

NOTICE OF MEETING

SPECIAL LICENSING SUB COMMITTEE

Monday, 29th November, 2021, 7.00 pm – MS Teams (watch it [here](#))

Members: Councillors Gina Adamou, Barbara Blake and Luke Cawley-Harrison

Quorum: 3

1. FILMING AT MEETINGS

Please note this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the 'meeting room', you are consenting to being filmed and to the possible use of those images and sound recordings.

The Chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual, or may lead to the breach of a legal obligation by the Council.

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

3. URGENT BUSINESS

It being a special meeting of the Sub Committee, under Part Four, Section B, Paragraph 17, of the Council's Constitution, no other business shall be considered at the meeting.

4. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct.

5. SUMMARY OF PROCEDURE

The Chair will explain the procedure that the Committee will follow for the hearing considered under the Licensing Act 2003.

6. APPLICATION FOR A REVIEW OF A PREMISES LICENCE AT TIGER FOOD AND WINE, 20 LORDSHIP LANE LONDON, N17 (PAGES 1 - 70)

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

Nazyer Choudhury, Principal Committee Co-ordinator
Tel – 020 8489 3321
Fax – 020 8881 5218
Email: nazyer.choudhury@haringey.gov.uk

Fiona Alderman
Head of Legal & Governance (Monitoring Officer)
River Park House, 225 High Road, Wood Green, N22 8HQ

Friday, 19 November 2021

Report for: Licensing Sub Committee – 29th November 2021

Title: Application for a Review of a Premises Licence – Tiger Food & Wine, 20 Lordship Lane London N17.

Report authorised by: Daliah Barrett, Licensing Team Leader, Regulatory Services

Ward(s) affected: Northumberland Park

Report for Key/
Non Key Decision: Not applicable

1. Describe the issue under consideration

- 1.1 This application to review is submitted by Trading Standards RA and relates primarily to the objective to prevent crime and disorder but also concerns the protection of children from harm.
 The premises was also discovered to stocking non-Duty paid cigarettes and hand rolling tobacco on 30th April 2021, following a visit by officers of the Trading Standards Service. Trading Standards also wish to highlight concerns with regards to the Duty status of beer stocks found on the premises and the fact that the shops CCTV was not recording images at the time of the visit which is a breach of the licence conditions. There was a further incident at the premises on 1st September 2021, where an underage test purchase was made. On this occasion a can of Gordons Gin was sold to a 16 year old female.
- 1.2 The Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) Mr. Burcin YURGA . The premises is licensed for the following:

Supply of Alcohol

Monday to Sunday 0530 to 0100

The opening hours of the premises:

Monday to Sunday 0530 to 0100

The application is set out at **Appendix 1** to the report.

- 1.3 Representations have been received from the Licensing Authority and Public Health in support of the review. **Appendix 2.**

1.4 Consideration for LSC

The Sub-Committee will be asked to determine this application and has the option to:

a) **Modify the conditions of the licence**

This could include either imposing further conditions on the licence or changing (for example, further restricting) the hours of certain licensable activities, where this is proportionate and relevant to the licensing objectives;

For this purpose, the conditions of the licence are modified if any of them are altered or omitted, or any new condition is added.

b) Exclude a licensable activity from the scope of the licence

The Sub-Committee may decide that it is proportionate and relevant to the Licensing objectives to remove one or more of the licensable activities;

c) Remove the Designated Premises Supervisor

d) Suspend the licence for a period not exceeding three months

e) Revoke the licence

Depending on the decision of the Sub-Committee, the licence holder and the applicant have rights of appeal to the Magistrates Court.

The Sub-Committee is asked to state its reasons considering the representations received and what is appropriate for the promotion of the licensing objectives.

2. Background

- 2.1 The existing premises licence was transferred to Mr BurcinYurga in October 2011. A copy of the premises licence is at Appendix 3. The review application relates to the prevention of crime and disorder licensing objective and is made on the grounds that smuggled goods have been found at the premises i.e. non-duty paid cigarettes. Breaches of licence conditions have also been witnessed.

3. Licensing Policy

- 3.1 In reviewing a licence the Licensing Sub-Committee will consider, and take into account, the complaints history of the premises and all other relevant information.
- 3.2 A number of reviews may arise in connection with crime that is not directly connected with licensable activities, for example the sale of contraband goods. The Sub-Committee does not have the power to judge the criminality or otherwise of any issue. The Sub-Committee's role is to ensure the promotion of the crime prevention objective [Guid s.11.24].
- 3.3 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These include the use of the premises for the sale or storage of smuggled tobacco and alcohol [Guid s.11.27].
- 3.4 Where reviews arise in respect of these criminal activities and the Sub-Committee 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 [Guid s.11.28].

- 3.5 This Licensing Authority, in determining what action to take, will seek to establish the cause of concern and any action taken will be directed at these causes. Any action taken to promote the licensing objectives will be appropriate and proportionate.

4. Other considerations

- 4.1 Section 17 of the Crime and Disorder Act 1998 states: 'Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those function on, and the need to do all that it reasonably can to prevent crime and disorder in its area'.

5. Human Rights

- 5.1 While all Convention Rights must be considered, those which are of particular relevance to the application are:
- Article 8 – Right to respect for private and family life.
 - Article 1 of the First Protocol – Protection of Property.
 - Article 6(1) – Right to a fair hearing.
 - Article 10 – Freedom of Expression.

6. Use of Appendices

Appendix 1 – Review Application Form and supporting documents

Appendix 2 – LA Responsible Authority Representations

Appendix 3 – copy of current Premises Licence

7. Background papers

Section 82 Guidance

Haringey Statement of Licensing Policy

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Appendix 1

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[Insert name and address of relevant licensing authority and its reference number (optional)]

**Application for the review of a premises licence or club premises certificate under the
Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I L. B. Haringey Trading Standards (Responsible Authority)

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description <i>Tiger Food and Wine</i> <i>20 LORDSHIP LANE</i>	
Post town London	Post code (if known) N17 8NS

Name of premises licence holder or club holding club premises certificate (if known) Burcin YURGA

Number of premises licence or club premises certificate (if known) LN000003083
--

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

☐

2) a responsible authority (please complete (C) below)

☒

3) a member of the club to which this application relates (please complete (A) below)

☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

fro

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

<p>Name and address</p> <p>Michael Squire L.B. Haringey Trading Standards Service 1st Floor, River Park House, 225 High Road London N22 8HQ</p>
<p>Telephone number (if any)</p> <p>020 8489-5158</p>
<p>E-mail address (optional)</p> <p>Michael.squire@haringey.gov.uk</p>

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>

Please state the ground(s) for review (please read guidance note 2)

Introduction:

This application to review relates primarily to the objective to prevent crime and disorder but also concerns the protection of children from harm.

It primarily concerns the discovery of non-Duty paid cigarettes and hand rolling tobacco on the Licensed Premises on 30th April 2021, following a visit by officers of the Trading Standards Service. The total amount of UK excise duty evaded from the seizure of tobacco was £640.55. This relates specifically to 1,780 cigarettes and 500g of hand rolling tobacco which were seized.

Trading Standards also wish to highlight concerns with regards to the Duty status of beer stocks found on the premises on the same date and the fact that the shops CCTV was not recording images at the time of the visit. An existing Licence Condition states "CCTV will be operational at all times and notices will be displayed informing the public"

There was a further incident at the premises on 1st September 2021, where an underage test purchase was made. On this occasion a can of Gordons Gin was sold to a 16 year old female.

Specific Details of Actions:

At approximately 12:05pm on 30th April 2021, Trading Standards carried out an inspection of the licenced premises trading as Tiger Food and Wine at 20 Lordship Lane, London N17 8NS The purpose of the visit was to inspect the alcohol and tobacco products on the premises.

The Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) Mr. Burcin YURGA was not present during the visit.

A male who identified himself as Ahmet YIMAZ was present and appeared to be in charge of the premises.

During the inspection officers initially discovered 180 non-Duty paid cigarettes and 500g of hand rolling tobacco behind the counter. These were found in a box which also contained cash. (See photograph: Annex 1). In the storeroom at the back of the shop in a cupboard a further 1600 cigarettes were discovered and seized (See picture of the cigarettes in the rear of the shop: Annex 2).

Whilst on the premises officers also noticed relatively large stocks of Polish beers in the storeroom and on display at the premises for sale. Officers subsequently officers enquired about these products. (Photographs of some of the beer in the storeroom is attached as Annex 3).

A Code B Notice and receipt was issued for the seizure. (See Annex 4 and Annex 5 respectively).

