

LICENSING ACT 2003 HEARING THURSDAY 19 JUNE 2025 @ 09:30HRS
APPLICATION FOR THE REVIEW OF A PREMISES LICENCE

1. Premises:

Drinks 4 U
36 Market Place
Reading
RG1 2DE

2. Applicant:

Mr Declan Smyth on behalf of the Chief Constable of Thames Valley Police

3. Grounds for Review:

The application for a review of the premises licence for Drinks 4 U has been submitted by Thames Valley Police who are a named responsible authority under the Licensing Act 2003.

The application has been submitted to prevent further undermining of the licensing objectives of: Prevention of Crime and Disorder, Protection of Children from Harm, Prevention of Public Nuisance and 'Public Safety'.

4. Background:

Drinks 4 U currently benefits from premises licence LP2003135 for the Sale of Alcohol, Off Sales Only.

On the 24th June 2024 Mr Gurjeet Bajaj became the premises licence holder and DPS of Drinks 4 U, 36 Market Place, Reading RG1 2DE, via a Premises Licence Transfer. Before June 2024 the premises was known as Armaan Food & Wine.

36 Market Place has benefited from a Licence for Off-sales since 29 August 2022.

5. Licensable activities and hours:

The premises currently benefits from a premises licence (no. LP2003135 attached as **Appendix LIC-2**) that authorises:

Sale by Retail of Alcohol (Off Sales):

Monday to Sunday from 0800hrs until 2300hrs

Hours the Premises is Open to the Public

Monday to Sunday from 0800hrs until 2300hrs

6. Date of receipt of application: 24 April 2025

7. Date of closure of period for representations: 22 May 2025

8. Representations received:

During the 28-day consultation period for the application, representations were received from:

1. Suraj Prashar - Immigration Enforcement Licensing Compliance Team - Attached as **Appendix LIC-3**
2. Mr Ian Savil - Principal Trading Standards Officer, Reading Borough Council – Attached as **Appendix LIC-4**
3. Mr Robert Smalley – Licensing & Enforcement Officer, Reading Borough Council – Attached as **Appendix LIC-5**
4. Valid Representations from Other Person in support of the shop – Attached as **Appendix LIC-6**
5. Valid Representations from Other Person in support of the shop – Attached as **Appendix LIC-7**

9. Licensing Objectives and Reading Borough Council's Licensing Policy Statement

In determining this application the Licensing Authority has a duty to carry out its functions with a view to promoting the four licensing objectives, which are as follows:-

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

In determining this application the Licensing Authority must also have regard to the representations received, the Licensing Authority's statement of licensing policy and any relevant section of the statutory guidance to licensing authorities.

10. Power of Licensing Authority on the determination of a Review

In determining the review application the sub-committee can take such steps as it considers appropriate for the promotion of the licensing objectives, which are:

1. Take no further action
2. To issue formal warnings to the premises supervisor and/or premises licence holder
3. Modify the conditions of the licence (including, but not limited to hours of operation of licensable activities)
4. Exclude a licensable activity from the scope of the licence
5. Remove the designated premises licence supervisor
6. Suspend the licence for a period not exceeding three months
7. Revoke the licence.

Where the sub-committee takes a step mentioned in 3 or 4 it may provide that the modification or exclusion is to have effect for a period not exceeding three months or permanently.

11. Licensing Objectives and Reading Borough Council's Licensing Policy Statement

In considering representations received the Licensing Authority has a duty to carry out its functions with a view to promoting the four licensing objectives, which are as follows:

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

Any conditions that are placed on a premises licence should be appropriate and proportionate with a view to promoting the licensing objectives. The Licensing Authority can amend, alter, or refuse an application should it be deemed appropriate for the promotion of the licensing objectives.

In determining this application, the Licensing Authority must also have regard to the representations received, the Licensing Authority's statement of licensing policy and any relevant section of the statutory guidance to licensing authorities.

12. The Council's Licensing Policy Statement (2023):

1.5 This licensing policy aims to make Reading's night-time economy an economy for all. A diverse range of responsibly run premises are to be encouraged. The licensing authority wishes to discourage drunkenness and a move away from alcohol led vertical drinking establishments. We would expect responsibly run premises to actively promote the licensing objectives through promoting extra seating at their premises; instigating effective dispersal from their premises at the conclusion of licensable activities and engagement with the licensing authority and other responsible authorities in policies, initiatives and strategies that promote Reading as a safe, healthy, diverse and vibrant night-time economy suitable for all.

1.6 The predominantly urban nature of Reading as a town means that an appropriate balance needs to be struck between the needs of local business and the needs of local residents. This licensing policy seeks to encourage all stakeholders to engage in the licensing process so that the needs of all can be taken into account and issues dealt with in a spirit of partnership and cooperation.

Crime and Disorder Act 1998

3.2 This Act requires local authorities and other bodies to consider crime and disorder reduction. Section 17 of the Act states that it shall be the duty of each authority, to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that is reasonably can to prevent, crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment). This links specifically with the licensing objective of prevention of crime and disorder and the licensing authority will take into account all reasonable measures that actively promote this licensing objective.

Other Legislation that the Licensing Authority will consider

3.10 The Licensing Authority will also have cognisance to the following legislation

when it decides to discharge its responsibilities under the Licensing Act. This list is not exhaustive:

- Environmental Protection Act 1990 which deals with noise and nuisance
- Regulatory Reform Order 2005 which deals with fire safety
- Highways Act 1980 which deals with pavement café licences
- Reading Borough Council Act 2013 which deals with street trading and touting
- Health and Safety at Work Act 1974 and Food Hygiene regulations
- Planning legislation (see paragraphs 2.2-2.9 of this policy)

Licensable Activities

4.15 This policy relates to all applications for the following licensable activities:

- The sale of alcohol by retail
- The supply of alcohol to club members
- The provision of regulated entertainment:
 - Performance of a play
 - Performance of a film
 - An indoor sporting event
 - Boxing or wrestling
 - Performance of live music
 - Performance of recorded music
 - Performance of dance
- The provision of late night refreshment (the sale of hot food and drink between 2300hrs and 0500hrs)

Review of a premises licence or club premises certificate

5.13 Any premises that has a premises licence or club premises certificate may have that licence reviewed by any of the named Responsible authorities – including the Licensing Authority in its role as a Responsible Authority. Thames Valley Police may also submit a Summary Review if there is a premises associated with serious crime and disorder. When the Licensing Authority instigates a review it will ensure that there is a clear separation of functions between the officer acting as the licensing authority and the officer acting as a responsible authority.

5.15 The Act provides strict guidelines, timescales and procedures for review applications and hearings and the Authority will deal with every review application in accordance with these rules.

Off Licences and Conditions – General Approach

6.11 Shops selling alcohol for consumption off the premises can be the focus of anti-social behaviour, crime and disorder and public nuisance. In the town centre and Oxford Road area, for example, there are significant issues with street drinking and the associated anti-social behaviour this causes.

6.12 Any applications for off licences shall be considered in the light of all relevant matters that may undermine the licensing objectives such as street drinking in that locality as well as the availability of high strength beers, lagers and ciders and the detrimental effect those products have on health outcomes. This approach will apply to the whole Borough of Reading and the authority will seriously consider any representation made to it by Thames Valley Police, Public Health or other responsible authorities which indicate that the availability or sale of high strength beers, lagers and cider are likely to be detrimental to the promotion of the four licensing objectives.

6.13 When considering applications for off licences, the authority would expect applicants to acknowledge the above issues within their operating schedule.

6.14 The authority, whilst taking all applications on their own merits, will not generally grant applications for the 24 hour sale of alcohol for consumption off the premises. The authority will expect proactive measures to be included within the operating schedule that prohibits or restricts the sale of high strength beers, lagers and ciders above 6.5% in order to assist with preventing street drinking, preventing anti-social behaviour and to actively promote the licensing objectives.

6.15 Applications for off licences would also be expected to contain evidence of appropriate staff training, the utilisation of a Challenge 25 age verification policy and the use of CCTV to cover the entire proposed licensable area. This is not an exhaustive list and conditions should be appropriate and proportionate to the style of operation and taking into account the issues in the locality.

6.16 All licence holders will be expected to actively participate in initiatives set up in Reading which aim to tackle the issues of alcohol related anti-social behaviour and the proliferation of high strength beers, lagers and ciders above 6.5%. Initiatives such as 'Reducing the Strength' are proven to reduce alcohol related anti-social behaviour in the Borough.

6.17 The sale of alcohol to underage people is an offence under the Licensing Act and can severely undermine the prevention of crime and disorder and the protection of children from harm licensing objectives. The excessive consumption of alcohol by young people is also likely to impact negatively on health outcomes. Applicants for off licences will be expected to include robust measures to ensure that alcohol is sold responsibly and that any staff are trained to a high level to achieve this. Evidence of best practice in terms of recording refusals of age restricted products will be expected within all applications.

6.18 Where a shop, including businesses such as online only warehouse premises, wishes to provide a delivery service for their products – including alcohol – the authority will expect measures to be included within the operating schedule of how those deliveries will operate. For example, to ensure that deliveries are being made to full postal addresses and not fields; that deliveries which contain alcohol are subject to the premises age verification policy with refusals logged accordingly and that delivery bikes are not causing a public nuisance to local residents.

Hours of sale in off licences

7.13 Shops, stores and supermarkets will generally be permitted to sell alcohol for consumption off the premises during their normal trading hours. However, in the case of individual shops that are suspected or known to be a focus of crime and disorder, anti-social behaviour or public nuisance, then subject to relevant representations being received, a limit on licensing hours and opening hours may be appropriate.

Enforcement Approach

9.12 Where offences are found to have been carried out on licensed premises, the Authority has a number of enforcement options available to it. The Authority will work with partner agencies to determine which enforcement option is appropriate for the promotion of the licensing objectives. The seriousness of the offences found will be taken into consideration as well as any previous issues of non-compliance or criminality that have taken place at the licensed premises.

9.13 The enforcement options available to the Authority are wide-ranging. The Authority may consider, for example, that a letter detailing the issues found during an inspection followed by a period of time to rectify them is sufficient to promote the licensing objectives. Similarly, the Authority may consider that the breaches are sufficiently serious to warrant an immediate performance meeting with a licence holder so that a discussion can take place about the adequacy of the processes in place at the premises. This could, for example, lead to recommendations being put to the licence holder to implement much more robust conditions and processes to avoid a repeat of the breaches found. The authority may also decide to prosecute relevant persons for offences being carried out on licensed premises. Licence holders should note that the authority can take one or more of these options available to it at the same time for the same offences should it be deemed appropriate to do so.

9.15 Licensed premises that have a history of non-compliance over a period of months and years and/or incidents of serious crime taking place at that premises, will likely find that the Authority will initiate a review with a view to asking for the licence to be considered for revocation.

9.16 When considering what enforcement action to take, the Authority will always consider what is the most appropriate and proportionate step to promote the licensing objectives. The Authority is not required to wait for offences to occur before deciding it needs to take appropriate action. Case law – notably *East Lindsey District Council v Abu Hanif* – states that the promotion of the licensing objectives requires a prospective consideration of what is warranted in the public interest having regard to the twin considerations of prevention and deterrence. Similarly, the Secretary of State's Guidance to the Licensing Act makes clear that there is no requirement for the Authority to wait for the outcome of any criminal proceedings before it initiates any enforcement action. This is the approach that the Authority will take when considering what, if any, action should be taken when condition breaches and other criminal activity is found at licensed premises.

9.18 Any responsible authority or person defined as 'any other person' within the Act can initiate a review of any premises licence or club premises certificate. When another responsible authority or other person initiates a review, the Authority will deal with it as the Licensing Authority and may also wish to make representation in support of the

review within its role as a responsible authority if it has relevant information.

9.20 The Authority shall endeavour to work with licence holders and applicants where it is believed that steps can be taken to rectify issues identified at licensed premises. However it cannot merely continue that approach if it has previously failed or the licence holder is unresponsive. It is the responsibility of all licence holders and responsible authorities to ensure that licensed premises are not undermining the promotion of the licensing objectives and that licensable activity is carried out lawfully. The Authority will work with partners to determine what action is appropriate for each premises where issues are discovered. Each premises and the action required for each will be assessed on its own individual merits.

