

APPENDIX D



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:			
Mehmet Gilgil			
Name and Address of Premises:			
Maldon King Kebab, 169 High Street Maldon			
Post Town:	Essex	Post Code:	CM9 5BS

Representations are being made for the following reasons:

The Licensing Act 2003 outlines 4 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 Mehmet Gilgil is not taking suitable measures to prevent crime and disorder. The business has employed illegal workers which is prohibited under the Licensing Act 2003 and the Immigration Act 1971 (as amended).

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

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

Immigration Enforcement supports the Police Licensing Team in bringing this review application for the above premises.

On 29th January 2023 Immigration Officers attended Maldon King Kebab situated at 169 High Street, Maldon, Essex, CM9 2PE and executed a search warrant issued under Paragraph 17(2) Schedule 2

Immigration Act 1972. This warrant had been obtained following receipt of intelligence that persons were working illegally at the premises.

Mr Gilgil was not at the premises when officers arrived but was contacted by a member of his staff. An Immigration Officer was able to speak on the phone with Mr Gilgil to explain the purpose of the visit. Mr Gilgil told the officer that he will be at the premises as soon as possible.

On arrival Mr Gilgil was confrontational, hostile, and aggressive, as the officer tried to explain the reason for the visit.

The following illegal workers were encountered:

RAHIM GOGUS: 05 February 1992, Turkish national.

Gogus entered the UK as a clandestine entrance on 22 May 2014. He was refused leave to remain on 18 November 2014 and marked as Appeal Rights Exhausted on 25 September 2015 and then was listed as an absconder on 26 November 2015.

He was encountered at Maldon King Kebab with no valid leave to remain and no right to work in the UK.

CIHAN KIRMIZI: 12 November 2003 Turkish national.

Kirmizi was encountered at the rear of the premises in a storeroom and asked if he was employed at the premises, he replied yes. He avoided making eye contact while trying to walk out the door which led Immigration Officers to believe Kirmizi had something to hide.

At the time of the enforcement visit, Kirmizi changed his story about his arrival in the UK. He told Immigration Officers he had been in the country for two years and arrived by plane but, records confirm from his first interview was in 2020 when he arrived by lorry.

Kirmizi had no valid leave to remain in the UK, or right to work in the UK at the time of the enforcement visit. Kirmizi was arrested.

MUHAMMET GOGUS: 5 October 1999 Turkish national.

He entered the UK on 01 May 2022 illegally by small boat. He was encountered at the premises in the storeroom, when officers introduced themselves as immigration, he walked away in the opposite direction to avoid officers.

Gogus had no valid leave to remain in the UK, or right to work in the UK at the time of the enforcement visit. Gogus was arrested.

AHMET MERNEZ: 17 December 1999 Turkish national.

Entered the UK illegally, no records found on system

Immigration Officers entered the kitchen area, Mernez saw them and attempted to escape from the rear. When asked questions by Immigration Officers about what he was doing at the premises, Mernez replied: He had only arrived two months ago and only came to visit.

Mernez claimed he wasn't working at the premises but, Immigration Officers encountered him, in the kitchen wearing King Kebab branded clothing. He said the clothes were given to him because he had no clothes. He had no valid leave to remain or any right to work in the UK at the time of the enforcement visit.

UMUT CELIK: 15 February 2000 Turkish national.

Entered the UK illegally, as such there are no records of an exact date. However, during Celik's interview with Immigration Officers on 29 January 2023 he claimed being in the UK for a month.

He sought leave to remain on 30 January 2023 and this is currently under consideration.

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Celik was encountered at Maldon King Kebab in the kitchen area. Immigration Officers asked Celik if the manager knew his immigration status, he said yes. He also was not asked by the manager to provide any documentation to prove whether he was eligible or not to work in the UK.

Celik had no valid leave to remain in the UK, or right to work in the UK at the time of the enforcement visit.

Details of Responsible Authority

Name and Address:

Home Office Immigration Enforcement
The Alcohol and LNR Licensing Team
40 Wellesley Road
Croydon
CR9 2BY

Email address
(optional):

alcohol@homeoffice.gov.uk

Signatures

Signature of Responsible Authority

Home Office Immigration Enforcement

Date:

02/05/2023

Capacity:

Responsible
Authority