The foreign tobacco products seized were not in UK Standardised packaging and many bore incorrect or foreign language health warnings so were not legal to sell in the UK.

It can be a criminal offence under Regulation 15(1) of the Standardised Packaging of Tobacco Products Regulations 2015 to offer to supply tobacco products in non-standardised packaging which are not coloured pantone 448c (dark drab green).

It can be a criminal offence under the Tobacco and Related Products Regulations 2016 to sell tobacco products with no health warnings, non-English language health warnings or health warnings in the incorrect format for the UK market.

It can be a Criminal Offence under Section 144 of The Licensing Act 2003 to keep non-Duty paid goods on a Licenced Premises.

A letter was initially sent to the DPS and PLH, namely, Burcin YURGA on 18th May 2021 asking questions under caution in relation to the Investigation. (This letter is attached as Annex 6). Trading Standards received a reply from Burcin YURGA on 25th May 2021 (Attached as Annex 7). In his letter Mr YURGA indicated he was not the Director of the business and that the cigarettes were purchased from a Mr ERCAN for personal use. An receipt of the cigarettes was provided (See Annex 8). When questioned In respect of the stocks of Polish beer at the premises Mr YURGA stated that the Polish Beer on the premises was purchased from a Cash and Carry. Invoices were provided for three Cash and Carry's (Annex 9) which were all dated the day after the Trading Standards visit, namely, 1st May 2021. In an email Mr YURGA also explained that he had tried to obtain the CCTV footage requested by Trading Standards but had discovered after consulting an engineer that his CCTV was not set to record images.

A letter was sent on 3rd June 2021 to Burhan YURGA the Director of Kaplan Food and Wine Limited who trades as Tiger Food and Wine. (The letter is attached as Annex 10). His reply received on 18th June 2021 is attached as Annex 11. In this letter Burhan YURGA was asked specifically how the previously supplied beer invoices could relate to stock seen on 30th April 2021 when they were dated after the visit. In reply Burhan YURGA stated that the shop had not stocked these particular beers before and they were all delivered on the morning of the Trading Standards visit by the relevant Cash and Carry's.

An attempt was made to clarify whether the beer on the invoices was actually delivered on the 30th April 2021 by the Cash and Carry's concerned however, no reply was received to my letters sent on 3rd July 2021 to the Cash and Carry's concerned.

Trading Standards do not accept the explanation given that the tobacco was for personal use. The quantity, variation in brands and type of tobacco consisting of cigarettes and hand rolling tobacco make the explanation that they were for personal use seem unlikely. The storage of these non-Duty Paid products in quantity in the shop, behind the counter and in the store room is not consistent with a purchase made for personal use only.

Trading Standards are concerned that no CCTV footage was available despite a request to the Licence holder, particularly as it could have been used to help verify whether illegal tobacco was being sold or not.

Trading Standards are further concerned as to the explanation provided in relation to the beer stocks and find it unlikely that all the Polish branded beers seen in the shop were delivered by three different Cash and Carry's on the morning of the Trading Standards visit and that all the corresponding invoices were dated the day after the Trading Standards visit. Significant doubt therefore, remains as to the Duty status of the beer found in the shop as no prior invoices are

available.

On the 1st of September 2021 an underage test purchase was made at Tiger Food and Wine, 20 Lordship Lane, London N17 8NS, an officer from Haringey Trading Standards, witnessed Mr. Burhan YURGA behind the counter sell a can of Gordon's Dry Gin to a 16 year old female. Mr. YURGA did not ask for any form of identification or ask for her age before selling the can of Gin to the underage person.

Trading Standards have made this application for Licence Review as they are concerned that: -

The willingness to intentionally or recklessly break one law indicates the business is less likely to be compliant with other laws.

- The sale by retailers of illicit goods gives them an unfair advantage over law abiding businesses.
- Illicit goods are often smuggled into the country and/or produced by organised crime. It is believed that the profits are frequently used to fund other types of serious organised crime.
- The trade in illicit tobacco causes huge losses to the UK's tax revenues.
- The trade in illicit tobacco facilitates teen smoking.
- The trade in illicit tobacco makes it harder to beat addiction.
- Illicit goods may be harmful as they do not come from legitimate, legal and/or traceable suppliers. There is no guarantee that they are safe and comply with other legislation.
- Supplying tobacco at cheap prices undermines the public health message.
- Supplying alcohol to underage persons without challenge or asking for ID undermines the Licensing objective of the Prevention of Children from Harm.

In September 2020 the business joined the Councils Responsible Trader Scheme which includes a commitment not to deal in non-Duty paid products.

Section 13(4) of Licensing Act 2003 and Regulation 7 of The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 makes a local weights and measures authority a responsible authority for the purposes of the legislation. The London Borough of Haringey is a local weights and measures authority, and that function is carried out by the Trading Standards team.

Here is a summary of events supporting this application: -

Date	Event	Description
September 2020	Business joins the Council's Responsible Retailer Scheme	Scheme Includes commitment not to trade in non-Duty Paid Products.
30 th April 2021	Trading Standards inspection visit to Tiger Food and Wine	Seized 1780 cigarettes and 500g of Hand Rolling Tobacco.
18 th May 2021	Letter Sent to DPS and PLH Burcin YURGA	Letter asked questions in relation to cigarettes, tobacco and beer and requested CCTV footage.

26 th May 2021	Response received from Burcin YURGA	Response Received from Burcin YURGA. Mr YURGA states he is not the owner of the Business and unable to provide CCTV footage.
3 rd June 2021	Letter Sent to Burhan YURGA	Letter sent to Burhan YURGA Director of Business
18 th June 2021	Response Received from Burhan YURGA.	Response Received
1 st September 2021	Underage Test Purchase made.	Burhan YURGA sells a can of Gordons Gin to a 16 year old.

Recommendations:

This licensee has clearly demonstrated that there has been a major breakdown in due diligence in respect to the sourcing of legitimate products to be sold by the business and a failure to pay Duty to HMRC. In addition there has been a disregard for legal requirements for standardised packaging, health warnings and legal requirements not to store non-Duty paid products on a Licenced premises. The CCTV system has also not been operated to a reasonable standard of professional diligence.

The Duty Evasion means that Trading Standards have severely reduced confidence in the Premises Licence Holder and Designated Premises Supervisor. Trading Standards, therefore, recommend that the Committee seriously consider suspending the Licence for a period to allow for additional controls to be implemented at the licenced Premises as detailed below.

Additional Conditions Proposed by Trading Standards

1. The business shall adopt a "Challenge 25" policy.
2. A refusals register shall be maintained to record instances where age restricted product sales are refused. These records shall be made available for inspection by Police and Authorised Council officers on request.
3. All staff responsible for selling alcohol shall receive regular training in the requirements of the Licensing Act 2003 and all other age restricted products stocked on the premises. Written records of this training signed and dated by the person receiving the training and the trainer shall be retained and made available to Police and authorised council officers on request.
4. Posters shall be displayed in prominent positions around the till advising customers of the "proof of age" required under the "Challenge 25" policy at the premises.
5. Only Employees of the business who have been formally trained on licensing requirements and age restricted sales may serve behind the counter.
6. A refusals book shall be kept at the premises to record details of all refusals to sell alcohol and age restricted products. This book shall contain:

The date and time of the incident,

The product which was the subject of the refusal

A description of the customer,

The name of the staff member who refused the sale

The reason the sale was refused.

This book shall be made available to Police and all authorised council officers on request.

7. The Premises Licence Holder and Designated Premises Licence Holder shall ensure alcohol is only purchased from a wholesaler registered with HMRC under the Alcohol Wholesaler

Registration Scheme (AWRS).and shall produce receipts for the same upon request for inspection.

8. The Premises Licence Holder and Designated Premises Supervisor shall ensure persons responsible for purchasing alcohol do not take part in any stock swaps or lend or borrow any alcohol goods from any other source unless the source is another venue owned and operated by the same company who also purchase their stock from an authorised wholesaler.

9. The Premises Licence Holder shall ensure all receipts for alcohol goods purchased include the following details:

- I. Seller's name and address
- II. Seller's company details, if applicable
- III. Seller's VAT details, if applicable
- IV. AWRS registration number
- V. Vehicle registration detail, if applicable

Legible copies of receipts for alcohol purchases shall be retained on the premises for six months and made available to Authorised Officers on request.

10. An ultraviolet light shall be purchased and used at the store to check the authenticity of all stock purchased which bears a UK Duty Paid stamp.

