



LICENSING ACT 2003

REPORT TO LICENSING SUB-COMMITTEE FOLLOWING RECEIPT OF AN APPLICATION TO REVIEW A PREMISES LICENCE

***Spice of Life
8 – 12 Wellowgate
Grimsby
DN32 0RA***

NORTH EAST LINCOLNSHIRE COUNCIL
LICENSING AUTHORITY

LICENSING ACT 2003

Report to Licensing Sub-Committee
following receipt of an Application to Review a Premises Licence

1. Premises Licence Details -

- 1.1 Premises:**
Spice of Life, 8 – 12 Wellowgate, Grimsby, DN32 0RA
- 1.2 Premises licence holder:**
Sunshine Grimsby Ltd
- 1.3 Relevant licensable activity authorised by the premises licence:**
- Supply of Alcohol
 - Late Night Refreshment
 - Live Music
 - Recorded Music
 - Performance of Dance
- 1.4 Times when the relevant licensable activity is permitted by the premises licence:**
Please see attached Premises Licence - Please see Appendix 1
- 1.5 Designated Premises Supervisor:**
Mohammed Salique

2. Summary of Review Application –

Full details are set out in the review application and review pack from Immigration Enforcement and the representation received from Humberside Fire & Rescue.

Exhibit 01 – Application for a Premises Licence Review of Spice of Life
Exhibit 02 – Licensing Review Pack - Spice of Live with Annex
Exhibit 03 – Representation received from Humberside Fire & Rescue
Exhibit 04 – Statement PC1352 Hullett
Exhibit 05 – Statement PC591 Drake

The following is also attached

Appendix 1 – Spice of Life Premises Licence
Appendix 2 – Map of Premises

- 2.1 Date review application received:**
22 June 2026
- 2.2 Person making application for review:**
Home Office Immigration Enforcement
- 2.3 Licensing objective affected:**
The Prevention of Crime and Disorder

3. Representations –

- 3.1** One representation was received from Humberside Fire & Rescue in support of the review.
- 3.2** One representation was received from North East Lincolnshire Council's Housing Department in support of the review but has subsequently been withdrawn.
- 3.3** There were no other representations from the other responsible authorities or any interested parties.

4. Statement of Licensing Policy -

The following sections of North East Lincolnshire Council's Statement of Licensing Policy 2015 to 2020 are considered relevant to this review application:

- Licensing Objectives: 2.1 – 2.4, 9.1 – 9.1.9
- Premises Licence: 8.2.1 – 8.2.2
- Representations: 8.7.1 - 8.7.4
- Reviews: 8.8.1 – 8.8.2, 8.8.5 - 8.8.6
- Prevention of Crime and Disorder: 9.2.1 – 9.2.4, 9.2.7

5. Guidance issued under Section 182 of the Licensing Act 2003 –

This guidance is provided for Licensing Authorities carrying out their functions. It is regarded by the Government as a key mechanism for promoting best practice, ensuring consistent application of licensing powers across the country and for promoting fairness, equal treatment and proportionality. It does not however replace any statutory provisions of the 2003 Act and it is for the Licensing Authority to take their own professional and legal advice about its implementation.

The following sections of the Guidance are considered to be relevant to this review application:

- Crime and Disorder 2.3, 2.6
- Home Office Immigration Enforcement Acting as a Responsible Authority 9.25
- Reviews 11.1 – 11.23

6. General Advice on Determination of the Application –

- 6.1** The sub-committee are advised that findings on any issues of fact should be on the balance of probability.
- 6.2** The sub-committee are advised that in arriving at any decision, it must have regard to relevant provisions of national guidance and North East Lincolnshire Council's Statement of Licensing Policy. Reasons must be given for any departure.
- 6.3** The sub-committee are advised that the final decision should be based on the individual merits of the application and the factual findings made at the hearing.
- 6.4** Section 52 of the Act states that the Licensing Authority must, having regard to the application for review and any relevant representations, take such of the steps set out below as it considers **appropriate** for the promotion of the licensing objectives:
- Modify the conditions of the licence (i.e. alter, omit or modify conditions).
 - Exclude the licensable activity from the scope of the licence.
 - Remove the designated premises supervisor.
 - Suspend the licence (or an aspect of it) for a period not exceeding 3 months.
 - Revoke the licence.
- 6.5** The conditions of the licence are modified if any of them is altered or omitted or any new condition is added. Modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to 3 months. It may also be decided that no action is necessary and consideration given to whether a warning should be issued to the licence holder and/or recommend improvement within a particular period of time.
- 6.6** Conditions should be proportionate to the size, style and characteristics of the premises and the activities proposed or taking place and must be **appropriate**.
- 6.7** Paragraph 11.20 of the Section 182 guidance recommends that in deciding which powers to invoke, licensing authorities should so far as possible seek to establish the cause or causes of the identified problem and direct proportionate responses at these areas as a means of remedial action.
- 6.8** Paragraph 11.18 of the Section 182 guidance points out that it may be the case that the licensing authority decides that no further steps are necessary in order to promote the licensing objectives or that an informal warning is considered sufficient. However it also states that where responsible authorities have already issued warnings that have

not been heeded, this approach should not be repeated.

