

NOTICE OF MEETING

LICENSING SUB COMMITTEE

Monday, 13th March, 2023, 7.00 pm - Microsoft Teams (watch the live meeting [here](#) and watch the recording [here](#))

Members: Councillors Ajda Ovat (Chair), Barbara Blake, Holly Harrison-Mullane

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

The Chair will consider the admission of any late items of Urgent Business. (Late items will be considered under the agenda item where they appear. New items will be dealt with under item 7 below).

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 Sub-Committee will first hear from the Licensing Officer. After that, the applicant will present their application and the Sub-Committee and objectors will have the opportunity to ask questions. Then, the objectors will present their case and the Sub-Committee and objectors will have the opportunity to ask questions.

All parties will then have the opportunity to sum up, and then the meeting will conclude to allow the Sub-Committee to deliberate and reach a decision. This decision will then be provided in writing within five working days of this meeting.

6. APPLICATION FOR A REVIEW OF A PREMISES LICENCE AT M&Z, 5-6, QUEENS PARADE, GREEN LANES LONDON N4 (HARRINGAY) (PAGES 1 - 50)

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

7. NEW ITEMS OF URGENT BUSINESS

To consider any items of urgent business as identified at item 3.

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)
George Meehan House, 294 High Road, Wood Green, N22 8JZ

Friday, 03 March 2023

Report for: Licensing Sub Committee – 13th March 2023

Title: Application for a Review of a Premises Licence – M&Z, 5-6 QUEENS PARADE, GREEN LANES LONDON N4

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

Ward(s) affected: Harringay

**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. The application is set out at **Appendix 1** to the report.
- 1.2 The matter primarily concerns an incident at the premises on 16TH June 2022 during a Trading Standards inspection following itell received of illicit non duty goods being sold from the premises. A quantity of illegal cigarettes/ tobacco was found.
- 1.3 The Premises Licence Holder is M & Z International Ltd. The Designated Premises Supervisor (DPS) Mr. A Erdogan. The premises is licensed for the following:

Supply of Alcohol

Monday to Saturday	0800 to 2300
Sunday	1000 to 2230
Good Friday	0800 to 2230
Christmas Day	1200 to 1500 & 1900 to 2230

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 took effect in November 2005. A copy of the premises licence is at Appendix 2. 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.

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 – Copy of current Premises Licence

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	
5-6 Queens Parade Green Lanes London	
Post town London	Post code (if known) N8 ORD

Name of premises licence holder or club holding club premises certificate (if known) <i>M & Z International Food Limited</i>

Number of premises licence or club premises certificate (if known) LN/00002261 LN/000003348
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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

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

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 ✓

-
-
-
-

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

Introduction:

This application to review relates to the objective to prevent crime and disorder.

It primarily relates to an inspection visit instigated following Intelligence received which indicated that a shop in Green Lanes was dealing in illegal tobacco. Although the intelligence did not specifically identify the premises at 5-6 Queens Parade there were other indicators in the intelligence which gave officers reasonable cause to suspect that the intelligence related geographically to the Licenced Premises now subject to this Review. An inspection was therefore, carried out by Trading Standards on 16th June 2022.

Specific Details of Actions:

On 16th June 2022 at 12:05pm an inspection was carried out of the licenced Premises T/A M & Z International Foods by Trading Standards. During the inspection a male was serving behind the counter who gave his name as Peyman ZARE.

Officers introduced themselves and stated they wished to carry out an inspection of the tobacco and alcohol on the premises. When an officer checked behind the counter they discovered a carrier bag containing 160 Marlboro Touch and 260 Richmond cigarettes which were suspected to be illegal products. The bag was positioned in an area where it could have been easily accessible by the person serving. See photographs of the cigarettes (Annex 1)

A Code B Notice was Issued (See Annex 2) and the cigarettes were seized. See Receipt (Annex 3)

In total of 420 cigarettes were seized with a Duty value of approximately £147.

The cigarettes seized were not Duty Paid, 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.