11. Where the trader becomes aware that any alcohol may be not duty paid, they shall inform the Council of this immediately.

12. Only alcohol which is available for retail sale shall be stored at the licensed premises.

13. All tobacco products which are not on the covered tobacco display cabinet shall be stored in a container clearly marked 'Tobacco Stock'. This container shall be kept within the storeroom or behind the sales counter.

14. Tobacco shall only be taken from the covered tobacco display cabinet behind the sales counter in order to make a sale.

15. Only tobacco which is available for retail sale can be stored at the licensed premises.

16. The Designated Premises Supervisor shall regularly check the refusals book to ensure it is being consistently used by all staff. They shall sign and date when inspected.

17. After evidence of any legal non-compliance relevant to the promotion of the Licensing Objectives is found, the licensee shall attend a meeting, upon reasonable request, with appropriate Responsible Authorities at the Council Offices or other suitable location. This condition does not require the licensee to say anything while under caution.

18. A CCTV system should be installed and maintained which should be able to record colour footage for a period of 31 days and be able to capture clear video of persons faces and shoulders when they enter the premises and cover the area of the sales counter. These images should be able to be loaded onto disc or other electronic media should a Police

Officer or Authorised Council Officer require a copy. Where copies of recordings are requested, they should be provided in a reasonable time and in a format which can be viewed without specialist software. Any malfunction in the operation of the CCTV system shall be reported to the Licensing Authority within 24 hours.

19. All Staff left in charge of the premises should be trained in the operation of CCTV and the production of copies of recordings ‘

Please provide as much information as possible to support the application (please read guidance note 3)

Attached Documents

- Annex 1: Photograph of Cigarettes and cash in box
- Annex 2: Photograph of cigarettes found in storeroom
- Annex 3: Photographs of beer in storeroom
- Annex 4: Code B Notice
- Annex 5: Receipt
- Annex 6: Letter to Burcin YURGA.
- Annex 7: Reply from Burcin YURGA.
- Annex 8: Receipt for Cigarettes
- Annex 9: Receipts for Beer
- Annex 10: Letter sent to Burhan YURGA (Director)
- Annex 11: Reply from Burhan YURGA
- Annex 12: Photograph of Gordons Gin sold to 16 Year Old.

Please tick ✓ yes

Have you made an application for review relating to the premises before

☐

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to the premises please state what they were and when you made them
N/A

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature
M Squire



.....
Date **17th September 2021**
.....

Capacity Trading Standards Specialist Officer
.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Michael Squire
Trading Standards Specialist Officer
Regulatory Services
River Park House
Level 1 (North)
225 High Road
Wood Green

Post town London	Post Code N22 8HQ
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Telephone number (if any) 0208 489 5158 or 07870 157819

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) michael.squire@haringey.gov.uk

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

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Your Ref: WK/516057

Our Ref: Licensing

Date: 11th October 2021

Mr Burcin Yurga
Tiger Food and Wine
20 Lordship Lane
Tottenham
London
N17 8NS

Dear Sir,

Re: PREMISE LICENCE REVIEW APPLICATION – BY TRADING STANDARDS - TIGER FOOD AND WINE, 20 LORDSHIP LANE, TOTTENHAM, LONDON, N17 8NS

The Licensing Authority has been served with the attached application for a review of the premises license by Environmental Health. The review is brought about due to the Licence Holder failing to uphold the licensing objectives.

This Authority is required to display public notices on the premises for 28 days and also carry out public notice. You are advised that the notices left on display in and around the premises must not be defaced or tampered with in any way.

During the 28 day consultation period other Responsible Authorities and Interested Parties are able to submit letters of representation to the Council.

You may also submit any evidence you feel will be relevant to your case at the review hearing.

It is intended that the matter is set before the Licensing Sub Committee. I will ensure that you are notified of the date of the hearing and that further guidance is sent to you nearer the time.

Yours faithfully,

DALIAH BARRETT-WILLIAMS
LICENSING LEAD OFFICER

Enc: Copy of Review application

Licensing Team
Level 1, River Park House
225 High Road
London, N22 8HQ

T 020 8489 8232

E licensing@haringey.gov.uk

www.haringey.gov.uk

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Annex 3- Beer Stocks in Store room



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REGULATORY SERVICES: INFORMATION TO THE OCCUPIER

Notice of the powers to search premises and the rights of occupiers

Powers of Entry Code of Practice

Police and Criminal Evidence Act 1984 Code of Practice

Schedule 5 Consumer Rights Act 2015 Entry Notice

Name of business/occupier <u>TIGER FOOD + WINE</u>	
Name of person receiving notice <u>MERRET YILMAZ</u>	
Address of premises <u>20 LARDSHIP LANE</u> <u>LONDON N17 8NS</u>	

Officers of the London Borough of Haringey are given statutory powers to enable them to check compliance, enforce legislation and investigate breaches of the law. When you are not suspected of committing a breach the Powers of Entry Code of Practice applies. When you are suspected of a criminal breach the Police and Criminal Evidence Act Code of Practice B applies

POWER UNDER WHICH ENTRY/SEARCH MADE (TICK WHICH APPLIES)

1) **WARRANT** (Officers powers are summarised overleaf)

☐ Under _____ Act _____ Date granted _____ By _____

2) **STATUTORY POWER**-(These powers are summarised overleaf)

☒ Under the Consumer Rights Act 2015 Paragraph 23(6) Entry without prior Notice

☐ Under the Consumer Rights Act 2015 Paragraph 23(3) Entry with prior Notice

☐ Statutory Powers (other Please Specify) _____ Regs/Act _____

Purpose of Entry: To check Alcohol + Tobacco

3) **WRITTEN CONSENT** (TICK THOSE WHICH APPLY AND OBTAIN A SIGNATURE)

With the written consent of a person entitled to grant entry (only applicable if not under warrant or statutory powers)

☐ I CONSENT TO OFFICERS OF THE L.B. HARINGEY SEARCHING THE ABOVE NAMED PREMISES. I UNDERSTAND THAT ANYTHING FOUND MAY BE USED IN COURT PROCEEDINGS.

☐ I CONSENT TO THE OFFICER MAKING USE OF EQUIPMENT ON THESE PREMISES, NAMELY A TILL SCANNER OR OTHER SIMILAR EQUIPMENT FOR THE PURPOSE OF CHECKING PRICES ON THESE PREMISES. I UNDERSTAND THAT ANY INFORMATION PRODUCED MAY BE USED IN COURT PROCEEDINGS.

Signature _____ Name (Capitals) _____

Status relative to premises _____

OFFICER IN CHARGE OF SEARCH	
Name <u>M. J. J. J.</u>	Date <u>30-4-2021</u>
Position <u>TLO</u>	Time Start <u>12-05</u> Finish <u>12-28</u>
Officers sig. <u>MJB</u>	

(Complete After Search) Premises Searched Record

OFFICERS PRESENT AT SEARCH (Show Name & Organisation)

Entry Forced/Damage/Arrangements to Secure Premises: Please state below

J. J. J.

Extent of Search: _____

Worksheet visit No: _____



REGULATORY SERVICES: INFORMATION TO THE OCCUPIER

Notice of the powers to search premises and the rights of occupiers

Powers of Entry Code of Practice

Police and Criminal Evidence Act 1984 Code of Practice

Schedule 5 Consumer Rights Act 2015 Entry Notice

SUMMARY OF POWERS OF ENTRY/SEARCH

This visit is being carried out under statutory powers under legislation mentioned overleaf. Entry to the premises may be made at any reasonable hour. In practice this would normally mean at any time whilst the premises is open for business or normal working hours. You should expect any officer involved in the inspection to provide evidence of identity. Entry under warrant may be made at other times. Authorised officers may:-

- Enter any premises without warrant which other than that used wholly or mainly as a dwelling and take with them such persons as appear necessary
- Inspect any products, documents, procedure, apparatus, fixed installation premises and equipment.
- Take samples and or observe the carrying on of business
- Test any weighing and measuring equipment

If there are grounds to suspect or believe an offence has been committed officers may

- Require the production of documents, including computer records and take copies
- Seize goods for examination or to ascertain if any offence has been committed
- Seize goods and/or documents required as evidence
- Seize equipment that is liable to forfeiture
- Break open containers to facilitate seizure
- Suspend any good

SEIZE AND SIFT

- An Officer may remove material from premises so that they can examine it elsewhere where it is not possible to examine it properly on the premises due to constraints of time or technology.
- An Officer may also retain material which would not otherwise be seizable, but which is "inextricably linked" (such information held on a computer) to other material they do have grounds to seize.