9.21 The Council, in determining a review application can take the following steps in order to promote the licensing objectives:

- modify the conditions on the licence
- exclude a licensable activity from the scope of the licence
- remove the designated premises supervisor
- suspend the licence for a period not exceeding three months
- revoke the premises licence

13. Amended Guidance issued under section 182 of the Licensing Act 2003 (February 2025)

Licensing Objectives and Aims:

1.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.

1.3 The licensing objectives are:

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

1.4 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.

1.5 However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:

- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises

Purpose

1.7 This Guidance is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts

hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.

1.8 The police remain key enforcers of licensing law. This Guidance does not bind police officers who, within the parameters of their force orders and the law, remain operationally independent. However, this Guidance is provided to support and assist police officers in interpreting and implementing the 2003 Act in the promotion of the four licensing objectives.

Protection of children from harm

2.28 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.

The role of responsible authorities (eg Police)

9.12 Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area. The police should usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent. However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

Licensing authorities acting as responsible authorities

9.13 Licensing authorities are included in the list of responsible authorities. A similar framework exists in the Gambling Act 2005. The 2003 Act does not require responsible authorities to make representations about applications for the grant of premises licences or to take any other steps in respect of different licensing processes. It is, therefore, for the licensing authority to determine when it considers it appropriate to act in its capacity as a responsible authority; the licensing authority should make this decision in accordance with its duties under section 4 of the 2003 Act.

Determining actions that are appropriate for the promotion of the licensing objectives

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

The review process

11.1 The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.

11.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.

11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.

Powers of a licensing authority on the determination of a review

11.16 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.

11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.

11.18 However, where responsible authorities such as the police or environmental

health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker.

11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.

14. Relevant Case law for consideration:

(R) on the application of Hope and Glory Public House v Westminster City Council (2011) EWCA Civ31

East Lindsey District Council v Abu Hanif (t/a Zara's Restaurant) (2016)

R (on application of Daniel Thwaites plc) v Wirral Magistrates' Court and Others (2008) EWHC 838 (Admin)

15. Appendices

Appendix LIC-1: Application to Review the Premises Licence

Appendix LIC-2: Current Premises Licence

Appendix LIC-3: Representation by Suraj Prashar - Home Office Immigration Enforcement

Appendix LIC-4: Representation by Mr Ian Savil - Reading Borough Council Trading Standard

Appendix LIC-5: Representation by Mr Robert Smalley - Reading Borough Council Licensing

Appendix LIC-6: Valid Representations from Other Person, in support of the shop

Appendix LIC-7: Valid Representations from Other Person, in support of the shop

Reading Borough Council

**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 Declan Smyth, on behalf of the Chief Constable of Thames Valley 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	
Drinks 4U 36 Market Place	
Post town Reading	Post code (if known) RG1 2DE

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

Number of premises licence or club premises certificate (if known)
LP1001190

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 Thames Valley Police C/O Reading Licensing Dept Reading Police Station Castle Street Reading RG1 7TH
Telephone number (if any) 101
E-mail address (optional) Licensing@thamesvalley.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 ✓

☒
☒
☒
☒

Thames Valley Police (TVP) as a responsible authority under the Licensing Act 2003 and under the objectives of prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm make an application for the review of Premises Licence No. **LP1001190**, Drinks 4U, 36 market Place, Reading, RG1 2DE.

On Wednesday 5th February 2025 at approximately 14:00 hours, police officers from Thames Valley Police attended the premises known as DRINKS 4U. The attending officers' intention was to gather evidence in relation to a shoplifting at a nearby premises and the suspicion of handling stolen goods at the premises known as DRINKS 4U.

On Tuesday 1st April 2025 at approximately 22:30 hours a police officer from Thames Valley Police attended the premises known as DRINKS 4U to complete a Licensing Check.

Thames Valley Police submit this application for review in order to address the failure of the premises licence holder to promote the four licensing objectives via their insufficient measures to ensure due diligence and promote the licensing objectives. The employment of illegal workers. The purchasing of stolen goods (2 x Jackets) by the Premises Licence Holder & DPS (Mr Gurjeet Bajaj) at this premises is alarming and steps need to be taken to safe guard the local community.

This behaviour and ongoing business practice supports criminality as well as supporting drug users with their habits leading to their further perpetration of thefts within the Reading Borough. It is imperative for licensed premises to act both responsibly, and in a manner that promotes the licensing objectives. The premises management and staff are currently openly failing to prevent crime and disorder. The deliberate and knowledgeable receiving of stolen goods, sales of illegal cigarettes and the employment of an illegal worker by Mr Gurjeet Bajaj has led to the review of this premises licence.

Thames Valley Police believe that it is imperative for licensed premises to act both responsibly, and in a manner that promotes the licensing objectives.

We appreciate that the determination of this review is solely down to those members of the sub-committee at the hearing, however, we respectfully provide the following breakdown of the powers available to the sub-committee, each accompanied by an explanation as to whether we consider the power appropriate or not to address the current undermining of the licensing objectives:

- **the modification of the conditions of the premises licence;**

We do not consider the addition or amending of the conditions attached to the licence to be a pragmatic solution due to the premises licence holder's inability to comply with the current licence conditions which, themselves, are not onerous. The addition of further conditions that are likely to be breached will not assist in the promotion of the licensing objectives.

- **the exclusion of a licensable activity from the scope of the licence;**

There is only one licensable activity on the premises licence and therefore this option would render the licence redundant and, in practice, would have the same effect as revocation.

- **Revocation of the licence;**

For the previously stated reasons, we believe this is the only way to prevent further undermining of the licensing objectives.

- **the suspension of the licence for a period not exceeding 3 months;**

We do not believe that this option would serve as anything other than a punitive measure with the premises likely to return to how it currently operates at the end of the suspension period.

- **the removal of the designated premises supervisor;**

There are currently only 2 people that work at this premises, and, as seen in the evidence submitted with this review, neither are capable of promoting the licensing objectives. This option would likely require the hiring of new staff, however, those new staff would still report to the current premises licence holder.

See 11.22 of the Secretary of State's section 182 guidance.

I submit the following sections from the current Secretary of State's section 182 guidance and the Reading Borough Council statement of licensing policy as relevant to our review application.

Secretary of States Section 182 Guidance

11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
- revoke the licence.

11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the

power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.

11.26 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.

Reading Borough Council Statement of Licensing Policy

9.1 It is the responsibility under the Act for all responsible authorities; licence holders and prospective licence holders to actively promote the four licensing objectives. The Council along with partner agencies, has a wider responsibility to protect the public as a whole and prevent crime, harm or nuisance from taking place.

9.15 Licensed premises that have a history of non-compliance over a period of months and years and/or incidents of serious crime taking place at that premises, will likely find that the Authority will initiate a review with a view to asking for the licence to be considered for revocation.

9.16 When considering what enforcement action to take, the Authority will always consider what is the most appropriate and proportionate step to promote the licensing objectives. The Authority is not required to wait for offences to occur before deciding it needs to take appropriate action. Case law – notably *East Lindsey District Council v Abu Hanif* – states that the promotion of the licensing objectives requires a prospective consideration of what is warranted in the public interest having regard to the twin considerations of prevention and deterrence. Similarly, the Secretary of State's Guidance to the Licensing Act makes clear that there is no requirement for the Authority to wait for the outcome of any criminal proceedings before it initiates any enforcement action. This is the approach that the Authority will take when considering what, if any, action should be

taken when condition breaches and other criminal activity is found at licensed premises.

Relevant Case Law for Consideration

East Lindsey District Council v Abu Hanif (t/a Zara's Restaurant) (2016) this underpins the principles widely acknowledged within the Licensing Act 2003 that the licensing objectives are prospective, and that the prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest, having regard to the twin considerations of prevention and deterrence.

Therefore and in conclusion the poor processes & practices, poor due diligence, the handling of stolen goods, employment of illegal workers, the sale of illegal cigarettes and the failure by Mr Gurjeet Bajaj to promote the licensing objectives has led to review of this premises licence.

Thames Valley Police respectfully ask the Licensing Sub – Committee to consider the immediate revocation of the premises licence relating to Premises Licence No. LP1001190, Drinks 4U, 36 market Place, Reading, RG1 2DE as the only proportionate and necessary step available to prevent the undermining of the four licensing objectives.

As stated within the case law within East Lindsey District Council v Abu Hanif, “the promotion of the licensing objectives requires a prospective consideration of what is warranted in the public interest having regard to the twin considerations of prevention and deterrence”.

It is in response to this scenario that Thames Valley Police are making this application for the review of this premises licence in order that the licensing sub-committee may have the opportunity to assess both the impact of this premises licence and the ability of the premises licence holder to promote the licensing objectives.

Thames Valley Police submit the following sections from within the Reading Borough Council statement of licensing policy and the current Secretary of States section 182 guidance as relevant to our review application.

Secretary of States Section 182 Guidance

11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
- **revoke the licence.**

11.20 In deciding which of these powers to invoke, **it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify.** The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

11.22 **Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented.** Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence

financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises.

But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

Reading Borough Council Statement of Licensing Policy

9.1 It is the responsibility under the Act for all responsible authorities; licence holders and prospective licence holders to actively promote the four licensing objectives. The Council along with partner agencies, has a wider responsibility to protect the public as a whole and prevent crime, harm or nuisance from taking place.

9.14 Licence holders should be aware that some criminal activity on licensed premises is considered to be of such seriousness to warrant a licence being reviewed straight away. There is certain criminal activity stated within the Secretary of State's Guidance that should be taken particularly seriously and where revocation of a licence, even in the first instance, should be seriously considered. This can include the sale or storage of smuggled alcohol or cigarettes on a licensed premises; the employment of an illegal worker at a licensed premises and the use of a licensed premises to sell or distribute drugs and weapons. Clearly if a premises is found to be committing such serious offences, then the premises and licence holder is severely undermining the licensing objectives. It is likely, under such circumstances, that a licence review will be initiated by the Authority or colleagues within Thames Valley Police, Home Office Immigration Enforcement or the relevant responsible authority with a view to having the licence revoked.

9.15 Licensed premises that have a history of non-compliance over a period of months and years and/or incidents of serious crime taking place at that premises, will likely find that the Authority will initiate a review with a view to asking for the licence to be considered for revocation.

9.16 When considering what enforcement action to take, the Authority will always consider what is the most appropriate and proportionate step to promote the licensing objectives. The Authority is not required to wait for offences to occur before deciding it needs to take appropriate action. Case law – notably East Lindsey District Council v Abu Hanif – states that the promotion of the licensing objectives requires a prospective consideration of what is warranted in the public interest having regard to the twin considerations of prevention and deterrence. Similarly, the Secretary of State's Guidance to the Licensing Act makes clear that there is no requirement for the Authority to wait for the outcome of any criminal proceedings before it initiates any enforcement action. This is the approach that the Authority will take when considering what, if any, action should be taken when condition breaches and other

criminal activity is found at licensed premises.

Furthermore Thames Valley Police recommend that when considering what enforcement action to take, the Authority will always consider what is the most appropriate and proportionate step to promote the licensing objectives. Thames Valley Police suggest that the authority is not required to wait for offences to occur before deciding it needs to take appropriate action. Case law – notably East Lindsey District Council v Abu Hanif – states that the promotion of the licensing objectives requires a prospective consideration of what is warranted in the public interest having regard to the twin considerations of prevention and deterrence and respectfully ask that the licensing Sub-Committee take cognisance of this factor with regards to this review application.