The business is operated through a Limited Company M & Z International Food Limited who are the Premises Licence holders.

A letter was initially sent to Mohsen KHOSHNOUD the Director of M & Z International Limited and copied to his Licensing Agent who had contacted the Service on his behalf after the incident.

The letter dated 1st July 2022 asking questions in relation to the seizure and requesting CCTV for a time prior to the seizure is attached (See Annex 4)

A written response was promised by the Licensing Agent of the business but not actually received. Nor was the CCTV provided.

A follow up request was sent on 28th October 2022 and copied to the nominated licensing Agent of the business. (See Annex 5)

A reply was eventually received on 10th November 2022. This reply is attached (see Annex 6). In addition to this reply the Licensing Agent stated in a covering Email that the CCTV footage requested had been downloaded onto a USB stick but could no longer be found.

Mr KHOSHNOUD maintains during the interview by correspondence that the cigarettes were a gift and were simply left on the premises and were not for sale

Mr KHOSHNOUD also confirms in his response that Ali ERDOGAN who is registered as the Designated Premises Supervisor is the previous owner of the business and is no longer involved in the business.

Service Records show that Mr Mohsen KHOSHNOUD previously received a Simple caution from Trading Standards relating to an inspection on 22nd March 2021 where herbal Shisha tobacco was found on the premises for sale which was not Duty Paid and did not carry the correct health warnings. Mr KHOSHNOUD claimed during the investigation that he had been asked for the product by customers and had seen it on sale in another shop and had been assured by them that it was legal to sell. (See Annex 7)

On this occasion Mr KHOSHNOUD had co-operated fully with the investigation and was given a Simple Caution due to the relatively small quantity found and because he was relatively new in the business at the time.

Trading Standards are concerned that as this is the second incident at the premises involving products which are subject to Duty and require health warnings that the Licensing Objectives are not being taken seriously.

Trading Standards do not accept Mr KHOSHNOUD's submission that the items were a gift due to their proximity to the sales area.

It should be noted that there are two Licence conditions currently on the Licence which in the view of Trading Standards have been breached by this incident, namely:

“Only products available for retail sale can be stored at the licensed premises.”

This condition was breached by the presence of the cigarettes on the premises even if the Committee decide to accept Mr KHOSHNOUD's explanation that the cigarettes were a gift.

“A CCTV system shall be installed and kept in working order. CCTV should be able to record colour footage for a period of 28 days and be able to capture clear video of persons faces and shoulders where they enter the premises and cover the area of the sales counter. These should a police Officer or Authorized 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.”

This condition has been breached in the view of Trading Standards by the non-provision of the CCTV footage following a request. This footage may have cast light on whether the tobacco products were being sold in the shop.

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.

The business is not currently a member of the Councils Responsible Trader Scheme.

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.

Recommendations:

This licensee has clearly demonstrated that there has been a major breakdown in due diligence and Trading Standards are concerned that The Licence holders are not taking their responsibilities Seriously and have displayed a reckless attitude towards the Licensing Objectives.

Trading Standards recommend a period of Suspension of the Licence as this is the second incident of non-compliance at the Licenced Premises.

Trading Standards recommend the business be Directed to join the Councils Responsible Trader Scheme,

Trading Standards recommend the removal of the DPS Ali ERDOGAN who is not involved in the business, and further should Mr KHOSHNOUD become the DPS then he should undertake refresher training on the Licensing objectives.

Additional Conditions are also Proposed by Trading Standards

1. The business shall adopt a "Challenge 25" policy.
2. 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.
3. 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.
4. 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.
5. 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.
6. 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.

7. Tobacco shall only be taken from the covered tobacco display cabinet behind the sales counter in order to make a sale.
8. 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.
9. The business shall apply to join the Councils Responsible Trader Scheme.