OBSTRUCTION OFFENCE: Obstructing a duly authorised officer is an offence. Obstruction includes where a person intentionally obstructs an officer; intentionally fails to comply with instructions given by an officer; without good reason fails to give an officer assistance or information reasonably required; makes a statement or a reckless statement which they know to be false or misleading.

RIGHTS OF THE OCCUPIER

Copies of the Powers of Entry: code of practice and the Police and Criminal Evidence Act: code of practice is available online. In addition a copy will be made available on request from:

Regulatory Services, 6th Floor, Alexandra House, 10 Station Road, London N22 7TR.

- Reasonable advance notice (usually not less than 48 hours) should be given to you unless the officer considers this will frustrate the purposes of exercising the power of entry in which case no advance notice will be given.
- The number of persons present during any visit should be no more than is reasonable and proportionate in the circumstances to ensure powers are exercised effectively.
- If an officer seizes and detains any goods or records then within a reasonable time you are entitled to a list or description of the items seized.
- Upon request and where practicable. You and/or your representative will be allowed supervised access to your property to examine it or have it photographed. The access will be at your own expense. You may also request a copy or photograph to be provided, again at your own expense.
- If damage is caused in entering your premises or whilst on your premises, or loss is suffered due to your goods being seized or detained, you may be entitled to compensation and you should seek further information about this by writing to the address above..
- All information relating to manufacturing process or trade secrets will be treated as confidential.
- If you have any complaint concerning the conduct of Officers on this visit then details of the L. B. Haringey Public Complaints Procedure are available. Please contact the Regulatory Services Manager at the address above.

M. Soule
020 8 489 5158

Regulatory Services

RS 00548

Haringey
LONDON

6th Floor, Alexandra House, 10 Station Road, London N22 7TR
Tel: 020 8489 5134
E mail: frontline@haringey.gov.uk www.haringey.gov.uk

Record of Seized Property/Notice of Additional Powers of Seizure*/ Notice Following Visit

Name: TIGER FORT VINE Date: 30/4/21
Address: 20 LANDSALE LANE
LONDON N17 8NJ Post Code:

Enactment(s)

The following items have been received/returned

In accordance with the provisions of the above named Act(s), the documents/goods listed below which may be required as evidence in proceedings for an offence under the Act(s) have been seized and detained by me: (delete section if not applicable)

I agree to permanently hand over all of the items listed and they will be owned by Haringey Council. I will not be able to get these items back once i have signed below

Signed (delete section if not applicable)

Notice /Observations/Action Required

(Circle if applicable)

Item No.	Description of Property Or Notice/Observations/Action	Seized by Officer	From Where Or Legislation	Time	Seal No. or Statutory Requirement
1	180 CIGS BOX GOLDEN VIRGINIA	MS	BT44ND CENTER	12-08	POS018610
	600 MARLBORO ZIGZAG	MS	GLIP BAND	12-27	X0084730
	800 PARLIAMENT	MS	STOAR ROOM		
	200 MARLBORO GOLD	MS			

Tick Box If applicable ☐ *Section 50 of the Criminal Justice and Police Act 2001 allows for the seizure and removal of property found on premises where it is not reasonably practicable to complete the process of examination, searching or separation at the scene. Section 52 requires the provision of a written notice to the person from whom the property was seized, specifying various information. Under Search Warrant ☐ Without Search Warrant ☐
Reasons why it was not reasonably practicable to complete the relevant process at the scene. (See Overleaf)

Authorised Officer:

(Signed).....

(Print Name).....

(Designation).....

WHITE COPY -(Trader)

Notice Received By:

(Signed).....

(Print Name).....

(Status).....

YELLOW COPY (Officer)

PINK COPY (Remains in Pad)

Notice of exercise of additional powers of seizure under Sections 50 or 51 of the Criminal Justice and Police Act 2001

Basis of powers

Sections 50 of the Criminal Justice and Police Act 2001 allow for the seizure and removal of property found on premises where it is not reasonably practicable to complete a process of examination, searching or separation at the scene. Section 52 requires the provision of a written notice to the person from whom the property was seized, specifying various information.

Information for interested persons

Applying for the return of seized property

Section 59 gives any person with a relevant interestⁱ in property seized using these powers the right to apply to the appropriate judicial authority for it to be returned. The appropriate judicial authority will normally be a judge of the Crown Court.

The grounds on which an application can be made are:

- (a) that there was no power to make the seizure;
- (b) that the seized property is or contains an item subject to legal privilegeⁱⁱ which there is no power to retainⁱⁱⁱ;
- (c) that the seized property is or contains excluded material^{iv} or special procedure material^v which there is no power to retain³;
- (d) that the seized property is or contains something which there is no power to retain once the examination is complete³.

Anyone wishing to make such an application in this case should give notice of that application to the address overleaf:

Following an application the appropriate judicial authority may order the return or retention of any or all of the relevant property or may give directions for its examination, separation etc. Alternatively it may dismiss the application. Anyone failing to comply with an order or direction given by a judge of the Crown Court under these provisions may be dealt with as if he had committed a contempt of the Crown Court.

Duty to secure property

Section 60 creates a duty to secure property seized under these powers if an application for return of the property is made under section 59, notice of the application is given to the relevant person⁶ and the application is based on the property being or containing legally privileged, excluded or special procedure material.

Section 61 specifies that the duty to secure is a duty on the person in possession of the seized property to ensure that, once notice of an application for return has been given, the property shall not be examined, copied or generally put to any other use without consent of the applicant or in accordance with the directions of the appropriate judicial authority.

Applying to attend examination of seized property

Any person with an interest in property seized under these powers who wishes to attend the initial examination of that property should apply to the address overleaf:

Notes for information

ⁱ For the purpose of section 59 a person with a relevant interest in the seized property is:

- (a) the person from whom it was seized;
- (b) any person with an interest in the property; or
- (c) any other person who had custody or control of the property immediately before the seizure.

ⁱⁱ Legally privileged material includes communications between a professional legal adviser and his client in respect of legal advice or proceedings.

ⁱⁱⁱ The legislation does provide for the retention of certain inextricably linked material, including legally privileged, excluded or special procedure material, if it cannot be separated from material that can be seized without prejudicing the use of that sizeable material. Excluded and special procedure material can sometimes be seized where it is evidence in relation to an offence or itself the proceeds of an offence.

^{iv} Excluded material includes journalistic material and personal records which are held in confidence.

^v Special procedure material includes confidential material created in the course of a business and journalistic material provided neither is excluded material.

⁶ A "relevant person" for the purposes of giving notice of an application for return of property is:

- (a) the person who made the seizure;
- (b) the person in possession of the seized property;
- (c) the person whose name and address are specified in this notice.

Environment & Neighbourhoods

Regulatory Services Manager: Gavin Douglas



Burcin Yurga
Tiger Food and Wine,
20 Lordship Lane,
Tottenham, London,
N17 8NS.

Your ref:

Date: 18/05/2021

Our ref: WK/497638

Dear Sir,

Re: Tobacco and Related Products Regulations 2016: The Standardised Packaging of Tobacco products Regulations 2015: The Licensing Act 2003:

I write further to my visit to your shop premises trading as Tiger Food and Wine situated at 20 Lordship Lane, Tottenham, London N17 8NS on 30th April 2021.

During the visit quantities of tobacco products were seized, namely 1,780 cigarettes and 500g of hand rolling tobacco, of which 180 cigarettes and 500g (10 packets) of Golden Virginia were behind the counter in a box also containing cash. The remainder, a further 1600 cigarettes were found in a cupboard in the rear stockroom. These products did not carry the correct UK health warnings, were not Duty Paid and were not in standardised packaging as required for the UK market. These facts can constitute offences under the above mentioned legislation. Keeping tobacco on a Licensed Premises which is not Duty Paid can also be an offence under the Licensing Act 2003.

In accordance with your Licence Conditions, I require you to supply me with a memory stick or CD containing the CCTV footage covering the counter area and entrance to your shop for 30th April 2021 from 6AM-12:30pm inclusive which would show persons entering and leaving and any transactions made. Please notify me when this is available by Email or telephone and I can pick it up from your shop premises. I require this within 7 working days of the date of this letter.

Additionally, In order to complete my investigation I wish to put some questions to you as the Licensee and as I believe the owner of the business. When replying please ensure that this letter is answered by you and you sign and date it to approve its content.

