

## ADDITIONAL PAPERS 3

# LICENSING SUB COMMITTEE

**Tuesday 30th May, 2023, 7.00 pm - Microsoft Teams (watch the live meeting [here](#) and watch the recording [here](#))**

**Members:** Councillors Sheila Peacock (Vice Chair), Barbara Blake and Nick da Costa

**Quorum:** 3

**6. APPLICATION FOR A REVIEW OF A PREMISES LICENCE AT MAXXI FOOD & WINE, 42 TOPSFIELD PARADE, LONDON, N8 (CROUCH END) (PAGES 1 - 10)**

To consider an application for a review of a premises licence.

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Monday, 29 May 2023

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**LICENSING OFFICER UPDATE TO LICENSING SUB COMMITTEE****ADDITIONAL INFORMATION**

**Name and address of premises:** Maxxi Wine Centre,  
42 Topsfield Parade London N8

**Type of Application:** Review of Premises Licence

**Detailed below is information not previously included in the report.**

Since the last adjournment of this matter an application for variation of the DPS and a transfer of the premises was received on 27<sup>th</sup> April 2023 from Atlas Licensing acting on behalf of the business.

The application sought to remove Mr Aylin Yengin and replace her with Mr Ahmet Karagoz as the DPS and transfer the business from Ms Aylin Yengin to Mr Karagoz also.

Both applications were objected by the Police, see attached letter dated 07<sup>th</sup> May 2023- Appendix 1A.

The agents have been provided with a copy of the Police objection and advised that the matter will be put before the Licensing sub-Committee on 7<sup>th</sup> June 2023.

It is only the Police that can reject a proposed DPS or transfer application during a 14-day consultation period.

Atlas Licensing have been advised that the matter will be placed before the LSC on 12<sup>th</sup> June 2023. There has been no correspondence received from Atlas Licensing following receipt of the Police objection.

The Licensing Authority has become aware that Mr Karagoz has been involved at another Maxxi Store at 38 Chase Side in Enfield, which has been the subject of a review by Enfield Licensing Authority for similar reasons.

Mr Karagoz was onsite at the premises when an inspection by Trading Standards officers was undertaken at the Enfield store in February 2023. It is unclear to us in what capacity Mr Karagoz was acting at the time, but officers noted his personal licence was on display at the shop at the time of the visit.

Mr Karagoz refused to sign the Trading Standards seizure notice for the goods seized from the premises and advised officers that the quantity they had seized was the total of all that was held onsite at the time.

The Trading Standards Officers subsequently went on to find more goods outside in the garden at 38 Chase Side.

Regarding the objected transfer application for 42 Topsfield Parade N8, the Licensing Committee is asked to note the various matters that the Police were asking for clarification and proof to be satisfied that the transfer of management was a genuine transaction.

The requested information was not supplied to the Police.

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Licensing Authority  
River Park House  
Level 1 North  
225 High Road  
London  
N22 8HQ

Licensing Unit  
Edmonton Police Station  
462 Fore Street,  
London  
N9 0PW  
PC Derek Ewart 1277NA  
Derek.Ewart2@met.pnn.police.uk  
[www.met.police.uk](http://www.met.police.uk)

7<sup>th</sup> May 2023

## Police Representation

**APPLICATION FOR A TRANSFER OF A PREMISES LICENCE & TRANSFER OF A  
DESIGNATED PREMISES SUPERVISOR  
MAXXI FOOD & WINE, 42 TOPSFIELD PARADE, TOTTENHAM LANE, HORNSEY,  
LONDON, N8 8PT.**

Dear Licensing Team,

This application is submitted by Ahmet Karagoz in order to both transfer the premises licence and to transfer the designated premises supervisor from the current holder of both Aylin Yengin into his name.

The premises situated at 42 Topsfield Parade are currently being reviewed under Section 51 of the Licensing Act 2003 by the licensing authority due to known issues and history of non-compliance by Aylin Yengin, under the licensing objectives of

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety
- Protection of Children From Harm

These premises and two others all of which have had known licensing issues are believed to be a family run business.

To that end it is believed (in the absence of any other information to the contrary) the applicant is a part of that family run business.

In order to clarify and nullify the applicants involvement in the family business information was requested in an email from the Police to Atlas Licensing (the applicants consultant) on the 2<sup>nd</sup> May 2023 (Email attached).

As of today the 7<sup>th</sup> May 2023 no reply to these questions has been received.

The home office revised guidance issued under Section 182 of the Licensing Act 2003 (December 2022)

Section 11.Reviews sub section 21 states:

“Licencing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual”.

Sub Section 22 Further states:

“Equally, it may emerge that poor management is a direct reflection of poor company practise or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives”.

It is our belief that this application is designed to give the impression that the removal of the current DPS (Currently subject of review) would remedy any issues at the premises and by transferring the premises into another’s name i.e. Give the impression it is “Under New Management”, this would like wise give the impression that there is no further involvement with the old management /Mismanagement practices.