6.9 The sub-committee are advised that they must take into account the following Human Rights provisions:

- Everyone is entitled to peaceful enjoyment of their possessions (includes licences), although a person can be deprived of their possession if it is in the “public interest”.
- Everyone affected by a decision has a right to a fair hearing.
- Everyone has the right to his private and family life, his home and his correspondence.

6.10 The sub-committee, in its decision making, must have due regard to its public sector equality duty under section 149 of the Equality Act 2010

7. Observations –

7.1 The premises has been visited by Immigration Enforcement on numerous occasions the first one being in 2008. During visits in 2012, 2015 and 2019 individuals were encountered working illegally and were arrested. As a result, in 2020 the Home Office applied for a licence review and requested revocation, however following a hearing North East Lincolnshire Council’s sub-committee decided not to revoke the licence at that time. Instead, they attached the following conditions to the licence.

- *The premises licence holder will operate a full Human Resources (HR) management system, where all relevant documents are stored for each individual member of staff.*
- *All copies of relevant documents for members of staff will be retained for a period of 24 months post termination of employment, and will be made available to Police, Immigration, or Licensing Officers upon request.*
- *The premises licence holder will carry out checks on the Home Office website and verify identification documents, such as right to work, to ensure all new members of staff can be legally employed.*
- *No member of staff shall be able to work at the premises unless they have provided satisfactory proof of identification and right to work.*

7.2 Following the review in 2020 and up to 2024, Immigration Enforcement conducted a further five visits to the premises, on each occasion illegal workers were identified. Whilst some additional individuals evaded officers, these visits did result in four arrests.

7.3 In 2023 the old premises licence lapsed due to Elachi Grimsby Limited, being dissolved. A new premises licence was applied for and granted, and the conditions that the previous hearing had attached to the old licence were also applied to the new premises licence.

7.4 After a compliance visit in April 2026, an enforcement visit was undertaken on 4 June 2026 where two individuals were again identified as working

illegally. As a result, a closure notice was served and the business closed for 24 hours.

- 7.5** Since 2019, two civil penalties, one of £30,000 and one of £45, 000 have been issued in relation to illegal workers being found at the premises. One was appealed and upheld with costs being added. Most of the civil penalties and costs remain unpaid. Some has been referred to a third-party debt recovery.
- 7.6** It has been shown that the Licence Holder is aware of how to conduct right to work checks as evidence has been provided for some of his employees but no right to work checks were provided for the illegal workers.
- 7.7** Immigration Enforcement notes that despite changes in company structure and premises licence holders, there are clear and consistent links between the operating entities through shared directors and associated family members, allowing the business to continue operating notwithstanding previous immigration sanctions and liquidation proceedings.
- 7.8** During enforcement visits Officers identified that the premises included onsite accommodation for workers accessed via an internal staircase from the kitchen and external stairs at the rear. It is noted that individuals have evaded action by fleeing upstairs and removing work uniforms on these visits. Additionally, the living conditions were noted to be of a poor standard. Both Housing and Humberside Fire & Rescue have submitted representations in support of this review. However, following a recent visit to the premises, North East Lincolnshire Council's Housing Department have withdrawn their representation on this occasion.
- 7.9** In their review paperwork, Immigration Enforcement have also highlighted that further conditions on the premises licence are being breached. They also raise concerns over public safety due to fire exits being bolted/nailed shut. See Additional Concerns section in the paperwork.
- 7.10** Under Section 182 of the Licensing Act 2003 (revised Guidance February 2026), section 2 refers to the Licensing Objectives, starting with Crime and Disorder, subsection 2.6 specifies "The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises'. The evidence suggests the Crime and Disorder Licensing Objective has been undermined in this respect.

Furthermore Subsection 11.28 states that "where reviews arise, and the licensing authority determines that the crime prevention objective is being undermined.....it is expected that revocation of the licence – even in the first instance – should be seriously considered"

Report prepared by:
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4 August 2026