



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:			
Diamond Food & Wine Limited			
Name and Address of Premises:			
Diamond Food & Wine (New Road Food & Wine) 135 – 137 New Road			
Post Town:	Rainham	Post Code:	RM13 8ES

Representations are being made for the following reasons:

The Licensing Act 2003 outlines four objectives that are to be upheld, the Home Office (Immigration Enforcement) is concerned regarding the prevention of crime and disorder.

Home Office (Immigration Enforcement) considers that the premises licence holder: **Diamond Food & Wine Limited** is not taking suitable measures to prevent crime and disorder. The premises has been found with two individuals who were prohibited for working by virtue of their immigration status under the Immigration Act 1971 (as amended).

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

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

On 29 June 2012, **Diamond Food and Wine Ltd** was first incorporated on Companies House with the company number **08124078**. **PRAFUL PATEL** and **SHARMISTA PATEL** were both appointed as directors on 06 March 2014 and are showing as currently active.

On 27 February 2026, Immigration Officers from South East Immigration Compliance and Enforcement (ICE) conducted an enforcement visit to Diamond Food & Wine, 135 – 137 New Road, Rainham, RM13 8ES after intelligence was received the premises was employing illegal workers. Entry was gained under Section 179 of the Licensing Act 2003.

Immigration officers encountered the following individuals:

Jayesh Bhikhubhai PATEL - 6/6/1964 - India

PATEL was located inside the shop premises and observed stacking shelves. Upon noticing the presence of officers, PATEL attempted to evade them by moving toward the rear of the premises.

During interviewing, PATEL stated that he had been working at the premises for approximately three months. His primary duties included stocking shelves and replenishing items that were low in stock. PATEL reported working eight hours a day, seven days a week, with consistent hours each day. He confirmed that he received £40 per day, paid weekly in cash by VIJAY, and that he does not pay tax.

PATEL claimed he was unaware of any right to work checks being carried out and stated that he was not asked to confirm whether he had legal permission to work in the UK. He explained that VIJAY assigns him his duties but noted that VIJAY is not the owner, and that the boss was not present at the time.

Home Office checks showed PATEL entered the UK on a visit visa valid August 2019 until March 2020. PATEL failed to leave the UK on the completion of this visa and was classed as an overstayer. PATEL has never held any legal right to undertake work within the UK.

Vijaykumar Gordhanbhai PATEL - 26/6/1972 - India

VIJAYKUMAR PATEL was found working behind the till, an area designated for staff only, and was observed serving customers. During interviewing, VIJAYKUMAR PATEL stated that he had been working at the premises for approximately one month, assisting his uncle, with his primary responsibility being customer service. He explained that he works five to six hours a day, seven days a week, and that he was offered the role by an individual referred to as Mr PATEL, who also assigns daily duties and determines his working hours and days. It is believed that the person identified as Mr PATEL is PRAFUL PATEL, one of the company directors who holds the premises licence.

VIJAYKUMAR PATEL said he does not receive any monetary payment for his work but occasionally receives food or a place to stay. He further stated that the employer did not carry out any right to work checks or review any documentation confirming his right to work before he began working. He claimed that the employer was aware of his working restrictions but allowed him to help regardless.

Home Office checks confirmed that VIJAYKUMAR PATEL entered the UK on a visit visa valid from July 2004 to January 2005. He did not leave the UK upon expiry of this visa and was subsequently classified as an overstayer. At no point has VIJAYKUMAR PATEL held any lawful right to work in the United Kingdom.

Employer Interview - Sharmista PATEL

An illegal working employer interview was conducted with Sharmista PATEL. During the interview, she stated that she was a partner in a business she identified as **Diamond Food & Wine**. However, she was unable to provide a Companies House registration number or VAT number for the business, explaining that these matters were handled by her husband and son.

Sharmista PATEL claimed that Vijaykumar Gordhanbhai PATEL had been assisting at the premises for a couple of years, carrying out tasks such as stacking shelves and serving customers, including the sale of alcohol. She was unable to answer questions regarding his remuneration, working hours, duties, or any pre-employment checks, repeatedly stating that these responsibilities were managed by her husband and son.

When questioned about Jayesh Bhikhubhai PATEL, Sharmista PATEL was similarly unable to provide information relating to his remuneration, working days, duties, or pre-employment checks, again reiterating that these matters were overseen by her husband and son.

The case has been referred to the Civil Penalty Compliance Team and is undergoing their consideration under section 15 of the Immigration, Asylum and Nationality Act 2006. Under the Act, employers can face civil penalties for employing adults who lack the right to work in the UK or have invalid leave. As of February 2024, civil penalties can reach up to £45,000 per worker for first-time breaches, rising to £60,000 for subsequent violations.

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

Diamond Food & Wine under the control of **PRAFUL PATEL AND SHARMISTA PATEL** has been found with 2 overstayers who were working at the premises. This business has clearly failed to meet the prevention of crime and disorder objective. The licence holder would have been aware of their responsibilities to uphold the licensing objectives as they are clearly defined as part of the premises licence 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 licence holder or its agents.

The licence holder could have protected themselves and prevented crime and disorder by completing a straightforward right to work check. Should the licence holder have attempted these checks, the workers would have failed at the first stage. This would have quickly and easily confirmed that they did not hold the relevant right to work, and the licence holder could have protected themselves from giving work to 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 (itself an offence) and National Insurance payments are not paid. 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 wilful 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 licence – even in the first instance – should be seriously considered.

The Home Office shares the concerns raised by the applicant and supports their assessment that the premises was operating in an irresponsible manner.

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.licensing.reviews@homeoffice.gov.uk

Signatures

Signature of Responsible Authority

Home Office Immigration Enforcement

Date:

31 March 2026

Capacity:

**Responsible
Authority**