A full transcript of this Case Law is provided:

QBD, ADMINISTRATIVE COURT

Neutral Citation Number: [2016] EWHC 1265 (Admin)

CO/345/2016

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

THE ADMINISTRATIVE COURT

Royal Courts of Justice

Strand

London WC2A 2LL

Thursday, 14 April 2016

B e f o r e:

MR JUSTICE JAY

Between:

EAST LINDSEY DISTRICT COUNCIL

Appellant

v

ABU HANIF

(TRADING AS ZARA'S RESTAURANT AND TAKEAWAY)

Respondent

Computer- Aided Transcript of the Stenograph Notes of

WordWave International Limited trading as DTI

165 Fleet Street London EC4A 2DY

Tel No: 020 7404 1400 Fax No: 020 7404 1424

(Official Shorthand Writers to the Court)

Mr P Kolvin QC & Mr D Dadds (instructed by David Dadds LLP) appeared on behalf of the **Appellant**

The **Respondent** did not appear and was not represented

J U D G M E N T

(Approved)

1. MR JUSTICE JAY: This is an appeal by way of case stated from the decision of the Lincoln Magistrates' Court, District Judge Veits, given on 23 June 2015, whereby he allowed an appeal from the revocation of a premises licence by the licensing authority.
2. The appellant, the East Lindsey District Council, is the licensing authority.
The Magistrates' Court in the usual way is not a party to these proceedings. The respondent, Mr Abu Hanif, trading as Zara's Restaurant and Takeaway, is the licence holder. He through a licensing consultant has submitted correspondence making various limited points, but indicating that he would not be taking any part in these proceedings.
3. The premises in question are Zara's Restaurant and Takeaway situated in North Summercoates on the Lincolnshire coast. They are licensed to sell alcohol ancillary to the supply of food. The restaurant is owned and managed by the licensee, Mr Hanif. On 29 April 2014, the premises were the subject of a joint visit by the police and immigration officers, and it was discovered that Mr Miah was working in the kitchen as a chef. It was common ground that Mr Miah had no current entitlement to remain in the UK, let alone to work. I was told that he arrived here illegally some years ago. Furthermore, it was also accepted by the respondent that he (i) employed Mr Miah without paperwork showing a right to work in the United Kingdom; (ii) paid Mr Miah cash in hand; (iii) paid Mr Miah less than the minimum wage; (iv) did not keep or maintain PAYE records; (v) purported to deduct tax from Mr Miah's salary; and (vi) did not account to HMRC for the tax deducted.
4. The police then applied for a review of the respondent's licence under section 51 of the Licensing Act 2003 and the matter came before the appellant's subcommittee on 30 June 2014. The subcommittee decided to revoke the respondent's licence. Its reasons were as follows:
5. "The subcommittee were satisfied that Mr Hanif did not take the appropriate checks of staff members having knowledge that there were problems previously at the other premises with overstayers, and that he continued to allow staff to work at Zara's restaurant without making appropriate checks.
6. The subcommittee were satisfied that Mr Hanif had not undertaken the relevant checks to ensure the employee concerned was eligible to work in the

United Kingdom. Instead of not allowing employees to work if they had not provided the correct documentation he allowed them to work and paid cash in hand. With all this in mind the subcommittee were satisfied that Mr Hanif had knowingly employed person/s unlawfully in the United Kingdom.

7. The subcommittee considered the evidence by Mr Kheng on behalf of Mr Hanif and the Home Office section 182 Guidance to Licensing Authorities. The subcommittee were of the view that the premises licence should be revoked and that revocation was an appropriate step with a view to promoting the crime prevention licensing objective."

8. The respondent then appealed to the Magistrates' Court. There was a hearing on 27 March 2015, and on 23 June the district judge decided to allow the respondent's appeal. On 1 September 2015, the district judge determined the issue of costs and on 7 January 2016 he stated the case. The appeal to the district judge was de novo, but he accepted that he could only allow the appeal if the subcommittee's decision was "wrong", the burden being on the appellant before him to establish that.

9. Looking now at the stated case, the district judge noted that the respondent had received a civil penalty for employing an illegal worker under section 15 of the Immigration, Asylum and Nationality Act 2006. An immigration officer gave evidence to the effect that although by virtue of section 21 a criminal offence was committed, such proceedings were rarely brought. The district judge also noted that the police and the Council's licensing officer were no longer saying that the respondent was a serial offender, but a redacted report which was placed before the subcommittee still gave the impression that he "was in a much worse position than he actually was". As for the failure to pay the minimum wage, the district judge said this:

A. "In his evidence before me Mr Hanif accepted that he had not paid the minimum wage and this in itself can be a criminal offence. I found that this was not the main basis of the subcommittee's decision however and again there was no evidence that he had been reported for that alleged offence. It would appear from their reasons that the subcommittee used the evidence of paying cash in hand as justification for the finding that he knowingly employed Mr Miah. The prosecuting authority however appear to have taken a different view in offering the civil penalty."

10. The district judge's core reasoning was that no crime had been committed. As he put it:

A. "It appeared to me that no crime had been committed as a result of the visit to the premises in April of last year. A civil penalty had been imposed rather than prosecution for the section 21 offence and no other crime had been reported in

relation to not paying the minimum wage."

11. In the district judge's view, the crime prevention objective was not engaged.
12. The district judge also criticised the subcommittee for adopting an inconsistent approach because in other similar cases only warnings were issued. Finally, he considered that the subcommittee may have been influenced by comments in the police report, leading them to believe that they were dealing with a serial offender.
13. At the conclusion of the stated case, the district judge posed two questions for my determination. I will address these at the end of my judgment.
14. I was taken by Mr Philip Kolvin QC to various provisions of the Licensing Act 2003 as amended. Under section 4(1) and (2) a licensing authority must carry out its licensing functions with a view to promoting the licensing objectives, which include "the prevention of crime and disorder". The provisions dealing with the review application brought by the police are contained in sections 51 and 52. Under section 52(3), the licensing authority (and on appeal the Magistrates' Court):
 - A. "... must, having regard to the application and any relevant representations, take such of the steps mentioned in subsection (4) (if any) as it considers appropriate for the promotion of the licensing objectives."
15. The epithet "appropriate" was introduced by amendment in 2011. Previously the test had been stricter. In my judgment, it imports by necessary implication the concepts of proportionality and relevance.
16. Mr Kolvin submitted that the district judge erred in a number of respects. First, he wrongly held that, given that criminal proceedings were never brought, the crime prevention objective (see section 4(2)) was not engaged. The statute is concerned with the prevention rather than the fact of crime. Secondly, and in any event, the interested party had committed criminal offences in relation to tax evasion, the employment of an illegal worker, and employing an individual at remuneration below the minimum wage. As for the employment of an illegal worker, Mr Kolvin accepted that this requires knowledge on the part of the employer, and he also accepted that it is not altogether clear whether the district judge found as a fact that the respondent possessed the requisite knowledge. However, the core question is the promotion of the licensing objectives, not the fact of anterior criminal activity, and in this regard a deterrence approach is appropriate.
17. Thirdly, Mr Kolvin submitted that there was no evidence of an inconsistent approach by the subcommittee in giving warnings in some cases because all cases turn on their own facts. Finally, Mr Kolvin submitted that there was no basis for the district judge's conclusion that the subcommittee may have been

influenced by a suggestion that the respondent was a serial offender.

18. I accept Mr Kolvin's submissions. In my view the district judge clearly erred. The question was not whether the respondent had been found guilty of criminal offences before a relevant tribunal, but whether revocation of his licence was appropriate and proportionate in the light of the salient licensing objectives, namely the prevention of crime and disorder.

This requires a much broader approach to the issue than the mere identification of criminal convictions. It is in part retrospective, in as much as antecedent facts will usually impact on the statutory question, but importantly the prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest, having regard to the twin considerations of prevention and deterrence. The district judge's erroneous analysis of the law precluded any proper consideration of that issue. In any event, I agree with Mr Kolvin that criminal convictions are not required.

19. To the extent that the analysis must be retrospective, the issue is whether, in the opinion of the relevant court seized of the appeal, criminal offences have been committed. In the instant case they clearly had been: in relation to tax evasion (see the common law offence of cheating the Revenue and the offence of fraudulent evasion of tax contrary to section 106A of the Taxes and Management Act 1970); and the employment of Mr Miah at remuneration below the minimum wage (see section 31 of the National Minimum Wage Act 1998). Moreover, given the evidence that Mr Miah never provided the relevant paperwork, notwithstanding apparent requests, the obvious inference to be drawn is that the respondent well knew that he could not, and that no tax code and National Insurance number had been issued. The corollary inference in my judgment is that the respondent well knew that Mr Miah could not provide the relevant paperwork because he was here illegally.
20. I also accept Mr Kolvin's submission that each case must turn on its own facts. As a matter of law, unless it could be said that some sort of estoppel or related abuse of process arose in the light of warnings given in other cases, the alleged inconsistent approach led nowhere. In my judgment, it could not be so said.
21. Finally, I agree with Mr Kolvin that there is nothing in the point that the subcommittee could have been misled about the interested party being a serial offender. The point that the subcommittee was making was the fact that the respondent had worked at premises where illegal workers were also employed meant that he should have been vigilant to the issue.
22. Thus the answer to the district judge's two questions are as follows:
- A. Q. "Was I correct to conclude that the crime prevention objective was not

engaged as no crimes had been proceeded with, the appellant only receiving a civil penalty?"

B. No.

C. Q. "Was I correct in concluding that the respondent had been inconsistent in similar decisions in not revoking the licence [sic]?"

D. No.

23. Having identified errors of law in the district judge's decision, the next issue which arises is whether I should remit this case for determination in the light of my ruling or whether I have sufficient material to decide the issue for myself. I should only adopt the latter course if satisfied that the issue is so obvious that no useful purpose would be served by remission. I am so satisfied. Having regard in particular to the twin requirements of prevention and deterrence, there was in my judgment only one answer to this case. The respondent exploited a vulnerable individual from his community by acting in plain, albeit covert, breach of the criminal law. In my view his licence should be revoked. Another way of putting the matter is that the district judge had no proper basis for overturning the subcommittee's assessment of the merits.

24. It follows in my judgment that the only conclusion open to the district judge in the present case was to uphold the revocation of the respondent's licence. This appeal must be allowed and the respondent's licence must be revoked.

25. MR KOLVIN: My Lord, I'm very grateful. Can I deal with the question of costs, both here and below.

26. MR JUSTICE JAY: Yes.

27. MR KOLVIN: Should I start with here.

28. MR JUSTICE JAY: Yes.

29. MR KOLVIN: My Lord, we would ask for the costs before this court. I just want to pray in aid four very brief points. The first is the result. The second is that the district judge's approach was expressly urged on him by the respondent's legal team. Thirdly, that the respondent was expressly urged to concede this appeal to stop costs running, he was given that opportunity at pages 42 and 43 of the bundle. Fourthly, perhaps a little bit tugging at the heart strings, but there's no reason why the Council Tax payers of East Lindsey should bear the cost of establishing what has been established in this

court. So we would ask for the costs up here.