Before I ask any questions I must caution you that is, **You do not have to say anything. But it may harm your defence if you do not mention when questioned something which you later rely on in Court. Anything you do say may be given in evidence. You are also advised that you may wish to seek legal advice or consult a solicitor before replying to this letter.**

1. Can you state your full name?

2. What is your date and place of birth?
3. What is your home address?
4. Were you the owner of Tiger Food and Wine. on 30th April 2021.
5. If you are the owner, do you trade as a sole trader a Partner or a Director of a Limited company?
6. If you are a partner what is the name and address of the other partners?
7. If you are trading as a Limited company what is the name of the company and are you a Director?
8. Would you agree you are active in the management of the business?
9. How long have you been trading as Tiger Food and Wine.
10. Do you agree that you had tobacco which was not Duty paid and not packaged in UK standardised packaging in your shop on 30th April 2021?
11. How much were you selling these tobacco products for?
12. Where did you buy these tobacco products?
13. Do you have any invoices for them? If yes, please enclose a copy with your reply?
14. Do you know it is illegal to sell tobacco and alcohol and alcohol without payment of UK Duty?
15. Do you know it is illegal to sell tobacco in the UK in non-standardised packaging?
16. Do you know it is illegal to sell tobacco without UK approved health warnings?
17. Do you agree the cash which was seen next to the cigarettes behind the counter is the proceeds for the sale of illegal cigarettes?
18. Do you know it is an offence under the Licensing Act 2003 to keep non Duty Paid tobacco and alcohol on a Licenced Premises?
19. How much time do you spend at the business in an average week?
20. Do you have anything you would like to say in respect of the non Duty Paid tobacco found at the Licensed Premises?
21. On the premises I also noticed large stocks of Polish beers in the store room. Where did you buy these beers from.
22. Please produce copies of invoices relating for all the Polish beers you have bought in the last 6 months namely, Perla (green) Perla (Black) Zwiec and Zubr. If you do not have invoices please explain why?
23. Is there anything you want to say in respect of this matter or to clarify anything you have already said in this letter in response to other questions?

I would be grateful if you could respond to my questions within 14 days so that I can complete my investigation. Please respond by post and sign and date your reply. Please also provide a copy of your response by E Mail to Michael.squire@haringey.gov.uk which will assist me.

I thank you for your attention.

Yours faithfully



M Squire
Tactical Trading Standards Enforcement Officer

Commercial Environmental Health &
Trading Standards
Level 1, River Park House
225 High Road, London
N22 8HQ
T 020 8489 5158
E michael.squire@haringey.gov.uk
www.haringey.gov.uk

cc. Burcin Yurga, 25 Elmcroft Avenue, London, N9 7DR

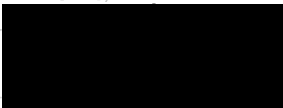
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Environment & Neighbourhoods

Regulatory Services Manager: Gavin Douglas



Burcin Yurga



Your ref:

Date: 18/05/2021

Our ref: WK/497638

Dear Sir,

Re: Tobacco and Related Products Regulations 2016: The Standardised Packaging of Tobacco products Regulations 2015: The Licensing Act 2003:

I write further to my visit to your shop premises trading as Tiger Food and Wine situated at 20 Lordship Lane, Tottenham, London N17 8NS on 30th April 2021.

During the visit quantities of tobacco products were seized, namely 1,780 cigarettes and 500g of hand rolling tobacco, of which 180 cigarettes and 500g (10 packets) of Golden Virginia were behind the counter in a box also containing cash. The remainder, a further 1600 cigarettes were found in a cupboard in the rear stockroom. These products did not carry the correct UK health warnings, were not Duty Paid and were not in standardised packaging as required for the UK market. These facts can constitute offences under the above mentioned legislation. Keeping tobacco on a Licensed Premises which is not Duty Paid can also be an offence under the Licensing Act 2003.

In accordance with your Licence Conditions, I require you to supply me with a memory stick or CD containing the CCTV footage covering the counter area and entrance to your shop for 30th April 2021 from 6AM-12:30pm inclusive which would show persons entering and leaving and any transactions made. Please notify me when this is available by Email or telephone and I can pick it up from your shop premises. I require this within 7 working days of the date of this letter.

Additionally, In order to complete my investigation I wish to put some questions to you as the Licensee and as I believe the owner of the business. When replying please ensure that this letter is answered by you and you sign and date it to approve its content.

Before I ask any questions I must caution you that is, You do not have to say anything. But it may harm your defence if you do not mention when questioned something which you later rely on in Court. Anything you do say may be given in evidence. You are also advised that you may wish to seek legal advice or consult a solicitor before replying to this letter.

1. Can you state your full name? **BURCIN YURGA**

2. What is your date and place of birth? BURCIN YURGA, [REDACTED] TURKEY
3. What is your home address? [REDACTED]
4. Were you the owner of Tiger Food and Wine. on 30th April 2021. NO
5. If you are the owner, do you trade as a sole trader a Partner or a Director of a Limited company? N/A
6. If you are a partner what is the name and address of the other partners? N/A
7. If you are trading as a Limited company what is the name of the company and are you a Director? N/A
8. Would you agree you are active in the management of the business? YES
9. How long have you been trading as Tiger Food and Wine. SEPTEMBER 2016
10. Do you agree that you had tobacco which was not Duty paid and not packaged in UK standardised packaging in your shop on 30th April 2021? YES
11. How much were you selling these tobacco products for? NOT FOR SALE, PERSONAL USE
12. Where did you buy these tobacco products? FROM MR. ERGAN
13. Do you have any invoices for them? If yes, please enclose a copy with your reply? YES, ENCLOSED
14. Do you know it is illegal to sell tobacco and alcohol and alcohol without payment of UK Duty? YES, I WAS NOT SELLING ANY ILLEGAL PRODUCTS
15. Do you know it is illegal to sell tobacco in the UK in non-standardised packaging? YES
16. Do you know it is illegal to sell tobacco without UK approved health warnings? YES
17. Do you agree the cash which was seen next to the cigarettes behind the counter is the proceeds for the sale of illegal cigarettes? THE SEEN MONEY IS FROM THE SALE OF THE INTERNATIONAL CARDS, HENCE WITHIN THE BOX WITH THE CARDS
18. Do you know it is an offence under the Licensing Act 2003 to keep non Duty Paid tobacco and alcohol on a Licenced Premises? YES
19. How much time do you spend at the business in an average week? 40 HRS
20. Do you have anything you would like to say in respect of the non Duty Paid tobacco found at the Licensed Premises? THE FOUND TOBACCO IS FOR PERSONAL ISSUE, BY MY FATHER
21. On the premises I also noticed large stocks of Polish beers in the store room. Where did you buy these beers from. FROM CASH & CARRY'S
22. Please produce copies of invoices relating for all the Polish beers you have bought in the last 6 months namely, Perla (green) Perla (Black) Zwieć and Zubr. If you do not have invoices please explain why? INVOICE ENCLOSED
23. Is there anything you want to say in respect of this matter or to clarify anything you have already said in this letter in response to other questions?

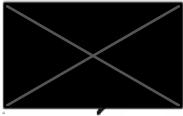
25/05/2022

BZ.

I would be grateful if you could respond to my questions within 14 days so that I can complete my investigation. Please respond by post and sign and date your reply. Please also provide a copy of your response by E Mail to Michael.squire@haringey.gov.uk which will assist me.

I thank you for your attention.

Yours faithfully



M Squire
Tactical Trading Standards Enforcement Officer

Commercial Environmental Health &
Trading Standards
Level 1, River Park House
225 High Road, London
N22 8HQ
T 020 8489 5158
E michael.squire@haringey.gov.uk
www.haringey.gov.uk

cc. Burcin Yurga, Tiger Food and Wine, 20 Lordship Lane, Tottenham, London, N17 8NS.

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Invoice

0389151

From:

MR GRAN

To

BURHAN YURGA

Date _____

26-4221

Terms

Order No.

Quantity	Description	Unit Price	Total
3	Karton Malberr Touch		195
4	Karton PARLEMENT		260
1	Karton Malberr Gold		65
8	Paket Tun		128
Paid.			648

paid

648

DCU5842

V.A.T.

