

# **Appendix 2**

## Licensing Act 2003

### Representation by a Responsible Authority

**Note:** Please be aware that this form may be viewed by the Applicant or by a representative of the Applicant. It may also be read out in public at the Licensing Panel hearings.

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

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

1. **The Prevention of Crime and Disorder**
2. **Public Safety**
3. **Prevention of Public Nuisance**
4. **The Protection of Children from Harm**

Please enter your details below:

Responsible Authority:	Housing and Environmental Enforcement Team
Contact Officer:	Sarah Cattell who is responsible for officers within the above team who deal with statutory nuisance, housing enforcement, some elements of food safety and public protection issues
Address:	Guildhall, Marshall's Yard, Gainsborough. DN21 2NA
Telephone Number:	01427 675193
E-mail:	sarah.cattell@west-lindsey.gov.uk

Please provide details of the application to which your representation refers:

Name:	No 1 Crooked Billet Street
Address:	No 1 Crooked Billet Street, Morton, DN21 3AG
Application Details:	New Premises Licence
Date Application Received:	

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

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

In relation to this application, the following Guidance issued under Section 182 of the Licensing Act 2003 has been considered –

2.7 Licence Holders have a responsibility to ensure the safety of those using their premises, as part of their duties under the 2003 Act.

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 guilt or innocence of any individual but to ensure that promotion of the crime prevention objective.

From Section 9.12 –Each responsible authority will be an expert in their own field....for example the police have a key role in managing the night-time economy.....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.

This application is for a premises licence to enable the applicant to supply alcohol off sales, 7 days a week between the hours of 07:00 and 22:00 in a supermarket operating style.

The applicant has had involvement with West Lindsey District Council prior to the application being submitted. Details below:

Information was shared from the Police on the 22<sup>nd</sup> January 2019 in relation to concerns for people working on the site at 1 Crooked Billet Street. There were reports of modern day slavery and poor living conditions.

On the 25<sup>th</sup> February 2019 I executed a warrant at 1 Crooked Billet Street to assess the housing conditions within the first floor accommodation. The following agencies were involved, The Gang

Master Licensing Authority, Building Control, The Health and Safety Executive (HSE) and the Police.

There were 3 people in occupation and they were also working on the site. A gentleman who informed us he was the nephew of the owner, Mr Satnam Singh. A gentleman of Slovakian Nationality was living in squalid conditions and reported to being paid £35 a day. The other gentleman said he slept in the other room with the owners nephew.

There were electrical wires hanging, from the ceiling, no guarding from the 1<sup>st</sup> floor to the ground floor, no guarding to the staircase and walls had been knocked out and ceilings brought down. It was very dangerous and the HSE asked them to stop work straight away. They made a prohibition in relation to the building works and I prohibited the living accommodation under the Housing Act 2004. This meant that work had to cease there and then and that they could not sleep in the accommodation or access the first floor until works were carried out in compliance with the orders.

On the 7<sup>th</sup> March 2019 I visited and the 2 gentlemen were working in breach of the HSE's order. I then accessed the first floor and there was clear evidence the gentleman were sleeping in the bedrooms. There was food there, clothes, deodorant and bedding. This was a breach of the Emergency Prohibition Order. Mr Satnam Singh was informed of this and told me no one was sleeping there. I have body camera footage of me speaking to Mr Singh about the contents of the order and what he needed to do so as to not breach it.

On the 5<sup>th</sup> April the 2 gentlemen were in the 1<sup>st</sup> floor of the property. I witnessed them playing music and sat on the open window ledge.

On the 1<sup>st</sup> May 2019 I could hear construction noise and people chatting through the open window.

On the 28<sup>th</sup> May 2019 there was a report received in relation to smoke from the business premises. No formal action has been taken as contractors have ceased working on site.

On The 7<sup>th</sup> June 2019 it came to my attention that food registration form had not been received for the new business premises. An application has been sent to Mr Singh but no application received to date.

There have been 3 breaches of the Emergency Prohibition Order to date. Mr Satnam Singh and his nephew have both attended interviews under caution and the gentlemen who were resident are no longer contactable.

The HSE are pursuing a prosecution for breaches to their regulations.

Mr Singh has failed to adhere to informal and formal methods of communication and the evidence sought in the enforcement cases provide justification as to why I believe he is a risk to public safety.