30. There is a schedule and the schedule has been served upon Mr Hanif by letter dated 16 March of 2016. I don't know whether the schedule has found its way to my Lord, if not I can hand up a copy.
31. MR JUSTICE JAY: It has.
32. MR KOLVIN: It has. My Lord, I can see that VAT has been added on. It doesn't need to be because of course the Council can retrieve the VAT, so my application is for £16,185. I know there's not a lot of explanation around my fee, but it was taken on a single fee for all work involved in relation to the case stated; advice, the skeleton argument and attendance today, so it's one single - -
33. MR JUSTICE JAY: What about your junior's fees?
34. MR KOLVIN: My learned junior is also my instructing solicitor, he wears two hats.
35. MR JUSTICE JAY: I see.
36. MR KOLVIN: He has his own firm which is Dadds LLP, and he is also a member of the bar, so although he has appeared as my junior, his fee is wrapped up in the solicitors' fees set out in the schedule.
37. MR JUSTICE JAY: Okay. What about the costs below?
38. MR KOLVIN: My Lord, I'm just trying to ascertain what the position is.
39. MR JUSTICE JAY: I thought there was no order for costs below.
40. MR KOLVIN: There was no order for costs below, that was on the basis that the appeal had been allowed. The situation in relation to costs of licensing appeals are set out in section 181 of the Act, which enables the court to make such order as it thinks fit. Normally when appeals are dismissed there is no real question about it, costs follow the event. When appeals are allowed, some further considerations come into play, which are expressed by the Master of the Rolls in a case which you may have come across called City of Bradford v Booth, which is the case where the Master of the Rolls said that local authorities shouldn't be put off from trying to make honest and reasonable decisions in the public interest. And so one has to take account additionally of the means of the parties and their conduct in relation to the dispute, but in this case of course the appeal has now been dismissed, and so

we would say that the ordinary rule is that the costs should follow the event, the appeal having failed. I'm just trying to ascertain whether schedules were ever served below, in the light of the way the case came out. **(Pause)**

41. My Lord, I'm really sorry that we don't actually have the schedule here, apparently it was £15,000. If you were minded to order costs below the options are either I suppose to wait and we will have the thing emailed up, or to say, "Look, it was below, it's a little bit more complex, they should be assessed if not agreed."
42. MR JUSTICE JAY: This is going to wipe him out, isn't it?
43. MR KOLVIN: Well he has already said, I have to say, I'm just telling you frankly what I've been told this morning, that when the bundles and the schedules were served on him, he had clearly read them, but he said, "If you win in the High Court and get costs against me, then I'm just going to declare myself bankrupt." So there may well be a bit of football(?) about this, but nonetheless it was his appeal, his team raised a point which in retrospect was very surprising, and caused an awful lot of costs to be incurred.
44. MR JUSTICE JAY: Yes. Well I am going to assess the costs here in the round figure of £15,000.
45. MR KOLVIN: Thank you.
46. MR JUSTICE JAY: If there was a schedule, which you tell me there was, below, it is proportionate that I assess those costs rather than put you to the trouble of a detailed assessment, so if you could have that emailed to my clerk in due course, I will assess the costs below.
47. MR KOLVIN: Thank you, my Lord.
48. MR JUSTICE JAY: On the basis of that schedule.
49. MR KOLVIN: We're not trying to be too ambitious, but we would like to see what we can - -
50. MR JUSTICE JAY: I'll take a broad brush approach to that.
51. MR KOLVIN: Thank you.
52. My Lord, the only other thing to mention is that this isn't the only case which is kicking around the east of England where licensing subcommittees are being urged to take no action because there has been no prosecution in these

immigration cases. Although I appreciate that this is hardly stellar law making, it's an application of pretty well established legal principles to the facts, I'm asking whether my Lord would be minded to certify this so that we can adduce the authority in other cases, because it's a clear statement of the law that there doesn't need to have been a prosecution. So with the practice direction in mind, would my Lord be minded to - -

53. MR JUSTICE JAY: Just remind me of the practice direction.

54. MR KOLVIN: Yes, can I hand it up?

55. MR JUSTICE JAY: Yes. **(Handed)**

56. MR KOLVIN: If Mr Hanif had come I wouldn't need to make the application. It's paragraph 6.1. The judgment has to clearly indicate that it purports to establish a new principle or extends the present law and that has to take the form of an express statement to that effect, and then 6.2 says what categories of judgment we're dealing with, which include applications attended by one party only.

57. So that's the situation we're in. In reality these judgments get around anyway, because we're dealing with administrative tribunals and not courts, but sometimes the point is taken, "Ah yes, but the court didn't certify".

58. MR JUSTICE JAY: But where's the new principle I've established?

59. MR KOLVIN: My Lord, what you have said clearly, which hasn't been said before, by dint of the fact that not many licensing cases reach the lofty heights of this building, is that there does not need to have been a prosecution in order for the crime to have - -

60. MR JUSTICE JAY: Oh, I see. Well that's so obvious it almost goes without saying, that's why it hasn't been said before.

61. MR KOLVIN: My Lord, it was obvious to everyone except the district judge, the appellant and other licensees in the east of England.

62. MR JUSTICE JAY: Okay.

63. In terms of the logistics, if you want a copy of the judgment, don't you have to pay for it?

64. MR KOLVIN: We may have to, and we would be obviously very pleased to

do so.

65. MR JUSTICE JAY: Because I'm not sure that all judgments are, in the Administrative Court, they're not all transcribed and published.
66. MR KOLVIN: That is correct, and I have no doubt that my client would be - this isn't a matter about the costs of the judgment.
67. MR JUSTICE JAY: No, fortunately it doesn't cost that much. But I will give the certification. I have never been asked to do so before, I must confess.
68. MR KOLVIN: Yes.
69. MR JUSTICE JAY: Because these cases are referred to almost willy nilly, if they're available on Lawtel or wherever.
70. MR KOLVIN: Yes, they are.
71. MR JUSTICE JAY: Then they're just provided.
72. MR KOLVIN: They get into the textbooks and they - -
73. MR JUSTICE JAY: No- one objects.
74. MR KOLVIN: Yes. It has happened once before, in relation to the meaning of the Court of Appeal judgment in Hope and Glory, and Lindblom J, as he then was, was asked repeatedly would he certify in relation to the meaning of Hope and Glory, which is an important test, and he was pretty engaged in the practice direction. But since then that judgment, there's always an argument in court about whether it can be cited or not. The difference between licensing and some other fields of law is that very few cases reach here, so when they do, the judgments of High Court judges are gold dust.
75. MR JUSTICE JAY: Yes, well I'm happy to make the certification.
76. MR KOLVIN: Thank you very much indeed.
77. MR JUSTICE JAY: We wouldn't want this point to be taken again successfully.
78. MR KOLVIN: No.
79. MR JUSTICE JAY: Now as a matter of courtesy, is the judgment, once

available, sent to the district judge, or is it something that I should do informally?

80. MR KOLVIN: I don't know, my Lord, what the normal practice is. I don't think that I have previously been on a legal team which has sent judgments, but we're very happy to undertake to do so.

81. MR JUSTICE JAY: Yes, I think if you're going to get a copy, obviously you're going to send it to the respondent - -

82. MR KOLVIN: Indeed.

83. MR JUSTICE JAY: - - so he can ingest it. I think you should send it to the district judge, just saying that the judge directed that out of courtesy he should see it.

84. MR KOLVIN: We're very happy to do that. Thank you very much indeed.

85. MR JUSTICE JAY: Thank you very much.

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

Please tick ✓ yes

☐

If yes please state the date of that application

Day	Month	Year

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 *D. Smyth*

.....

Date Thursday 24th April 2025

.....

Capacity **Thames Valley Police (Licensing officer) Reading LPA on behalf of the Chief Constable of Thames Valley Police.**

.....

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 that they have actual authority to do so.

6. This is the address which we shall use to correspond with you about this application.

LICENSING ACT 2003 PREMISES LICENCE - PART A

Reading Borough Council being the Licensing Authority under the above Act,
HEREBY GRANT a PREMISES LICENCE as detailed in this licence.

Premises Licence Number	LP2003135
--------------------------------	------------------

Premises Details

Trading name of Premises and Address	
Drinks 4 U 36 Market Place Reading RG1 2DE	
Telephone Number	

Where the Licence is time limited the dates the Licence is valid
N/A

Licensable Activities

Licensable Activities authorised by the Licence
Sale of Alcohol by Retail - Off the Premises

Authorised Hours for Licensable Activities

The times the licence authorises the carrying out of licensable activities	
Hours for the Sale by Retail of Alcohol	
Monday	from 0800hrs until 2300hrs
Tuesday	from 0800hrs until 2300hrs
Wednesday	from 0800hrs until 2300hrs
Thursday	from 0800hrs until 2300hrs
Friday	from 0800hrs until 2300hrs
Saturday	from 0800hrs until 2300hrs
Sunday	from 0800hrs until 2300hrs

Opening Hours

Hours the Premises is Open to the Public	
Monday	from 0800hrs until 2300hrs
Tuesday	from 0800hrs until 2300hrs
Wednesday	from 0800hrs until 2300hrs
Thursday	from 0800hrs until 2300hrs
Friday	from 0800hrs until 2300hrs
Saturday	from 0800hrs until 2300hrs
Sunday	from 0800hrs until 2300hrs

Alcohol

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Sale of Alcohol by Retail - Off the Premises

Premises Licence Holder

Name, (registered) address of holder of premises licence

Name: Mr Gurjeet Singh Bajaj

Address:

[REDACTED]

Registered number of holder, for example company number or charity number [where applicable]

N/A

Additional Details

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Name: Mr Gurjeet Singh Bajaj

Address:

[REDACTED]

Designated Premises Supervisor

Personal Licence number and issuing authority of personal licence held by the designated premises supervisor where the premises licence authorises the supply of alcohol

Personal Licence Number: LN000010262

Issuing Authority: Ealing Borough Council

This Licence shall continue in force from **19/06/2024** unless previously suspended or revoked.

Dated: 11 July 2024

Signed on behalf of the issuing licensing authority



Emma Gee

Acting Executive Director for Economic Growth and Neighbourhood Services

Annex 1

Mandatory Conditions

Supply of Alcohol

To be applied where a premises licence authorises the supply of alcohol

- 1 No supply of alcohol may be made under the premises licence:-
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
- 2 Every supply of alcohol made under the premises licence must be made or authorised by a person who holds a personal licence.

Film Exhibitions

To be applied only where a premises licence or club premises certificate authorises the exhibitions of films

- 1 The admission of children to any exhibition of any film must be restricted in accordance with section 20 of Part 3 of the Licensing Act 2003.
- 2 In the case of films which have been classified by the British Board of Film Classification admission of children to films must be restricted in accordance with that classification.
- 3 In the case of films which have not been classified by the British Board of Film Classification, admission of children must be restricted in accordance with any recommendation made by the Licensing Authority.

Door Supervisors

To be applied where a premises licence or club premises certificate includes a condition that any person must be at the premises to carry out a security activity. [Except premises with a premises licence authorising only plays or films or premises used exclusively by a club].

- 1 Each individual present at the licensed premises to carry out a security activity must be licensed by the Security Industry Authority.

Responsible Drink Promotions (commencement date 01/10/2014)

- 1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- 2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Supply of Tap Water (commencement date 01/10/2014)

1. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Age Verification Policy (commencement 01/10/2014)

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 premises 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.

Drink Measurements (commencement date 01/10/2014)

1. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

Minimum Permitted Pricing (commencement 28th May 2014)

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.

2. For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be 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 rate of duty chargeable in relation to the alcohol as if the 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 premises 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

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the 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.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 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.

4. (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.

Conditions Consistent with the Operating Schedule & Agreed with Licensing Authority and Thames Valley Police

General

1. The premises licence holder shall ensure the premises' digitally recorded CCTV system cameras shall continually record while the premises are open to the public and recordings shall be kept for a minimum of 31 days with time and date stamping. The entire licensable area shall be covered with the CCTV. There shall be at least one camera positioned at each entry and exit point to monitor any external areas to the premises. CCTV images and data recordings shall be made available, without delay to an authorised officer of Reading Borough Council or Thames Valley Police together with facilities for viewing upon request, subject to the provisions of the Data Protection Act and GDPR legislation. Recorded images shall be of such quality as to be able to identify the recorded person in any light. At least one member of staff on the premises at any time during operating hours shall be trained to access and download material from the CCTV system.

2. Signage advising customers that CCTV is in use shall be positioned in prominent positions.

3. Staff employed to sell alcohol shall undergo training upon induction. This shall include, but not be limited to:

- Understanding of the four licensing objectives
- The premises age verification policy (Challenge 25)
- Dealing with refusal of sales
- Proxy purchasing
- Identifying attempts by intoxicated persons to purchase alcohol
- Conflict management
- How to identify and safeguard vulnerable persons who attend and leave the premises
- Child sexual exploitation
- The four licensing objectives
- Offences committed under the Licensing Act
- Conditions of the Premises Licence

a) Refresher training shall be provided every 6 (six) months.

b) Signed induction and refresher training records are to be kept for a minimum of 2 (Two) years of the date of training and made available for inspection by a Police Officer or authorised officer of Reading Borough Council upon request.

c) All staff authorised to sell alcohol shall be trained to a minimum of BII Level 1 award in responsible alcohol retailing (ARAR) or any other similar curriculum within eight (8) weeks for existing and subsequent employees and provide evidence of such training having been undertaken to an authorised officer of Reading Borough Council's or Thames Valley Police upon request.