TOTAL

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SAFEGWAY DISTRIBUTION LIMITED

Page 43



UNIT 2C, RIPPLE SIDE COMMERCIAL ESTATE
RENWICK ROAD
BARING ESSEX
IG11 0SB
Tel: 07984086187
Mob: 07984086187
VAT NO: GB 205933713 Co Reg No: 09159845
AWRS URN NO XSAW00000103619

INVOICE

INVOICE TO

KAPLAN FOOD & WINE LTD
20 LORDSHIP LANE LONDON

N17 8NS
Tel: 02088013234
VAT NO: 251514531

INVOICE NO :	3085
INVOICE DATE :	01/05/2021
CUSTOMER ACC NO :	467
CASHIER :	SUP
POS ID :	1

Page 1 of 1

0915

#	DESCRIPTION	QTY	PRICE	AMOUNT	VAT	V CODE
1	DEBOWE CANS 1X24X500ML	15	26.99	404.85	80.97	S
2	KARPACKIE CANS 1X24X500ML	25	36.99	924.75	184.95	S
3	PERLA CHMIELOWA CANS 1X24X500ML	20	25.99	519.80	103.96	S
4	PERLA MIODOWA CANS 1X24X500ML	5	25.99	129.95	25.99	S
5	PERLA MOCNA CANS 1X24X500ML	15	33.99	509.85	101.97	S
6	ZYWIEC CANS 1X24X500ML	5	24.49	122.45	24.49	S
7	KESTREL SUPER 1X24X500ML	6	39.49	236.94	47.39	S
8	SKOL SUPER 1X24X500ML	6	35.99	215.94	43.19	S
9	SPECIAL BREW 1X24X500ML	6	35.99	215.94	43.19	S
10	OKOCIM CANS 1X24X500ML	2	25.99	51.98	10.40	S
11	HOLSTIN PILS CANS 1X24X500ML	10	18.99	189.90	37.98	S
12	HEINIEN CANS 1X24X500ML	5	25.99	129.95	25.99	S
13	KRONENBOURG 1664 CANS 1X24X500ML	10	19.49	194.90	38.98	S
14	BUDWEISER CANS 1X24X500ML	5	20.99	104.95	20.99	S
15	DESPERADOS YELLOW CANS 1X24X500ML	5	27.99	139.95	27.99	S
On Trolley 1 Items Type		15	Total	140		



AMOUNT :	VAT AMOUNT :	DELIVERY CHARGES	TOTAL TO PAY :
£4,092.10	£818.42	0	£4910.52

Z=0 % S=20 % R=5 %

THANK YOU FOR YOUR VALUED CUSTOM


FASCO
Foods

FASCO LTD T/A FASCO FOODS

 1 KINGS BRIDGE ROAD BARKING IG11 0BP Tel:02085942627-02085072222
AWRS: XEAW00000115420

INVOICE

VAT NO: GB 353836285

INVOICE TO
KAPLAN FOOD & WINE LTD
20 LORDSHIP LANE
LONDON
N17 8NS
Tel:
VAT NO:

INVOICE NO :	1086
INVOICE DATE :	01/05/2021
CUSTOMER ACC NO :	1642
CASHIER :	Staff1

Page 1 of 1

#	DESCRIPTION	QTY	PRICE	AMOUNT	VAT	V CODE
1	CORONA EXTRA 24X330ML	2	18.00	36.00	7.20	S
2	LECH 24X500ML	20	19.50	390.00	78.00	S
3	DEBOWE 24X500ML	5	24.00	120.00	24.00	S
4	PERLA BLACK 24X500ML	5	30.50	152.50	30.50	S
5	ZYWIEC 24X500ML	5	21.50	107.50	21.50	S
6	GUINNESS FES 24X330CL	2	25.50	51.00	10.20	S
7	BAGS S4-WHITE HI TENSLE 1X1000	2	13.00	26.00	5.20	S
8	BAGS S3-WHATE HI TENSLE 1X1000	2	8.50	17.00	3.40	S
9	BAGS S2 BLACK HI TENSLE 1X2000	2	11.00	22.00	4.40	S
10	BAG BLUE TIGER 1X1000	2	10.50	21.00	4.20	S
On Trolley 1 Items Type		10	Total	47		

AMOUNT :
£943.00
VAT AMOUNT :
£188.60
DELIVERY CHARGES
0
TOTAL TO PAY :
£1131.60

Z=0 % S=20 % R=5 %

GOODS WITHOUT ENGLISH INGREDIENTS SHOULD BE LABELLED ACCORDINGLY BEFORE SALE
THANK YOU FOR YOUR VALUED CUSTOM

This invoice must be presented against queries or returns. Title of goods will not be transfer until goods have been paid for full.
Should the goods have been delivered damaged or short the receipt MUST be signed accordingly otherwise no claims will be accepted

The goods once sold will not be returnable unless agreed. Pallet must be returned or a charge will be made



57, King Edward Road Barking Essex IG11 7TS

Tel: 020 85941774 Fax: 020 8591 7677 Email: sales@millenniumcashandcarry.com

Company Reg No. 03890320 VAT No. 749-4859-68 AWRS: XZAW 000 0010 1855



SALES INVOICE

KAPLAN FOOD & WINE LTD

20 Lordship Lane

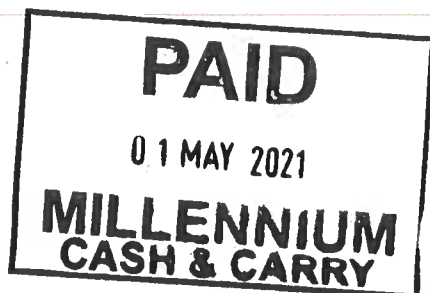
LONDON
N17 8NSMillennium Cash & Carry Ltd
57 King Edward's RdBarking
Essex,
IG11 7TSDATE & TIME : 01/05/2021 11:57:22AM
INVOICE NO. : POS1028282
PAYMENT METHOD :TILL NO. : T00003
CASHIER : Rytvik SACCOUNT NO. : 103362
AWRS NO. :
CUST. VAT REG NO :

ITEM CODE	DESCRIPTION	PACK	SIZE	QTY	PRICE	TOTAL	VAT%
N004684	Tyskie Cans	6x4	500ML	10	19.99	199.90	20
N005013	Zubr Can	24	500ML	10	22.99	229.90	20

COUNT TOTAL : TROLLEYS : 1
TOTAL : £429.80
Cases : 20Total Inc VAT : £85.96
Singles : 0

Total: 20

VAT Code	VAT%	GOODS Amount	VAT Amount
VAT20	20	£ 429.80	£ 85.96

GOODS TOTAL : £429.80
VAT TOTAL : £85.96
INVOICE TOTAL : £515.76

Please make all cheques payable to Millennium Cash & Carry Ltd

This invoice must be presented against any queries or returns. Title of goods will not transfer until they have been paid for in full.
Should the goods have been delivered, damaged or short the receipt MUST be signed accordingly otherwise no claim will be accepted.
The goods once sold are not returnable unless agreed. Pallets must be returned or a charge will be made.

GOODS WITHOUT ENGLISH INGREDIENTS SHOULD BE LABELLED ACCORDINGLY BEFORE SALE
Part of Millennium Group. The Millennium Group is the trading name of Millennium Cash & Carry Limited

Thank you for your valued custom

E&OE

Terms and Conditions on reverse

This page is intentionally left blank

Environment & Neighbourhoods

Regulatory Services Manager: Gavin Douglas



Burhan Yurga
Kaplan Food and Wine Limited
20 Lordship Lane
London
N17 8NS

Your ref:

Date: 3/6/2021

Our ref: WK/497638

Dear Sir,

Re: Tobacco and Related Products Regulations 2016: The Standardised Packaging of Tobacco products Regulations 2015: The Licensing Act 2003:

I write further to my visit to your shop premises trading as Tiger Food and Wine situated at 20 Lordship Lane, Tottenham, London N17 8NS on 30th April 2021.

During the visit quantities of tobacco products were seized, namely 1,780 cigarettes and 500g of hand rolling tobacco, of which 180 cigarettes and 500g (10 packets) of Golden Virginia were behind the counter in a box also containing cash. The remainder, a further 1600 cigarettes were found in a cupboard in the rear stockroom. These products did not carry the correct UK health warnings, were not Duty Paid and were not in standardised packaging as required for the UK market. These facts can constitute offences under the above mentioned legislation. Keeping tobacco on a Licensed Premises which is not Duty Paid can also be an offence under the Licensing Act 2003.

In order to complete my investigation I wish to put some questions to you as the owner of the business. When replying please ensure that this letter is answered by you and you sign and date it to approve its content.

Before I ask any questions I must caution you that is, **You do not have to say anything. But it may harm your defence if you do not mention when questioned something which you later rely on in Court. Anything you do say may be given in evidence. You are also advised that you may wish to seek legal advice or consult a solicitor before replying to this letter.**

1. Can you state your full name?
2. What is your date and place of birth?
3. What is your home address?
4. Were you a Director of Kaplan Food & Wine Limited T/A Tiger Food and Wine. on 30th April 2021.