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

Attached Documents

Annex 1: Photographs of seized cigarettes

Annex 2: Code B Notice

Annex 3: Receipt for seized Goods

Annex 4: Letter to Director of M & Z International Food Limited

Annex 5: 2nd Letter to Director of M & Z International Food Limited

Annex 6: Reply to interview questions from Director of M & Z International Food Limited

Annex 7: Simple caution Re Previous Seizure from Licenced Premises

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

--	--	--	--	--	--	--	--

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 18th January 2023

.....

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
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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PUBLIC NOTICE

Notice of Application for the review of a Premises Licence.

Notice is given that application has been made to the Licensing Authority for a review of the premises license under s.51 and 87 of the Licensing Act 2003 in respect of the following premises:

**M&Z INTERNATIONAL FOODS CENTRE,
5-6 QUEENS PARADE,
GREEN LANES,
LONDON, N8 0RD.**

The application for review has been made on the following grounds:

THE OPERATION OF THE PREMISES HAS FAILED TO UPHOLD THE LICENSING OBJECTIVE OF:

- **THE PREVENTION OF CRIME AND DISORDER**

In this regard the existing operation has not upheld or promoted the licensing objectives and the operator has carried out sale and supply of illicit and non-duty paid tobacco from the premises.

Interested parties or responsible authorities wishing to make representations must give notice in writing to:

Lead Officer – licensing@haringey.gov.uk

By: 15th February 2023

The grounds for review and Haringey Councils Licensing register may be viewed by emailing licensing@haringey.gov.uk

IT IS AN OFFENCE LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE (£5000), UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

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Annex 1 Photographs of Seized Cigarettes



Above Photo Shows cigarettes in Carrier bag as found. Photo Below shows Seized cigarettes in Evidence Bag



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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 MOSHMAN KHOSHROU
 Name of person receiving notice PEHMAN ZARE
 Address of premises M+2 56 QUEEN PARADE, GREEN LANE, N8 0RB

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 M. SQUIRT
 Position TSP/ASST Officers sig.

Date 16-8-22
 Time Start 12:00pm Finish 1:30

(Complete After Search) Premises Searched Record

OFFICERS PRESENT AT SEARCH (Show Name & Organisation)

M. SQUIRT, JACK DOWLER

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

NA

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.

Mr SQUARE
0208 489-5158

Regulatory Services

RS 00712



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: PEYMAN ZARE M+Z Date: 16/1/22
Address: 5-6 QUEENS PARADE GREEN LANE
Post Code: N8 0AB
Consumer Rights Act 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	160 MARLBORO TOUCH	MS	Behl center	12-18	N0757646
3	260 RICHMOND				

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)

[Redacted Signature Area]

Authorized Officer (Signed) [Redacted]
Print Name) M SQUARE
Designation) TRADING STOPS SPECIALIST

Notice Received By: [Redacted]
(Signed) [Redacted]
(Print Name) PEYMAN ZARE
(Status) Vendor

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



Mohsen Khoshnoud
M & Z International Food Ltd
5-6 Queens Parade
Green Lanes
London N8 0DR

Your ref:

Date: 1st July 2022

Our ref: WK 539038

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 M & Z International Food of 5-6 Queens parade, Green Lanes N8 0DR on 16th June 2022

During the visit 420 cigarettes were seized which were found in a carrier bag behind the counter. 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 addition, there is a specific condition on your Licence which states that "Only products available for retail sale can be stored at the licensed premises." Which if complied with would indicate that these cigarettes were for retail sale.

In order to complete my investigation I wish to put some questions to you as the Director of the Company holding the Premises Licence. 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. Are you the Director of M&Z International Food Limited trading from 5-6 Queens Parade, Green Lanes, London N8 0DR on 16th June 2022.
5. Would you agree you are active in the management of the business?
6. How long have you been trading as M & Z International Food from 5-6 Queens parade, Green Lanes, N8 0DR?