4. All staff shall be trained to record any incident which has an impact on any of the four licensing objectives, or instances when authorised officers from Reading Borough or Thames Valley Police have attended the premises. If the record is in written form, then it should be documented in a bound book similar to an A4 day by day diary and marked incident book. The book/register must be completed within 24 hours of the incident and will record the following:

- i) all crimes relating to the premises
- ii) any complaints received
- iii) any incidents of disorder
- iv) any faults in the CCTV system
- v) any visit by a relevant authority or emergency service.

(a) this record shall be available for inspection by an Officer of Thames Valley Police or an authorised officer of Reading Borough Council upon request and shall be retained for one year. The record shall be signed off by the DPS or nominated representative at the end of each trading session;

(b) a weekly review of the incident register shall also be carried out by the DPS.

5. All staff to be trained to record refusals of sales of alcohol in a refusals book or electronic register, If the record is in written form then it should be documented in a bound book similar to a A4 day by day diary and marked refusals. The book/register shall contain:

- Details of the time and date the refusal was made
- The identity of the staff member refusing the sale
- Details of the alcohol the person attempted to purchase
- Brief details of the person attempting to purchase the alcohol

a) This book/register shall be available for inspection to an authorised officer of Reading Borough Council or Thames Valley Police. A weekly review of the refusal's book/register shall also be carried out and signed off by the Designated Premises Supervisor or their nominated representative.

6. The premises shall at all times operate an age verification policy of at least Challenge 25 to prevent any customers who appear to staff members to be under the age of 25 years from purchasing alcohol and other age restricted products, including, but not limited to, nicotine containing products and tobacco, without having first provided identification. Only a valid driver's licence showing a photograph of the person, a valid passport, national identity card, proof of age card showing the "PASS" hologram or other form or method of identification that complies with any mandatory condition that may apply to this licence are to be accepted as identification. Notices advertising the Challenge 25 and proof of age policies shall be displayed in prominent positions on the premises.

7. The designated premises supervisor shall ensure that they and staff who are authorised to sell alcohol, are able to converse with customers and representatives of Statutory Agencies to a level that they are able to satisfactorily meet the four licensing objectives as contained in the Licensing Act 2003.

- I. The Prevention of Crime and Disorder
- II. Public Safety
- III. The Prevention of Public Nuisance
- IV. The Protection of Children from Harm

8. The premises licence holder shall not sell super strength beer, lager or cider with an alcohol content of 6.5% ABV (alcohol by volume) or greater are sold at these premises.

9. Spirits (with the exception of spirit mixers and pre-mixed spirit drinks) shall be located behind the counter.

10. There shall be no single cans of beer, lager or cider sold at the premises.

11. There will be no sale of miniature size spirits (5cl) or spirit mixers.

12. Staff shall actively discourage and disperse persons who congregate outside the premises so as to minimise disturbance to local residents and businesses. Any incidents shall be recorded in the incident register.

13. Clearly legible and suitable notices shall be displayed at all exits requesting customers to respect the needs of local residents and businesses and to leave the premises and area quietly.

14. The premises licence holder shall monitor the area immediately outside of the premises for evidence of customers consuming alcohol in the street that has been purchased on the premises. Where it reasonably appears to the premises licence holder that a person is attempting to purchase alcohol for consumption in the street near the premises, the sale shall be refused.

15. The immediate vicinity outside of the premises and in any external areas associated with the premises shall be kept clear of litter whilst the premises is open for licensable activities.

16. The Premises Licence Holder shall have available on the premises, for inspection by an authorised officer of Reading Borough Council or Thames Valley Police at any reasonable time, true copies of invoices, receipts or other records of transactions for all alcohol products purchased in the preceding six months. All alcohol products shall only be purchased from outlets registered with HMRC's Alcohol Wholesale Registration Scheme.

17. The Premises Licence holder shall display in a prominent position a copy of their policy on checking proof of age.

18. A current written authorisation list shall be displayed in a prominent position on the premises confirming the details of all current staff that have been authorised to sell alcohol by a Personal Licence Holder. The authorisation list shall include, the name of the staff member authorised, the name and personal licence details of the person authorising them to sell alcohol. This list shall also contain the date and signature of the staff member authorised and countersigned by the authorising Personal Licence Holder.

19. A section 57 notice shall be displayed in a prominent position detailing the location of the Part A of the premises licence, and a list of staff members that have an awareness of its location and content.

20. The premises shall not sell any items of drug paraphernalia which can be used for taking illegal drugs i.e. any equipment, product or accessory that is intended or modified for making, using, or concealing drugs (bongs, pipes, clips, grinders or similar items).

Annex 3

Conditions attached after a hearing by the Licensing Authority

N/A

Annex 4

Plans

As attached plan received dated 01/08/2022.



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:			
Gurjeet Bajaj			
Name and Address of Premises:			
Drinks 4U 36 Market Place			
Post Town:	Reading	Post Code:	RG1 2DE

Representations are being made for the following reasons:

ILLEGAL WORKING:

On 01 April 2025 Thames Valley Police attended Drinks 4U to complete a licensing check. During the visit it was confirmed that the shop assistant was working illegally. This shop assistant was identified as [REDACTED].

[REDACTED] was encountered working behind the shop counter. During the visit [REDACTED] was witnessed serving customers and managing the premises alone. It must also be noted neither the premises licence holder or the Designated Premises Supervisor (DPS) were present at any time.

During questioning [REDACTED] behaviour raised serious concerns as he showed signs of intoxication. [REDACTED] claimed to not be working at the premises and stated the owner of the shop was at the cash & carry.

Home Office checks showed [REDACTED] entered the UK on skilled worker visa valid June 2023 till July 2026. [REDACTED] visa was curtailed in May 2024 as the sponsor licence was revoked. In October 2024 [REDACTED] made an application to remain, as this application was ongoing and [REDACTED] previous visa had been curtailed, he held no legal right-to-work within the UK.

On 29 April 2025 Immigration officers from South Central ICE conducted an enforcement visit at Drinks 4U. During the visit the premises licence holder Gurjeet BAJAJ was in attendance. BAJAJ

was questioned in regards to the employment of [REDACTED]. During questioning BAJAJ admitted [REDACTED] would help him in the shop in return for £5 - £10 or would remunerate him with food. BAJAJ also stated he would leave [REDACTED] in charge of the shop, when he would go to the cash and carry. While this payment may have been informal, it nonetheless constitutes illegal working.

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 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

Home Office (Immigration Enforcement) considers that the premises license holder Gurjeet BAJAJ is not taking suitable measures to prevent crime and disorder. The premises has employed an illegal worker which is prohibited under the Licensing Act 2003 and the Immigration Act 1971 (as amended).

Employing an illegal worker 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.

Gurjeet BAJAJ has been found employing an illegal worker. This business 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.

The licence holder could have protected themselves and prevented crime and disorder by completing a straightforward right to work check prior to commencing work. Should the license holder have conducted the relevant right to work checks, the worker would have failed at the first stage. This would have quickly and easily confirmed that they had no right to work, and the license holder could have protected themselves from employing an illegal worker.

All employers are dutybound 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 use of illegal labour provides an unfair competitive edge and deprives the UK economy of tax revenue. Illegal workers are often paid below the minimum wage and National Insurance payments are not made. A key draw for illegal immigration is work and low-skilled migrants that are increasingly vulnerable to exploitation by unlawful enterprises, finding themselves in sub-standard accommodation and toiling in poor working conditions for long hours.

Whether by negligence or willful blindness illegal workers were 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, and this includes employing someone who is disqualified from that work by reason of their immigration status in the UK. 11.28 of the guidance states that it is expected that revocation of the license – even in the first instance – should be seriously considered.

Details of Responsible Authority

Name and Address:

**Immigration Enforcement
Immigration Enforcement Licensing Compliance Team
6th Floor, 2 Ruskin Square
Dingwall Road
Croydon
CR0 2WF**

**Email address
(optional):**

IE.Alcoholreviews@homeoffice.gov.uk

Signatures

Signature of Responsible Authority

Home Office Immigration Enforcement

Date:

12 May 2025

Capacity:

**Responsible
Authority**

To: Licensing

Date: 14/05/2025

From: Trading Standards

Ref: Drinks4U

Representations to support the licence review of Drinks 4 U made by Thames Valley Police on behalf of the Chief Inspector of Weights & Measures.

Trading Standards is a responsible authority under the Licensing Act 2003 and makes the follow representation regarding the review application by Thames Valley Police of the Drinks 4 U, 36 Market Place Reading RG1 2DE.

The review by Thames Valley Police, in essence, draws attention to the handling of stolen goods, employing illegal workers and their finding of quantity of cigarettes without UK DUTY paid on them.

On the 24th June 2024 Mr Gurjeet Bajaj became the premises licence holder (licensee) and DPS of 36 Market Place, Reading RG1 2DE.

On 23rd August 2024 Trading Standards carried out a test purchase operation, where two young people were instructed to enter Drinks 4 U, 36 Market Place Reading RG1 2DE to try to buy alcohol. At approximately 12:42 pm Mr Gurjeet Bajaj, sold alcohol to a 16 year old test purchaser, but he did correctly challenge and refuse the second test purchaser. Bajaj's details were passed to Thames Valley Police where it is understood that he received a fixed penalty notice for the offence.

A follow up test purchase was carried out on the 17th February 2025, where a 14 year old test purchaser was challenged for proof of age.

In terms of the illegal tobacco found on the premises, it is acknowledged that Trading Standards has not received any intelligence that illegal tobacco is available from the shop but it is notable that illegal tobacco has been found on the premises on two separate occasions. When illegal tobacco is found on the premises, in quantities as found in Drinks4U, there is unlikely to be a reasonable explanation for its presence other than its intention to be sold. The quantity and variation of the brands suggest it was not for personal use.

Notwithstanding whether it was in fact for sale or not, the Secretary of State's Guidance under section 182 of the Licensing Act 2003, at paragraph 11.27 cites specific criminal activity that should be treated particularly seriously, which includes the [sale or] storage of smuggled tobacco.

The general judgement of Mr Bajaj in his role as premises licence holder shows negligent disregard for the law at best but it appears to be more wilful than that and as such, the Trading Standards Service supports and endorses Thames Valley Police's recommendation to revoke the licence for the multiple failures to uphold the four licensing objectives.

Name of Officer	Robert Smalley						
Type of Application	Review of a Premises Licence – Licensing Act 2003						
Name of Premises	Drinks 4 U						
Address	36 Market Place						
	Reading						
	RG1 2DE						
Premises Licence No.	LP2003135						
Licensable Activities	Sale of Alcohol by Retail – Off the Premises						
Finish Times	Mon	Tue	Wed	Thu	Fri	Sat	Sun
	2300	2300	2300	2300	2300	2300	2300

Content of Application:

The application was submitted on **24/04/2025** by **Mr Declan Smyth on behalf of the Chief Constable of Thames Valley Police (TVP)** for the review of the premises licence at the above address. The review has been submitted in order to address the failure of the premises licence holder to promote the four licensing objectives via their insufficient measures to ensure due diligence and promote the licensing objectives. The deliberate and knowledgeable receiving of stolen goods, sales of illegal cigarettes and the employment of an illegal worker by Mr Gurjeet Bajaj has led to the review of this premises licence. These behaviours cause a cascade effect in criminality, for example, supporting drug users with their habit, anti-social behaviour, violence, people trafficking, smuggling, and leading to the further perpetration of crimes.

Thames Valley Police made visits to the premises in February and April 2025. In February, the licensee, Mr Gurjeet Bajaj, was arrested for handling stolen goods, and, upon a search of the premises, non-duty paid cigarettes were located. In April 2025, more non-duty paid cigarettes were located, and, when officers spoke to the member of staff behind the counter, [REDACTED], who was clearly under the influence of alcohol, claimed to not be working at the premises, and, that the owner was at the cash and carry.

■■■■■ right to work could not be verified at the time of the visit, however, further investigations revealed that he did not have the right to work at the premises.

It is imperative for licensed premises to act both responsibly, and in a manner that promotes the licensing objectives. The premises management and staff are currently openly failing to prevent crime and disorder.

Thames Valley Police submit that this review is necessary in order to promote the 4 licensing objectives: The Prevention of Crime and Disorder, The Prevention of Public Nuisance, Public Safety and The Protection of Children from Harm.

The police are a named responsible authority under the Licensing Act 2003.