5. Did Kaplan Food & Wine Limited own and operate Tiger Food and Wine of 20 Lordship Lane N17 8NS on 30th April 2021. If not can you explain the ownership arrangements.
6. Would you agree you are active in the management of the business?
7. How long have you been trading as Tiger Food and Wine.
8. Do you agree that you had tobacco which was not Duty paid and not packaged in UK standardised packaging in your shop on 30th April 2021?
9. How much were you selling these tobacco products for?
10. I have been provided with an invoice number 0388151 which shows that you bought quantities of cigarettes and tobacco from a Mr Ercan on 26th April 2021. Can you provide me with the address and contact details of Mr Ercan?
11. Mr Burcin Yurga stated the tobacco was for the personal use of his father. If that is the case why was it in the shop and why were there different brands and types?
12. Why was the seized tobacco stored with other UK Duty Paid tobacco in the stockroom?
13. Mr Burcin Yurga has informed me the CCTV in the shop was not recording images so he could not provide the CCTV I requested. Why was the CCTV not in working order?
14. Do you know it is illegal to sell tobacco and alcohol and alcohol without payment of UK Duty?
15. Do you know it is illegal to sell tobacco in the UK in non-standardised packaging?
16. Do you know it is illegal to sell tobacco without UK approved health warnings?
17. Do you agree the cash which was seen next to the cigarettes behind the counter is the proceeds for the sale of illegal cigarettes?
18. Do you know it is an offence under the Licensing Act 2003 to keep non Duty Paid tobacco and alcohol on a Licenced Premises?
19. How much time do you spend at the business in an average week?
20. Do you have anything you would like to say in respect of the non Duty Paid tobacco found at the Licensed Premises?
21. On the premises I also noticed large stocks of Polish beers in the store room. Where did you buy these beers from.
22. I previously asked the licence holder Bucin YURGA to produce copies of invoices relating for all the Polish beers you have bought in the last 6 months namely, Perla (green) Perla (Black) Zwieć and Zubr. The only invoices provided relate to purchases made after my visit which do not relate to the stock on the premises at the time. Do you have any further invoices covering the period in my question?

23. Is there anything you want to say in respect of this matter or to clarify anything you have already said in this letter in response to other questions?

I would be grateful if you could respond to my questions within 14 days so that I can complete my investigation. Please respond by post and sign and date your reply. Please also provide a copy of your response by E Mail to Michael.squire@haringey.gov.uk which will assist me.

I thank you for your attention.

Yours faithfully

A black rectangular box with a white 'X' drawn across it, indicating a redacted signature. Below the box is a small horizontal line with a checkmark.

M Squire
Tactical Trading Standards Enforcement Officer

Commercial Environmental Health &
Trading Standards
Level 1, River Park House
225 High Road, London
N22 8HQ
T 020 8489 5158
E michael.squire@haringey.gov.uk
www.haringey.gov.uk

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Environment & Neighbourhoods

Regulatory Services Manager: Gavin Douglas



Burhan Yurga
Kaplan Food and Wine Limited
20 Lordship Lane
London
N17 8NS

Your ref:

Date: 3/6/2021

Our ref: WK/497638

Dear Sir,

Re: Tobacco and Related Products Regulations 2016: The Standardised Packaging of Tobacco products Regulations 2015: The Licensing Act 2003:

I write further to my visit to your shop premises trading as Tiger Food and Wine situated at 20 Lordship Lane, Tottenham, London N17 8NS on 30th April 2021.

During the visit quantities of tobacco products were seized, namely 1,780 cigarettes and 500g of hand rolling tobacco, of which 180 cigarettes and 500g (10 packets) of Golden Virginia were behind the counter in a box also containing cash. The remainder, a further 1600 cigarettes were found in a cupboard in the rear stockroom. These products did not carry the correct UK health warnings, were not Duty Paid and were not in standardised packaging as required for the UK market. These facts can constitute offences under the above mentioned legislation. Keeping tobacco on a Licensed Premises which is not Duty Paid can also be an offence under the Licensing Act 2003.

In order to complete my investigation I wish to put some questions to you as the owner of the business. When replying please ensure that this letter is answered by you and you sign and date it to approve its content.

Before I ask any questions I must caution you that is, You do not have to say anything. But it may harm your defence if you do not mention when questioned something which you later rely on in Court. Anything you do say may be given in evidence. You are also advised that you may wish to seek legal advice or consult a solicitor before replying to this letter.

1. Can you state your full name? **BURHAN YURGA**
2. What is your date and place of birth? **[REDACTED] TURKEY**
3. What is your home address? **[REDACTED]**
4. Were you a Director of Kaplan Food & Wine Limited T/A Tiger Food and Wine. on 30th April 2021. **YES, I AM THE DIRECTOR**

5. Did Kaplan Food & Wine Limited own and operate Tiger Food and Wine of 20 Lordship Lane N17 8NS on 30th April 2021. If not can you explain the ownership arrangements. *We are trading as Tiger Food and Wine; Company name is Kaplan Food and Wine Limited.*
6. Would you agree you are active in the management of the business? *YES*
7. How long have you been trading as Tiger Food and Wine. *Since September 2016*
8. Do you agree that you had tobacco which was not Duty paid and not packaged in UK standardised packaging in your shop on 30th April 2021? *YES*
9. How much were you selling these tobacco products for? *The Found tobacco was For me Personal use Only*
10. I have been provided with an invoice number 0388151 which shows that you bought quantities of cigarettes and tobacco from a Mr Ercan on 26th April 2021. Can you provide me with the address and contact details of Mr Ercan? *I do not know Mr Ercan Personally or Professionally, he walk^{ed} into my business.*
11. Mr Burcin Yurga stated the tobacco was for the personal use of his father. If that is the case why was it in the shop and why were there different brands and types? *I am a heavy smoker, when Mr Ercan came in with the tobacco with very good Price*
12. Why was the seized tobacco stored with other UK Duty Paid tobacco in the stockroom? *This is the most Convenient enclosed Storage I have*
13. Mr Burcin Yurga has informed me the CCTV in the shop was not recording images so he could not provide the CCTV I requested. Why was the CCTV not in working order? *The Settings were not Set to Store CCTV Storage/Coverage*
14. Do you know it is illegal to sell tobacco and alcohol and alcohol without payment of UK Duty? *Yes, I am aware it is illegal, I was not Selling neither illegal tobacco or alcohol*
15. Do you know it is illegal to sell tobacco in the UK in non-standardised packaging? *Yes*
16. Do you know it is illegal to sell tobacco without UK approved health warnings? *Yes*
17. Do you agree the cash which was seen next to the cigarettes behind the counter is the proceeds for the sale of illegal cigarettes? *The money underneath the till is not from selling illegal Cigarettes (the money is from the sale of the international card hence in the same box)*
18. Do you know it is an offence under the Licensing Act 2003 to keep non Duty Paid tobacco and alcohol on a Licenced Premises? *YES*
19. How much time do you spend at the business in an average week? *40 hrs per Week*
20. Do you have anything you would like to say in respect of the non Duty Paid tobacco found at the Licensed Premises? *For my Personal use only.*
21. On the premises I also noticed large stocks of Polish beers in the store room. Where did you buy these beers from? *Purchased from Cash and Carries*
22. I previously asked the licence holder Bucin YURGA to produce copies of invoices relating for all the Polish beers you have bought in the last 6 months namely, Perla (green) Perla (Black) Zwieć and Zubr. The only invoices provided relate to purchases made after my visit which do not relate to the stock on the premises at the time. Do you have any further invoices covering the period in my question?
We received the delivery early morning that day, and payment was made a day after This is the first time we purchased those polish beers.

23. Is there anything you want to say in respect of this matter or to clarify anything you have already said in this letter in response to other questions? *I would like to apologise for this situation, I would never put my business in this kind of risk ever again, just because of my personal use.*
I would be grateful if you could respond to my questions within 14 days so that I can complete my investigation. Please respond by post and sign and date your reply. Please also provide a copy of your response by E Mail to Michael.squire@haringey.gov.uk which will assist me.

I thank you for your attention.

