

I attended the premises in full branded uniform and he referred to me as "love" a couple of times and was quite dismissive of me; I had to request he not address me in that way as I did not find it respectful.

MURALIMOHAN was not particularly engaging with my colleague who was trying to conduct an interview with him; he kept taking phone calls instead of speaking to my colleague, which, again, was quite disrespectful and non-compliant.

During interview, **MURALIMOHAN** was asked to access the CCTV in order that we could ascertain how long [REDACTED] had been working, what hours, and if he was regularly alone, but **MURALIMOHAN** stated he didn't know how to access it, only his wife did, he thought it was on her phone. This hampered our ability to complete a full and effective investigation surrounding those matters on the day and is a potential breach of Condition 2.1. of **MURALIMOHAN**'s license which states "A CCTV system shall be installed and/or maintained in accordance with the reasonable recommendations of Dorset Police Crime Prevention Officer. The CCTV system shall include an external camera covering the entrance to the premises. CCTV recordings shall be retained for a minimum period of 28 days and copies made available to the Police and other Responsible Authorities on request."

There was a large Crystal Head Vodka bottle on display on the front counter which looked to be the 3 litre size which is 40%ABV, which retails at approximately £269.95 sat right next to the till with a "Raffle for Christmas – 1 Ticket, £1, 10 ticket £10" sign on it. When I tried to explain to **MURALIMOHAN** about the relevant sections of his license relating to Promotions and safe display of spirits, he replied "I don't read my license". There was also an AU Vodka gift set and a vape right on the counter within easy reach of anyone. This is a potential breach of the following license conditions:

1.5. 1. 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, and

2.12. All alcohol shall be displayed in clear view of the till point and no alcohol shall be displayed in close proximity to the entrance of the store."

I also found this rather odd considering **MURALIMOHAN** stated that the reason [REDACTED] had £100 in his trouser pocket was to try to prevent robbery, however he is displaying valuable bottles of vodka and a vape on his counter that anyone could walk off with, which does not help with prevention of crime and disorder. - **See Appendix B.**

OUTCOME

At the time of encounter at **PREMIER/HILLSIDE STORES on 07/11/2024**, [REDACTED] was considered by the Home Office as an Overstay, a person who had no leave to enter or remain in the United Kingdom, nor did he have any open applications with the Home Office, and therefore did not hold the requisite permissions to undertake any form of employment, paid or unpaid.

As [REDACTED] was encountered engaging in a form of paid work, it is suspected that a **Breach of Section 15 of the 2006 Immigration Asylum and Nationality Act** has been identified.

Following our visit, a referral was made to the Home Office Civil Penalties Team who considered all the evidence available and decided to issue of a Civil Penalty on the employer in respect of [REDACTED] who does not hold the requisite permission to work at **PREMIER/HILLSIDE STORES**. This penalty was for the sum of **£40,000**. The caveat to this is that the liable party now have the opportunity to object to the decision to issue the penalty until **11/02/25**.

Following our visit, a referral was made to the National Lottery, [REDACTED] and their investigations are currently ongoing.

Following our visit, a referral was made to the RSPCA following concerns [REDACTED]
[REDACTED] The outcome of this investigation is currently awaited.

Following our visit, a referral was made to Trading Standards surrounding the amount of NOS cannisters kept at the premises. The outcome of this investigation is currently awaited. - See **Appendix C**.

RIGHT TO WORK CHECKS AND THE PREVENTION OF CRIME AND DISORDER

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 considered 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

Sujeewan MURALIMOHAN has been found to be employing an illegal worker at his business.

Our Civil Penalties Referral Team will have attempted to contact **Sujeewan MURALIMOHAN** to ascertain his side of the story, to assist them with their decision process relating to if a Civil Penalty is warranted, and to what level.

Sujeewan MURALIMOHAN has clearly failed to meet the prevention of crime and disorder objective. 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.

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 license holder or its agents, that being **Sujeewan MURALIMOHAN**. In this case, one employee held no status in the United Kingdom and was found to be illegally working following his original leave being curtailed. He had subsequently failed to either put in a relevant application with the Home Office to enable him to lawfully remain and work in the United Kingdom or left the United Kingdom as directed following the curtailment of his leave.

The license holder/employer, **Sujeewan MURALIMOHAN** could have protected himself and prevented crime and disorder by completing a straightforward Right to Work check. In this

instance. Had he done so, he would have found that [REDACTED] had had his leave curtailed and was an Overstayer as of 19/08/2023.

All employers are duty bound by law to conduct these checks if they wish to avoid being penalised if found to have employed someone who is prohibited from working, and guidance can be found on the Gov.UK website or by using a search engine. Additional information on how to conduct these checks is available online, this includes the Home Office's official YouTube page. The license holder/employer, **Sujeewan MURALIMOHAN** could have quickly and easily confirmed that the potential candidate did **NOT** have the Right to Work.

Whether by willful negligence or willful blindness, an illegal worker was engaged in activity on the premises.

Section 182 guidance of the Licensing Act 2003 at point 11.27 states that certain activity should be treated particularly seriously:

11.27

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;

11.27

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 clear from the evidence above and the Police's case that two elements of 11.27 have been engaged. 11.28 of the guidance states that it is expected that revocation of the licence – **even in the first instance – should be seriously considered.**

Signatures

Signature of Responsible Authority

Details of Responsible Authority

Name and Address:

[REDACTED]
Immigration Officer
South Central Immigration,
South Central ICE – Portsmouth,
2nd Floor Norman House,
Kettering Terrace,
Portsmouth,
PO2 7AE

Email address
(optional):

Date:

21/01/2025

Capacity:

Responsible
Authority