Licensing Officer's Comments:

Reading Borough Council, acting as a responsible authority, support the application to review the premises licence for Drinks 4 U with the aim to revoke the premises licence. We believe that no other powers available to the sub-committee, namely, a suspension of the premises licence, addition of conditions and the removal of the Designated Premises Supervisor are sufficient to prevent the undermining of the Licensing Objectives at this premises.

The premises is situated in Market Place, in Reading town centre, in an area which suffers high levels of anti-social behaviour including street drinking and the consumption of super strength alcohol, drug usage and other associated signal crimes such as graffiti and shoplifting/theft.

The premises currently has the benefit of a premises licence (**LP2003135**) attached as **Appendix RS-1** held by Mr Gurjeet Bajaj since June 2024 that authorises the Sale of Alcohol by Retail for Consumption Off the Premises. The premises licence holder utilises this licence to operate as a convenience shop with off-licence which sells a variety of alcohol:

Monday to Sunday from 0800hrs to 2300hrs

Handling stolen goods is a criminal offence as listed in section 22(1) of the Theft Act 1968. As previously mentioned, the crimes committed in pursuit of obtaining goods to sell to premises such as the above and then any further crimes committed with the proceeds of these actions can result in an increase in overall crime in both Reading town centre and the surrounding areas. The handling of stolen goods is a vital link in this chain of criminality, one that, if broken, causes the illegal chain of events to collapse.

Schedule 4, sub-section 5(o) of the Licensing Act 2003 identifies handling stolen goods as a relevant offence for personal licences.

It is the job of any responsible employer to ensure that the correct right to work checks are carried out. As is quite apparent, right to work checks are not being carried out at this premises.

The Immigration Act 2016 amended Section 21 of the Immigration, Asylum and Nationality Act 2006 and is the relevant legislation that deals with the employment of illegal workers. It states:

1) A person commits an offence if he employs another ("the employee") knowing that the employee is [disqualified from employment by reason of the employee's immigration status].

(1A) A person commits an offence if the person—

(a) employs another person ("the employee") who is disqualified from employment by reason of the employee's immigration status, and

(b) has reasonable cause to believe that the employee is disqualified from employment by reason of the employee's immigration status.

(1B) For the purposes of subsections (1) and (1A) a person is disqualified from employment by reason of the person's immigration status if the person is an adult subject to immigration control and—

(a) the person has not been granted leave to enter or remain in the United Kingdom, or

(b) the person's leave to enter or remain in the United Kingdom—

(i) is invalid,

(ii) has ceased to have effect (whether by reason of curtailment, revocation, cancellation, passage of time or otherwise), or

(iii) is subject to a condition preventing the person from accepting the employment.]

(2) A person guilty of an offence under this section shall be liable—

(a) on conviction on indictment—

(i) to imprisonment for a term not exceeding [five] years,

(ii) to a fine, or

(iii) to both

The offence of employing illegal workers is a relevant offence in the Licensing Act 2003. The Licensing Act 2003 Guidance at 11.27 and 11.28 states that the employment of illegal workers is to be regarded as a crime that should be taken particularly seriously and that revocation of the premises licence – even in the first instance – should be seriously considered. The licence holder is undermining the crime and disorder licensing objective as well as failing to ensure that the people he employs are legally in the country or entitled to work.

There are potentially numerous other criminal offences which may apply to the employment of illegal workers and these are summarised as follows:

1. The exploitation of illegal workers by unscrupulous employers means that the only person who benefits from their employment is the licence holder through financial gain.
2. Illegal workers – being in the country illegally or working illegally – are unable to declare themselves to the authorities and seek public assistance should they require it.
3. Illegal workers are often paid 'off the record' by the employer meaning that the correct tax and national insurance deductions are not taken into account or declared to HMRC. This would be contrary to the Fraud Act 2006.
4. People who are living in the UK or who are working illegally are often not paid anything close to the Minimum wage which is illegal and again only benefits the employer financially.
5. Illegal workers – because of being deliberately underpaid by unscrupulous employers – are often only provided with the most basic accommodation and standard of living which is often linked to their continued employment at a licensed premises.
6. Illegal entrants into the country will not have been subject to the usual immigration checks and health screenings. This could seriously impact on public protection and the health and wellbeing of the general public as a whole. This could be particularly pertinent if the illegal entrant has arrived from a country with health issues and the employer has then decided to employ that person in a kitchen or other function where food is served to the public.

7. The employment of illegal workers is often done at the expense of people who are living and working in the country legally and is only done to financially benefit the licence holder and to undercut legitimate, law abiding competitors.

8. Illegal entrants – who have not undergone appropriate checks or immigration clearance at the border – could be being unwittingly employed by the licence holder despite them having current or previous criminal convictions which may endanger the public.

The licence holder is exploiting potentially vulnerable people and engaging in a multitude of criminal offences by employing them at this premises.

The Customs and Excise Management Act 1979 is the primary legislation that makes it illegal to possess, sell, or deal in goods on which UK duty has not been paid. Under this Act:

- It is a criminal offence to sell or possess tobacco products for sale that have not had UK duty paid.
- Offenders can face seizure of goods, fines, and even imprisonment.

Secondly, the Tobacco Products Duty Act 1979 governs the duty payable on tobacco products. It supports enforcement against illicit tobacco by:

- Requiring that all tobacco products sold in the UK bear the appropriate UK duty-paid markings.
- Allowing HMRC to seize and destroy non-compliant products.

Thirdly, the Standardised Packaging of Tobacco Products Regulations 2015, while primarily focused on packaging, these regulations also help identify illicit tobacco, as non-duty paid products often fail to comply with UK packaging laws.

Licensing team's interactions with the premises:

Mr Gurjeet Bajaj has been the licence holder since June 2024. During his time as licence holder, 2 licensing inspections have been conducted by licensing officers from Reading Borough Council. Both of these inspections have highlighted areas of non-compliance as detailed below:

Appendix RS-2 contains a letter sent by licensing enforcement officer Mike Harding to the licence holder following an inspection on 09/07/2024. This inspection identified 4 breaches of the premises licence, namely: Part B of the premises licence not fully on display, no staff training records, failure to review the incident register, selling beer/cider/lager of 6.5% ABV or greater.

Appendix RS-3 contains a letter sent by licensing enforcement officer Robert Smalley to the licence holder following an inspection on **10/04/2025**. This inspection found 6 breaches of the premises licence, namely: no written authorisation list for the sale of alcohol, CCTV not covering the entire licensable area, only having 4 of the required 31 days of recordings and no camera positioned to monitor the external area of the premises, no staff training records, no staff holding the BII Level 1 Award in Responsible Alcohol Retailing, no incident recording, not recording refusals of sales correctly and not for a long period of time, no visible notice asking for customers to leave the premises quietly,

As well as the offences listed earlier in my representation, the premises licence holder is clearly unable to operate his premises in compliance with his licence conditions, and, in fact, the premises performed worse in April 2025 than in July 2024. To conduct licensable activities otherwise than in accordance with an authorisation is not only an offence under Section 136 of the Licensing Act, but also undermines the promotion of the Licensing Objectives.

The approach of the Licensing Team:

The Responsible Authorities named in the Licensing Act 2003 must ensure that the licensing objectives are all actively promoted to prevent crime and disorder, prevent public nuisance, protect children from harm and ensure public safety. All four licensing objectives are of equal importance.

The Council's Statement of Licensing Policy (2023):

Immigration Act 2016

3.4 Section 36 and Schedule 4 of the Immigration Act 2016 amended the Licensing Act 2003 and made Home Office Immigration Enforcement a Responsible Authority concerned with the licensing objective of prevention of crime and disorder. They will exercise their power both in respect of being a consultee on new licence applications and having right of entry to licensed premises with a view to seeing whether an offence under any of the Immigration Acts is being committed on a licensed premises. This will primarily involve the detection and prevention of illegal working on premises that have an alcohol licence or a late night refreshment licence. The offence of employing people at a licensed premises who have no right to work in the UK is also now listed in the Secretary of State's guidance under Section 11.27 which covers criminal activity deemed to be particularly serious and where a licensing authority should consider revoking a premises licence even in the first instance. This Act clearly supports and actively promotes the licensing objective of preventing

crime and disorder and the licensing authority will work with colleagues in the Immigration service and Thames Valley Police to enforce this.

5.13 Any premises that has a premises licence or club premises certificate may have that licence reviewed by any of the named Responsible authorities – including the Licensing Authority in its role as a Responsible Authority. Thames Valley Police may also submit a Summary Review if there is a premises associated with serious crime and disorder. When the Licensing Authority instigates a review it will ensure that there is a clear separation of functions between the officer acting as the licensing authority and the officer acting as a responsible authority.

9.1 It is the responsibility under the Act for all responsible authorities; licence holders and prospective licence holders to actively promote the four licensing objectives. The Council along with partner agencies, has a wider responsibility to protect the public as a whole and prevent crime, harm or nuisance from taking place.

9.2 The Authority will carry out its licensing functions with a view to actively promoting the licensing objectives and maintaining public safety. This applies to the dual role the licensing authority has both as the administrator of the process and as a responsible authority.

9.3 The Licensing Authority has previously and will continue to work with other responsible authorities and partner agencies in order to ensure that the licensing objectives are promoted and that a consistent and joined up approach is taken to enforcement across Reading.

9.4 Reading Borough Council and Thames Valley Police work in partnership when carrying out work that involves licensed premises and any matter that undermines the licensing objectives. The Authority and Thames Valley Police also work in partnership with colleagues in the Home Office Immigration Enforcement team and Trading Standards on a variety of issues including the prevention and detection of illegal working in licensed premises and issues surrounding super strength alcoholic products and responsible alcohol retailing.

Enforcement Approach

9.14 Licence holders should be aware that some criminal activity on licensed premises is considered to be of such seriousness to warrant a licence being reviewed straight away. There is certain criminal activity stated within the Secretary of State's Guidance that should be taken particularly seriously and where revocation of a licence, even in the first instance, should be seriously considered. This can include the sale or storage of smuggled alcohol or cigarettes on a licensed premises; the employment of an illegal worker at a

licensed premises and the use of a licensed premises to sell or distribute drugs and weapons. Clearly if a premises is found to be committing such serious offences, then the premises and licence holder is severely undermining the licensing objectives. It is likely, under such circumstances, that a licence review will be initiated by the Authority or colleagues within Thames Valley Police, Home Office Immigration Enforcement or the relevant responsible authority with a view to having the licence revoked.

9.15 Licensed premises that have a history of non-compliance over a period of months and years and/or incidents of serious crime taking place at that premises, will likely find that the Authority will initiate a review with a view to asking for the licence to be considered for revocation.

9.16 When considering what enforcement action to take, the Authority will always consider what is the most appropriate and proportionate step to promote the licensing objectives. The Authority is not required to wait for offences to occur before deciding it needs to take appropriate action. Case law – notably *East Lindsey District Council v Abu Hanif* – states that the promotion of the licensing objectives requires a prospective consideration of what is warranted in the public interest having regard to the twin considerations of prevention and deterrence. Similarly, the Secretary of State's Guidance to the Licensing Act makes clear that there is no requirement for the Authority to wait for the outcome of any criminal proceedings before it initiates any enforcement action. This is the approach that the Authority will take when considering what, if any, action should be taken when condition breaches and other criminal activity is found at licensed premises.

10. Administration, Exercise and Delegation of Functions

10.1 The powers of the Licensing Authority under the Licensing Act 2003 may be carried out by the Licensing Committee; by a Sub Committee or by one or more officers acting under delegated authority. The Licensing Committee will consist of between 10-15 members and the committee may establish one or more sub-committees consisting of two or three members.

10.3 A Licensing Sub-Committee shall hear all applications where relevant representations have been received and applications for the review of a premises licence that may have been submitted by Responsible Authorities or any other persons.

Secretary of State's Guidance (February 2025)

Licensing Objectives and Aims:

1.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.

1.3 The licensing objectives are:

The Prevention of Crime and Disorder

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

1.4 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.

1.5 However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:

- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises.