Yours faithfully



M Squire
Tactical Trading Standards Enforcement Officer

Commercial Environmental Health &
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16/06/2021



BURHAN YURDA

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Appendix 2

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LICENSING ACT 2003
Sec 24

PREMISES LICENCE

Receipt: AG763429

Premises Licence Number: LN000003083

This Premises Licence has been issued by:

***The Licensing Authority, London Borough of Haringey,
1st Floor-North River Park House, 225 High Road,
Wood Green, London N22 8HQ***

Signature:

Date: 24th November 2005
Transfer: 26th October 2011

Part 1 – PREMISES DETAILS

Postal Address of Premises or, if none, Ordnance Survey map reference or description:

**TIGER FOOD AND WINE
20 LORDSHIP LANE
LONDON
N17 8NS**

Telephone: 0208 801 3234

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Supply of Alcohol

The times the Licence authorises the carrying out of licensable activities:

Supply of Alcohol

Monday to Sunday 0530 to 0100

The opening hours of the premises:

Monday to Sunday 0530 to 0100

Where the Licence authorises supplies of alcohol whether these are on and/or off supplies:

Supply for consumption **OFF** the premises only.

LICENSING ACT 2003

Sec 24

Name, (registered) address, telephone number and e-mail (where relevant) of holder of Premises Licence:

Burcin Yurga

Registered number of holder, for example company number, charity number (where applicable):

Not applicable

Name, address and telephone number of designated premises supervisor where the Premises Licence authorises the supply of alcohol:

Burcin Yurga

Personal Licence number and issuing authority of personal licence held by designated premises supervisor where the Premises Licence authorises for the supply of alcohol:

Personal Licence: LN/201100291

Issued by: London Borough of Enfield

Annex 1 –Mandatory Conditions

No supply of alcohol may be made under the premises licence -

- a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 –
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) “permitted price” is the price found by applying the formula –

$$P = D + (D \times V)$$

Where –

- (i) P is the permitted price
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
 - (i) The holder of the premises licence
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

Annex 1 –Mandatory Conditions

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

THE PREVENTION OF CRIME AND DISORDER

- All crime and disorder will be reported to the Police.
- The money will be kept in a safe in the basement and banked each morning.

PUBLIC SAFETY

- To comply with all Health & Safety, Fire and Town & Country Planning requirements.
- All customers will be evacuated immediately in the case of any emergencies
- Safety lighting, Fire Extinguishers, Fire Exits maintained and fully functional
- CCTV will be operational at all times and notices will be displayed informing public
- We will comply with any reasonable regulations or conditions that the responsible authorities may want to attach to this Operating Schedule in this respect.

THE PREVENTION OF PUBLIC NUISANCE

- No noise will be audible outside the façade of the premises
- Great care will be taken not to disrupt neighbours at opening and closing times.
- No litter to accumulate outside the premise, except trade refuse.
- Customers not permitted to congregate outside the premises

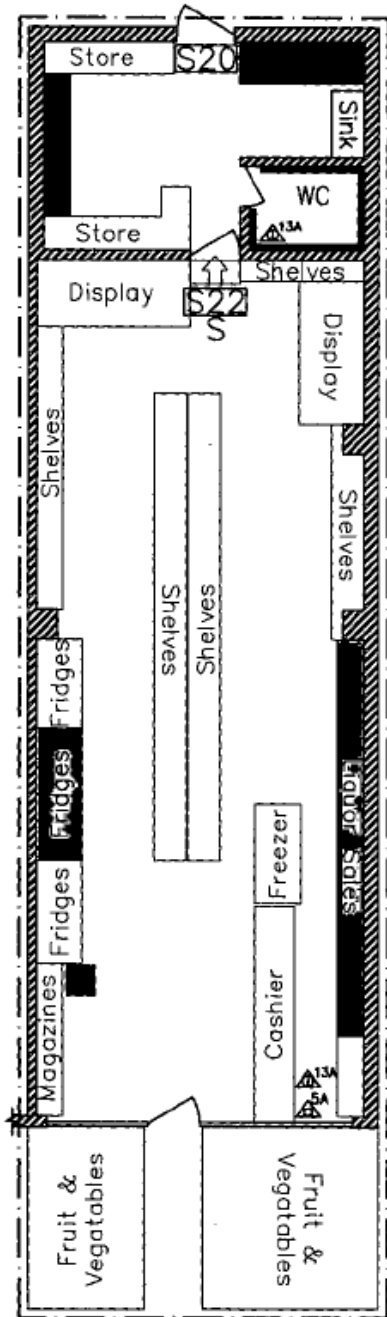
THE PROTECTION OF CHILDREN

- A strict policy of ID will be enforced for the sale alcohol to over 18's only.
- We will comply with all the requirements of the Police and cooperate for the protection of children from harm.

Annex 3 – Conditions attached after a hearing by the licensing authority

Not applicable

Annex 4 – Plans



KEY

LIQUOR SALES

LIQUOR STORAGE

TABBACCO SALES

WC AREA

ATM MACHINE

5A 1KG POWDER EXTINGUISHER

13A 9LT WATER FIRE EXTINGUISHER

S20 FIRE ESCAPE KEEP CLEAR SIGN

S22 FIRE EXIT SIGN SUSPENDED ABOVE
S HEAD HEIGHT

--- AMBIT OF LICENSED PREMISES

PROPOSED GROUND FLOOR

SHOP NAME:-
FIVE STAR SUPERMARKET

SOLICITORS NAME:-
SAL & CO SOLICITORS

ADDRESS:-
20 LORDSHIP LANE
LONDON
N17 8NS

ADDRESS:-
20A LORDSHIP LANE
LONDON
N17 8NS

ENGINEER:-
Y. KALAYCI

DATE:-
MARCH 2005

SCALE:-
1:100

PLOT SCALE:-
1:1

10 0 10 20 50 100mm NATURAL SCALE

A4

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Appendix 3

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Responsible Authority:	Haringey Public Health, London Borough of Haringey
Date:	09/11/2021
Name:	Maria Ahmad, Health Improvement Officer Marlene D'Aguilar, Health In All Policies Officer
Contact:	Maria.Ahmad@Haringey.gov.uk Marlene.DAguilar@haringey.gov.uk

We as a representative of the Director of Public Health act as the responsible authority under the Licensing Act 2003 and would like to make a representation in support of the review regarding the premises license at: **Tiger Food and Wine, 20 Lordship Lane, Tottenham, London, N17 8NS.**

The representation is made under the following licensing objectives:

- Protecting Children from Harm

Local Context of the Premises

The premises are located within a residential area and surrounded by 1 Nursery and Children's Centre, 8 primary schools, 1 secondary school and 1 college located within 0.5 miles of the premises (10 minutes walk).

Pembury House Nursery School & Children's Centre (0.2 miles)
 Lancasterian Primary School (0.197 miles)
 The Mulberry Primary School (0.281 miles)
 St Francis de Sales Catholic Infant and Junior Schools (0.295 miles)
 Risley Avenue Primary School (0.336 miles)
 Bruce Grove Primary School (0.375 miles)
 St Paul's and All Hallows CE Infant and Junior Schools (0.406 miles)
 Harris Primary Academy Coleraine Park (0.501 miles)
 The Willow Primary School (0.534 miles)

Duke's Aldridge Academy (0.525 miles)

London Academy of Excellence Tottenham (0.433 miles)

Public Health has specific concerns about the applicant's ability to uphold the licensing objective (Protecting Children from Harm) following a failed underage test purchase from the licensed premises under the control of the Premise License Holder and Designated Premises Supervisor, Burcin Yurga on 1st September 2021.

Sales of alcohol to children under the age of 18 has serious consequences including anti-social behaviour and health issues such as liver damage. Children who drink even moderate amounts under the age of 15 are in danger of severe danger of health problems and children between the age of 15 and 18 who drink in unsupervised situations are in danger of becoming dependent on alcohol at a very early age.

Evidence shows that young people who start drinking at an early age are more likely to drink more frequently and in higher quantities than those who start later in life. In Haringey, 4.2% of 15-year-olds are regular drinkers which was below the England average of 6.2%. Nationally, the rate of hospital admissions for alcohol of children and young people for conditions wholly related to alcohol is decreasing. However, in Haringey,

there is no significant trend and we are still seeing younger patients displaying the effects of excessive consumption of alcohol.

The premise license holder did not take all the reasonable steps and precautions to avoid committing the offence and did not have robust system in place to protect children and young people from accessing age restricted goods/alcohol. Underage sales constitute illegal activity in direct contradiction to a commitment to the protecting children and has likely exacerbated issues in the area such as street drinking.

Recommendation

Due to the premises situated within a busy residential area and several schools located nearby, we have concerns over the safeguarding of children. Public health is not confident in licensee's ability to promote licensing objectives going forward as a result of their poor management to prevent underage alcohol sales and therefore we recommend the committee considers revoking the license.