

## Appendix A

**From:** Swayne Karl [<mailto:Karl.Swayne@homeoffice.gov.uk>]

**Sent:** 05 October 2018 09:53

**To:** Marshall, Mark <[mmarshall@southribble.gov.uk](mailto:mmarshall@southribble.gov.uk)>

**Subject:** Moss Lane Convenience Store

On the 24/8/18 Immigration Enforcement conducted a joint licensing visit with South Ribble Licensing to Moss Lane Convenience Store, 41 Moss Lane, Leyland, PR25 4XA.

Upon entry there was one male working alone at the store who we now know to be Nadeera Rupasinghe a Sri Lankan male born 02/11/81.

Checks on Home Office systems showed that subject entered the UK on a Tier 4 student visa as the dependant partner of his wife Udeshi Chinthani Anada De Silvee WETHTHAMUNI on a visa valid from 25/01/10 to 31/12/11. They were granted further leave again as a Tier 4 student and Nadeera as a dependant partner until 30/05/15. A further application was raised on 17/07/15 for a Tier 2 visa which is graduate study level for Udeshi allowing Nadeera to remain and work as her dependant but this was refused on 13/03/17, an appeal was raised and the outcome was maintained. He then claimed asylum on 13/06/17 and this was refused on 12/12/17. There is a 1st tier review from 13/07/18 that is still outstanding however subject is now out of time and is an overstayer in the UK.

When Nadeera claimed asylum he was given an Asylum Registration Card (ARC) which clearly states on it EMPLOYMENT PROHIBITED, when he sought employment at Moss Lane Convenience Store it is the responsibility of the owner of the business to complete a right to work search for any foreign national in the UK which has been prompted and is current knowledge for employers especially license holders, these checks are simple and easy to complete as it is a short form on the gov.uk website which is answered within 5 working days and confirms if the person has the right to work in the UK.

Upon questioning of the Ranga RATNASKERA the premise licence holder confirmed that he knew he was to complete checks and asked for Home Office letters to confirm his right to work in the UK but never checked with the Right to work checking service or the Home Office.

Ranga confirmed that Nadeera has been working on and off in the store since December 2017 when Nadeera had claimed asylum in June 2017 and was informed that he was prohibited from taking employment, a simple check would have confirmed that Nadeera had no permission to work and ignorance of this fact is not a statutory excuse.

Therefore a civil penalty has now been served against Ranga and Moss Lane Convenience store and is still being processed at this time.



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