Purpose

1.7 This Guidance is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.

1.8 The police remain key enforcers of licensing law. This Guidance does not bind police officers who, within the parameters of their force orders and the law, remain operationally independent. However, this Guidance is provided to support and assist police officers in interpreting and implementing the 2003 Act in the promotion of the four licensing objectives.

The role of responsible authorities

9.12 Each responsible authority will be an expert in their respective field, and in some cases, it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area⁵. The police should usually therefore be the licensing authority's

main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent. However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

Home Office Immigration Enforcement acting as a responsible authority

9.25 The Immigration Act 2016 made the Secretary of State a responsible authority in respect of premises licensed to sell alcohol or late night refreshment with effect from 6 April 2017. In effect this conveys the role of responsible authority to Home Office Immigration Enforcement who exercises the powers on the Secretary of State's behalf. When Immigration Enforcement exercises its powers as a responsible authority it will do so in respect of the prevention of crime and disorder licensing objective because it is concerned with the prevention of illegal working or immigration offences more broadly.

9.31 The Licensing Act 2003 (Hearings) Regulations governing hearings may be found on the www.legislation.gov.uk website. If the licensing authority decides that representations are relevant, it must hold a hearing to consider them. The need for a hearing can only be avoided with the agreement of the licensing authority, the applicant and all of the persons who made relevant representations. In cases where only 'positive' representations are received, without qualifications, the licensing authority should consider whether a hearing is required. To this end, it may wish to notify the persons who made representations and give them the opportunity to withdraw those representations. This would need to be done in sufficient time before the hearing to ensure that parties were not put to unnecessary inconvenience.

9.38 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- this Guidance;

- its own statement of licensing policy.

9.39 The licensing authority should give its decision within five working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it. This will be important if there is an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal.

Determining actions that are appropriate for the promotion of the licensing objectives

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

The Review Process

11.1 The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.

11.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.

11.16 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.

11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in

writing to the licence holder.

11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker.

11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
- revoke the licence.

11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

Reviews arising in connection with crime

11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.

11.26 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence,

for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.

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 employing a person who is disqualified from that work by reason of their immigration status in the UK;

11.28 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.

Summary of Representation:

Reading Borough Council Licensing appreciates the serious nature of the offences taking place at this premises. Handling stolen goods, possessing non-duty paid cigarettes and the hiring of an illegal worker, individually, each of these offences warrants a serious response from the Licensing Authority, however, to be actively and wilfully committing such offences shows a total disregard for the law and a premises licence holder that places profit above the promotion of the licensing objectives. All of these offences have a major knock-on effect to other businesses and people who are the victims of these crimes. Businesses that are stolen from incur the financial loss of the goods, and, in some cases, their staff suffer from the negative psychological effects of the threats and violence used by the thieves. Avoiding paying duty places this premises at a commercial advantage compared to similar businesses due to the increased profit margins and it deprives the UK economy of the tax due on the items. Similarly, hiring illegal workers not only gives the premises an unfair commercial advantage, it also exploits those that are illegally working, in this case, for just £5-10 or some food. We consider these offences serious enough to warrant revocation in the first instance and we do not consider any other

power available to the sub-committee as appropriate to prevent these offences from reoccurring.

We appreciate that the determination of this review is solely down to those members of the sub-committee at the hearing, however, we respectfully provide the following breakdown of the powers available to the sub-committee, each accompanied by an explanation as to whether we consider the power appropriate or not to address the current undermining of the licensing objectives:

- **the modification of the conditions of the premises licence;**

We do not consider the addition or amending of the conditions attached to the licence to be a pragmatic solution due to the serious nature of the offences conducted at this premises. It is considered likely that, if the premises continues to be licensed to sell alcohol, the premises licence holder will continue to undermine the prevention of crime and disorder licensing objective.

- **the exclusion of a licensable activity from the scope of the licence;**

There is only 1 licensable activity on the licence and therefore this option would render the licence redundant and, in practice, would have the same effect as revocation.

- **Revocation of the licence;**

For the previously stated reasons, we believe this is the only way to prevent further undermining of the licensing objectives.

- **the suspension of the licence for a period not exceeding 3 months;**

We do not believe that this option would serve as anything other than a punitive measure with the premises likely to return to how it currently operates at the end of the suspension period.

- **the removal of the designated premises supervisor;**

This premises is a very small, independently run business. To simply remove the current Designated Premises Supervisor, only for another person to be named as the Designated Premises Supervisor will not result in any substantial change to how the premises is operated, when considering that any Designated Premises Supervisor will be under the direct control of the premises licence holder. See 11.22 of the Secretary of State's section 182 guidance.

Relevant Case law for consideration

East Lindsey District Council v Abu Hanif (t/a Zara's Restaurant) (2016) this underpins the principles widely acknowledged within the Licensing Act 2003 that the licensing objectives are prospective, and that the prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest, having regard to the twin considerations of prevention and deterrence.

R (on application of Daniel Thwaites plc) v Wirral Magistrates' Court and Others (2008) EWHC 838 (Admin) The case recognises that Responsible Authorities are experts in their fields, and that weight should be attached to their representations.

Appendices

Appendix RS-1: Copy of the current premises licence

Appendix RS-2: Premises inspection results letter from inspection conducted by Mike Harding dated July 2024

Appendix RS-3: Premises inspection results letter from inspection conducted by Robert Smalley dated April 2025

Date Received	24/04/2025	Date Due	22/05/2025
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Date	20	05	2025
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LICENSING ACT 2003 PREMISES LICENCE - PART A

Reading Borough Council being the Licensing Authority under the above Act,
HEREBY GRANT a PREMISES LICENCE as detailed in this licence.

Premises Licence Number	LP2003135
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Premises Details

Trading name of Premises and Address	
Drinks 4 U 36 Market Place Reading RG1 2DE	
Telephone Number	

Where the Licence is time limited the dates the Licence is valid
N/A

Licensable Activities

Licensable Activities authorised by the Licence
Sale of Alcohol by Retail - Off the Premises

Authorised Hours for Licensable Activities

The times the licence authorises the carrying out of licensable activities	
Hours for the Sale by Retail of Alcohol	
Monday	from 0800hrs until 2300hrs
Tuesday	from 0800hrs until 2300hrs
Wednesday	from 0800hrs until 2300hrs
Thursday	from 0800hrs until 2300hrs
Friday	from 0800hrs until 2300hrs
Saturday	from 0800hrs until 2300hrs
Sunday	from 0800hrs until 2300hrs

Opening Hours

Hours the Premises is Open to the Public	
Monday	from 0800hrs until 2300hrs
Tuesday	from 0800hrs until 2300hrs
Wednesday	from 0800hrs until 2300hrs
Thursday	from 0800hrs until 2300hrs
Friday	from 0800hrs until 2300hrs
Saturday	from 0800hrs until 2300hrs
Sunday	from 0800hrs until 2300hrs

Alcohol

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Sale of Alcohol by Retail - Off the Premises

Premises Licence Holder

Name, (registered) address of holder of premises licence

Name: Mr Gurjeet Singh Bajaj

Address:

Registered number of holder, for example company number or charity number [where applicable]

N/A

Additional Details

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Name: Mr Gurjeet Singh Bajaj

Address:

Designated Premises Supervisor

Personal Licence number and issuing authority of personal licence held by the designated premises supervisor where the premises licence authorises the supply of alcohol

Personal Licence Number: LN000010262

Issuing Authority: Ealing Borough Council

This Licence shall continue in force from **19/06/2024** unless previously suspended or revoked.

Dated: 11 July 2024

Signed on behalf of the issuing licensing authority



Emma Gee

Acting Executive Director for Economic Growth and Neighbourhood Services

Annex 1

Mandatory Conditions

Supply of Alcohol

To be applied where a premises licence authorises the supply of alcohol

- 1 No supply of alcohol may be made under the premises licence:-
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
- 2 Every supply of alcohol made under the premises licence must be made or authorised by a person who holds a personal licence.

Film Exhibitions

To be applied only where a premises licence or club premises certificate authorises the exhibitions of films

- 1 The admission of children to any exhibition of any film must be restricted in accordance with section 20 of Part 3 of the Licensing Act 2003.
- 2 In the case of films which have been classified by the British Board of Film Classification admission of children to films must be restricted in accordance with that classification.
- 3 In the case of films which have not been classified by the British Board of Film Classification, admission of children must be restricted in accordance with any recommendation made by the Licensing Authority.

Door Supervisors

To be applied where a premises licence or club premises certificate includes a condition that any person must be at the premises to carry out a security activity. [Except premises with a premises licence authorising only plays or films or premises used exclusively by a club].

- 1 Each individual present at the licensed premises to carry out a security activity must be licensed by the Security Industry Authority.

Responsible Drink Promotions (commencement date 01/10/2014)

- 1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- 2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Supply of Tap Water (commencement date 01/10/2014)

1. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Age Verification Policy (commencement 01/10/2014)

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 premises 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.

Drink Measurements (commencement date 01/10/2014)

1. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

Minimum Permitted Pricing (commencement 28th May 2014)

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.

2. For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be 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 rate of duty chargeable in relation to the alcohol as if the 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 premises 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

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the 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.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 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.

4. (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.

Conditions Consistent with the Operating Schedule & Agreed with Licensing Authority and Thames Valley Police

General

1. The premises licence holder shall ensure the premises' digitally recorded CCTV system cameras shall continually record while the premises are open to the public and recordings shall be kept for a minimum of 31 days with time and date stamping. The entire licensable area shall be covered with the CCTV. There shall be at least one camera positioned at each entry and exit point to monitor any external areas to the premises. CCTV images and data recordings shall be made available, without delay to an authorised officer of Reading Borough Council or Thames Valley Police together with facilities for viewing upon request, subject to the provisions of the Data Protection Act and GDPR legislation. Recorded images shall be of such quality as to be able to identify the recorded person in any light. At least one member of staff on the premises at any time during operating hours shall be trained to access and download material from the CCTV system.

2. Signage advising customers that CCTV is in use shall be positioned in prominent positions.

3. Staff employed to sell alcohol shall undergo training upon induction. This shall include, but not be limited to:

- Understanding of the four licensing objectives
- The premises age verification policy (Challenge 25)
- Dealing with refusal of sales
- Proxy purchasing
- Identifying attempts by intoxicated persons to purchase alcohol
- Conflict management
- How to identify and safeguard vulnerable persons who attend and leave the premises
- Child sexual exploitation
- The four licensing objectives
- Offences committed under the Licensing Act
- Conditions of the Premises Licence

a) Refresher training shall be provided every 6 (six) months.

b) Signed induction and refresher training records are to be kept for a minimum of 2 (Two) years of the date of training and made available for inspection by a Police Officer or authorised officer of Reading Borough Council upon request.

c) All staff authorised to sell alcohol shall be trained to a minimum of BII Level 1 award in responsible alcohol retailing (ARAR) or any other similar curriculum within eight (8) weeks for existing and subsequent employees and provide evidence of such training having been undertaken to an authorised officer of Reading Borough Council's or Thames Valley Police upon request.

4. All staff shall be trained to record any incident which has an impact on any of the four licensing objectives, or instances when authorised officers from Reading Borough or Thames Valley Police have attended the premises. If the record is in written form, then it should be documented in a bound book similar to an A4 day by day diary and marked incident book. The book/register must be completed within 24 hours of the incident and will record the following:

- i) all crimes relating to the premises
- ii) any complaints received
- iii) any incidents of disorder
- iv) any faults in the CCTV system
- v) any visit by a relevant authority or emergency service.

(a) this record shall be available for inspection by an Officer of Thames Valley Police or an authorised officer of Reading Borough Council upon request and shall be retained for one year. The record shall be signed off by the DPS or nominated representative at the end of each trading session;

(b) a weekly review of the incident register shall also be carried out by the DPS.

5. All staff to be trained to record refusals of sales of alcohol in a refusals book or electronic register, If the record is in written form then it should be documented in a bound book similar to a A4 day by day diary and marked refusals. The book/register shall contain:

- Details of the time and date the refusal was made
- The identity of the staff member refusing the sale
- Details of the alcohol the person attempted to purchase
- Brief details of the person attempting to purchase the alcohol

a) This book/register shall be available for inspection to an authorised officer of Reading Borough Council or Thames Valley Police. A weekly review of the refusal's book/register shall also be carried out and signed off by the Designated Premises Supervisor or their nominated representative.