**Until such time as official evidence is provided demonstrating that Mr Ahmet Karagoz Is the sole owner of the business we the Police will object to this application.**

I reserve the right to provide further information to support this representation.  
Regards,



PC Derek Ewart 1277NA  
North Area Licensing Officer

**STATEMENT OF WITNESS**

*(Criminal Procedure Rules 2005 r27.1 (1);  
Criminal Justice Act 1967 s.9; M.C. Act 1980 s5B)*

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**Statement of: Amir DARVISH**

**Age of Witness (If under 18):            Over 18**

This statement consisting of two pages signed by me is true to the best of my knowledge and belief and I make it knowing that if it is tendered in, I shall be liable to prosecution, if I have wilfully stated in it anything, which I know to be false or do not believe to be true.

**Signature:** -----

**Date:** -----

1. I am employed by the London Borough of Haringey as a Noise & Nuisance Officer, as part of my duties I investigate offences under the Environmental Protection Act 1990 and Licensing Act 2003.
2. My colleague, Charlene THORNEYCROFT and I were on duty on Friday 21<sup>st</sup> April 2023, between 6pm-2am. As part of an ongoing investigation into alleged breaches of their licencing conditions we visited the premises known as MAXXI Food & Wine, 42 Topsfield Parade, Tottenham Lane, London, N8 8PT.
3. We arrived at approximately 23:20 hours, and parked the car across the road just outside The Queen public house and observed the shop from inside the car for about 45 minutes.
4. During the time I was observing the premises several customers visited the shop and left shortly after. At approximately 23:30 hrs, two young looking white males went inside the shop and left few minutes later. I would describe male #1 about 6' tall, thin built, wearing light grey hoodie and track suit, male #2 was a bit taller about 6'3", stocky built wearing a black top and light grey track bottom. They both looked young to me.
5. While observing the premises I also noticed two males who were standing outside the shop they went inside the shop on two occasions and spoke to the staff behind the counter. The males both were in their late 50s and I assumed they might be the licencing police or Safer Neighbourhood Team. I would describe male#1, whom I describe as a white male in his mid 50s, very tall, about 6'5", well-built, I would describe as a very big man, who later he introduced himself as Jim SOLLAS from Complete Licensing company. Male #2 was in his late 50s, and shorter at about 5'8" and small built.
6. During the time of observation, I did not witness any breach of licencing nor any antisocial behaviour activities from where I was.
7. At approximately 23:50 hrs I was leaving the area. As I was driving up Crouch End Hill, I noticed and recognised the two young males who visited the shop earlier on, they were sitting on a bench opposite Crescent Road, N8 I saw each had a balloon in their hand and they were intermittently inhaling from the balloons. At that point I drove into Crescent Road and then after turned the car and drives back towards Crouch End Hill. For the moment that I was stationary I noticed the blue Nitrous Oxide on the bench next to the males. At that point I aske my colleague, Charlene to take a picture of the males which I attached to this statement as exhibit AD1.

8. I then drove back to the premises, and I arrived there just after midnight. I went back inside the premises and introduced myself to the staff behind the counter, who I would describe as a Turkish male in his mid-20s, short and well-groomed hair and beard. I presented my warrant card, explained I was conducting a licencing visit and I wanted to review the CCTV footage from earlier on. The male said he is counting money and wants to close the shop but agreed to show the footage if it did not take much time. I responded that I only want to check the footage from 15 minutes ago to establish what the two young males in track suits purchased earlier on when they visited. The staff replayed the footage on the monitor mounted on the wall and continued with his counting.
9. As I was viewing footage Jim SOLLAS came inside, walked towards me and asked what I was doing I replied that I'm a council officer and doing a licencing visit. Then he introduced himself as mentioned that he is licencing consultant and has been recruited by the owner to deal with the upcoming licencing review then asked the staff not to show any footage. Then he asked for my credentials of which I presented my warrant card and gave him my name.
10. Then Mr SOLLAS said that I should request any CCTV footage in writing in accordance with Data Protection Act. I explained that the owner has previously told me I could ask the staff to review the footage as and when it's required, I also mentioned I was reviewing the footage to check whether the two young males purchased the Nitrous Oxide from Maxxi or not. I also explained that I have previously requested for the CCTV footage in writing, but they never provided any hence a warning letter was served for this matter. Then Jim insisted we should show him the two young males taking Nitrous. I agree and we drove up the road where I saw the males earlier on there, but the males already left.
11. When we arrived at the location Mr SOLLAS started looking around and mentioned he was looking for paraphernalia, but he could not find any.
12. Throughout my interaction with Mr SOLLAS, I perceived his attitude dominating and I felt he was using a passive-aggressive approach to question my actions as a council officer. Mr SOLLAS mentioned that the licensee and the management Maxxi store are keen to show the authority that they will comply with the premises licence condition, and they are eager to resolve the ongoing issue. As I was aware of the case history and had dealt with DPS/ manager of the premises personally I explained that the issue of selling Nitrous Oxide canisters and the anti-social behaviour associated with this has been going on since August 2022 and despite the several verbal and written warnings given to the licensee and DPS the issue persisted resulting in the licencing team reviewing the premises licence.
13. Later that night I prepared my statement and reported my findings to the licencing team. I also requested the council CCTV team to review the footage from the night which shows the two young males entering and leaving Maxxi Food & Wine at approx. 23:30 hrs. I have attached the pictures to this statement as exhibit AD2 and AD3.
14. I am available to attend court and give evidence.

Signed: .....

Date: .....