6. The premises shall at all times operate an age verification policy of at least Challenge 25 to prevent any customers who appear to staff members to be under the age of 25 years from purchasing alcohol and other age restricted products, including, but not limited to, nicotine containing products and tobacco, without having first provided identification. Only a valid driver's licence showing a photograph of the person, a valid passport, national identity card, proof of age card showing the "PASS" hologram or other form or method of identification that complies with any mandatory condition that may apply to this licence are to be accepted as identification. Notices advertising the Challenge 25 and proof of age policies shall be displayed in prominent positions on the premises.

7. The designated premises supervisor shall ensure that they and staff who are authorised to sell alcohol, are able to converse with customers and representatives of Statutory Agencies to a level that they are able to satisfactorily meet the four licensing objectives as contained in the Licensing Act 2003.

- I. The Prevention of Crime and Disorder
- II. Public Safety
- III. The Prevention of Public Nuisance
- IV. The Protection of Children from Harm

8. The premises licence holder shall not sell super strength beer, lager or cider with an alcohol content of 6.5% ABV (alcohol by volume) or greater are sold at these premises.

9. Spirits (with the exception of spirit mixers and pre-mixed spirit drinks) shall be located behind the counter.

10. There shall be no single cans of beer, lager or cider sold at the premises.

11. There will be no sale of miniature size spirits (5cl) or spirit mixers.

12. Staff shall actively discourage and disperse persons who congregate outside the premises so as to minimise disturbance to local residents and businesses. Any incidents shall be recorded in the incident register.

13. Clearly legible and suitable notices shall be displayed at all exits requesting customers to respect the needs of local residents and businesses and to leave the premises and area quietly.

14. The premises licence holder shall monitor the area immediately outside of the premises for evidence of customers consuming alcohol in the street that has been purchased on the premises. Where it reasonably appears to the premises licence holder that a person is attempting to purchase alcohol for consumption in the street near the premises, the sale shall be refused.

15. The immediate vicinity outside of the premises and in any external areas associated with the premises shall be kept clear of litter whilst the premises is open for licensable activities.

16. The Premises Licence Holder shall have available on the premises, for inspection by an authorised officer of Reading Borough Council or Thames Valley Police at any reasonable time, true copies of invoices, receipts or other records of transactions for all alcohol products purchased in the preceding six months. All alcohol products shall only be purchased from outlets registered with HMRC's Alcohol Wholesale Registration Scheme.

17. The Premises Licence holder shall display in a prominent position a copy of their policy on checking proof of age.

18. A current written authorisation list shall be displayed in a prominent position on the premises confirming the details of all current staff that have been authorised to sell alcohol by a Personal Licence Holder. The authorisation list shall include, the name of the staff member authorised, the name and personal licence details of the person authorising them to sell alcohol. This list shall also contain the date and signature of the staff member authorised and countersigned by the authorising Personal Licence Holder.

19. A section 57 notice shall be displayed in a prominent position detailing the location of the Part A of the premises licence, and a list of staff members that have an awareness of its location and content.

20. The premises shall not sell any items of drug paraphernalia which can be used for taking illegal drugs i.e. any equipment, product or accessory that is intended or modified for making, using, or concealing drugs (bongs, pipes, clips, grinders or similar items).

Annex 3

Conditions attached after a hearing by the Licensing Authority

N/A

Annex 4

Plans

As attached plan received dated 01/08/2022.

Armaan Food & Wine
36 Market Place
Reading
RG1 2DE

Date: 10 July 2024

Your contact is:

Mike Harding, Licensing - Regulatory Services

Dear Sirs,

Licensing Act 2003

Premises Name: Armaan Food & Wine

Premises Address: 36 Market Place, Reading, RG1 2DE

On **09 July 2024**, **Mike Harding and Tabitha Shaw** visited your premises to ensure you are complying with the above premises licence and to advise on any matters that may arise during the inspection.

During the inspection, the officer found a number of items that require your attention as outlined below:

Mandatory conditions

- Part B of your licence was not fully on display. It is a requirement that the document is on display in a prominent position so that your customers can see it. All pages must be displayed. Please ensure this is rectified when you receive your new licence.
- You were unable to tell officers what the four licensing objectives are. All licence holders are expected to have a basic knowledge of these objectives as they are supposed to be actively promoted. You are advised to refresh yourself and your staff of these objectives and what they mean.

Conditions agreed with licensing

- Condition 3 on page 7 of your licence in respect of staff training was not being complied with. No training records could be produced. This is a breach of condition and should be rectified.
- Condition 4b was not being complied with. A weekly review of the incident register must be carried out by the DPS. This can involve checking the incidents and signing to acknowledge them.
- Condition 8 in relation to not selling super strength beer, lager or cider with alcohol content of 6.5% ABV (alcohol by volume) or greater was not being complied with. There were a few

bottles at 7.3% ABV. Officers stated that these can either be taken off the shelves, or sold, but not restocked.

Advisories

- You mentioned that you sometimes accept photographs of ID on mobile phones as proof of ID. I advise you that this is not sufficient, and physical ID must be shown to prove age. This ID can be passport, driver's licence, military ID, or PASS card.

Whilst we consider what, if any, further action to take in respect of the findings detailed in this letter, please rectify all of the above within 31 days.

If you have any questions in relation to the contents of this letter then please contact me.

Yours faithfully,

Mike Harding



Emma Gee
Interim Executive Director of
Economic Growth & Neighbourhood
Services
Civic Offices, Bridge St, Reading, RG1
2LU

Our Ref: PR202505-1158238

e-mail: robert.smalley@reading.gov.uk

Date: 08 May 2025

E-mailed to: [REDACTED]

Your contact is:

Robert Smalley, Licensing

Dear Sirs,

Licensing Act 2003

Premises Name: Drinks 4 U

Premises Address: 36 Market Place, Reading, RG1 2DE

On **10/04/2025**, Ian Savill (Reading Borough Council Trading Standards) and I visited your premises to ensure you are complying with the above premises licence and to advise on any matters that may arise during the inspection.

During the inspection, I found a number of items that require your attention as outlined below:

Mandatory conditions

- It could not be demonstrated that any of your staff had been authorised to sell alcohol. You may be aware that the mandatory conditions attached to your licence state that all sales of alcohol shall be made by, or authorised by, a personal licence holder. The best way to demonstrate compliance with this condition is to do a written authorisation list. If staff have not been authorised then they will not be permitted to sell alcohol. This is a breach of condition and should be rectified immediately. I have attached a template list for you to complete and put up at the premises.
- You were unable to tell officers what the four licensing objectives are. All licence holders are expected to have a basic knowledge of these objectives as they are supposed to be actively promoted. You are advised to refresh yourself and your staff of these objectives and what they mean.

Conditions agreed with licensing

- Condition 1 on page 7 of your premises licence which relates to CCTV was not being fully complied with. The entire licensable area is not covered, as discussed, there is a blind spot at the end of the counter. The time on the CCTV system was 1 hour behind. You only had 4 of

the required 31 days of recordings. There was no CCTV camera positioned to monitor the external area to the premises.

- Condition 3 on page 7 of your premises licence which relates to staff training was not being complied with. You confirmed that you do not have any written training records and that none of your employees hold the BII Level 1 Award in Responsible Alcohol Retailing as required by this condition.
- Condition 4 on page 8 of your premises licence which relates to the recording of incidents in a written format was not being complied with. You confirmed that you do not records incidents as required by this condition.
- Condition 5 on page 8 of your premises licence which relates to recording refusals of sales of alcohol was not being fully complied with. You were not recording the identity of the person refusing the sale and you were not recording the details of the alcohol the customers was attempting to purchase. The refusal book had not been used since July 2024, despite a failed test purchase in August 2024. You stated that the 'proper' refusal book is with your accountant but you were unable to explain why the book had been given to the accountant.
- Condition 13 on page 9 of your premises licence which relates to putting up notices to requesting that customers leave the premises quietly was not being complied with. There was no notice visible to members of the public at the premises.
- Condition 18 on page 10 of your premises licence which relates to displaying a written authorisation list was not being complied with. There was no list on display at the premises. I have attached a template list for you to complete and put up at the premises.

Other Concerns:

- As you are aware, the premises licence is currently being reviewed by Thames Valley Police due to concerns around the purchasing of stolen goods, the employing of illegal workers and having duty diverted cigarettes on the premises. These are all very serious concerns for the Licensing Authority and are clear signs that you are currently undermining the Licensing Objectives.

Whilst we consider what, if any, further action to take in respect of the findings detailed in this letter, please rectify all of the above within 14 days. I will be visiting your premises again on or after this date.

If you have any questions in relation to the contents of this letter then please contact me.

Yours faithfully



Robert Smalley
Licensing Enforcement Officer

From: [hana.itani](#)
To: [Licensing](#)
Subject: Re: Reference - Drinks 4 U
Date: 07 May 2025 10:33:33
Attachments: [image001.png](#)

Warning!
 For the attention of
 RBC, BFC Staff and Councillors

This mail is from an external sender - please do not click any links or open any attachments unless you trust this sender, and know the content is safe

Hi Akanksha

Full name is Hadia Shugaa

Address is [REDACTED] Richmond Avenue, Hillingdon, UB10 9BJ

Kind Regards

Hadia

Sent from [Outlook for iOS](#)

From: Licensing <Licensing@reading.gov.uk>
Sent: Wednesday, May 7, 2025 12:28:56 PM
To: hana itani [REDACTED]
Subject: RE: Reference - Drinks 4 U

Thank you for your representation in relation to the above application.

For your representation to be valid you must also supply your full name and home address.

If we do not receive the above from you, your representation will not form part of the sub-committee hearing to determine the review application'.

In some exceptional and isolated circumstances interested parties may be reluctant to make representations because of fears of violence or intimidation if their personal details such as name and address are divulged to the applicant. The Licensing Act requires local authorities to provide to the applicant copies of all representations made in relation to an application. As standard, no written representations will have personal details removed unless the licensing authority deems it appropriate to do so. Any request for personal details to be removed and the justification for such a request should be notified to the Licensing Authority at the time of making the representation, or in response to this message if a representation has already been submitted.

If you have any questions, please send them to licensing@reading.gov.uk

P:S - If you have already received this email before and have supplied the information requested, please ignore this email.

Kind regards,
 Akanksha Sikka
 Business Support Officer - Licensing Team
 Directorate Economic Growth and Neighbourhood Services
 Reading Borough Council | Civic Offices | Bridge Street | Reading RG1 2LU
 E-MAIL: Licensing@reading.gov.uk
[Changes for taxi, private hire or scrap metal licence applications from April 2022 - GOV.UK \(www.gov.uk\)](#)

For all COVID-19 advice, please visit the [Government website](#)

www.reading.gov.uk/dataprotection

[Website](#) | [Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#)



We respectfully request that all future correspondence is done digitally.

From: hana itani [REDACTED]
Sent: 30 April 2025 13:54
To: Licensing <Licensing@reading.gov.uk>
Subject: Reference - Drinks 4 U

Warning!
For the attention of
RBC, BfC Staff and Councillors

This mail is from an external sender - please do not click any links or open any attachments unless you trust this sender, and know the content is safe

I, Hadia Shugaa, am a customer of this lovely shop, Drinks 4 U, and can sincerely praise the owners and their friendly staff for providing an excellent service. It would be a great loss to see this business closed down, especially seen as I have never seen any of the charged cases taking place!

Sent from [Outlook for iOS](#)

From: [REDACTED]
To: [Licensing](#)
Subject: as done Feedback for Drinks 4 U
Date: 17 May 2025 16:14:56

Warning!
For the attention of
RBC, BfC Staff and Councillors

This mail is from an external sender - please do not click any links or open any attachments unless you trust this sender, and know the content is safe

Dear team,

Whenever I visit Reading High Street with my kids, I always pop into the Greggs next to this shop Drinks fou U. When I visit this shop, I usually buy a few drinks. However, I've never noticed anything suspicious or illegal going on there.

Kind regards
Amanpreet kaur