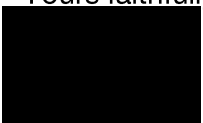
7. Do you agree that you had tobacco which was not Duty paid and not packaged in UK standardised packaging in your shop on 16th June 2022?
8. How much were you selling these tobacco products for?
9. Where did you buy these tobacco products?
10. Do you have any invoices for them? If yes, please enclose a copy with your reply?
11. Do you know it is illegal to sell tobacco without payment of UK Duty?
12. Do you know it is illegal to sell tobacco in the UK in non-standardised packaging?
13. Do you know it is illegal to sell tobacco with non UK approved health warnings?
14. Do you know it is an offence under the Licensing Act 2003 to keep non Duty Paid tobacco a Licenced Premises?
15. Your licence contains a condition which states "Only products available for retail sale can be stored at the licensed premises". Do you agree therefore that the seized cigarettes were a product available for retail sale"?
16. How much time do you spend at the business in an average week and what hours do you normally work there?
17. What role if any does Ali Erdogan carry out at the business.
18. How many hours does he spend at the business in an average week?
19. Do you have anything you would like to say in respect of the large quantity of non Duty Paid tobacco found at the Licensed Premises?
20. 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. You may also provide a copy of your response by E Mail to Michael.squire@haringey.gov.uk which will assist me.

As previously mentioned to your Licensing Agent I also require to see CCTV 16th June 2022 between 8AM- 12:15 PM from all cameras showing the counter itself customers at the counter and the person serving behind the counter. This can be provided to me on USB stick or disc or I will attend the licenced premises to view the material. Please note I am away from the office for the next two weeks.

I thank you for your attention.

Yours faithfully



M Squire
Trading Standards Specialist 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

Environment & Neighbourhoods

Regulatory Services Manager: Gavin Douglas



Mohsen Khoshnoud
M & Z International Food Ltd
5-6 Queens Parade
Green Lanes
London N8 0DR

Your ref:

Date: 28th October 2022

Our ref: WK 539038

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 M & Z International Food of 5-6 Queens parade, Green Lanes N8 0DR on 16th June 2022

I previously wrote to you on 1st July 2022 but have not received a written response to my questions.

During the visit 420 cigarettes were seized which were found in a carrier bag behind the counter. 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 addition, there is a specific condition on your Licence which states that "Only products available for retail sale can be stored at the licensed premises." Which if complied with would indicate that these cigarettes were for retail sale.

In order to complete my investigation I wish to put some questions to you as the Director of the Company holding the Premises Licence. 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. Are you the Director of M&Z International Food Limited trading from 5-6 Queens Parade, Green Lanes, London N8 0DR on 16th June 2022.
5. Would you agree you are active in the management of the business?

6. How long have you been trading as M & Z International Food from 5-6 Queens parade, Green Lanes, N8 0DR?
7. Do you agree that you had tobacco which was not Duty paid and not packaged in UK standardised packaging in your shop on 16th June 2022?
8. How much were you selling these tobacco products for?
9. Where did you buy these tobacco products?
10. Do you have any invoices for them? If yes, please enclose a copy with your reply?
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15. Your licence contains a condition which states "Only products available for retail sale can be stored at the licensed premises". Do you agree therefore that the seized cigarettes were a product available for retail sale"?
16. How much time do you spend at the business in an average week and what hours do you normally work there?
17. What role if any does Ali Erdogan carry out at the business.
18. How many hours does he spend at the business in an average week?
19. Do you have anything you would like to say in respect of the large quantity of non Duty Paid tobacco found at the Licensed Premises?
20. 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. You may also provide a copy of your response by E Mail to Michael.squire@haringey.gov.uk which will assist me.

As previously mentioned to your Licensing Agent I also require to see CCTV 16th June 2022 between 8AM- 12:15 PM from all cameras showing the counter itself customers at the counter and the person serving behind the counter. This can be provided to me on USB stick or disc or I will attend the licenced premises to view the material. Please note I am away from the office for the next two weeks.

If I do not hear from you within 14 days I will submit my report without the benefit your observations.

I thank you for your attention.

Yours faithfully



M Squire
Trading Standards Specialist 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
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Environment & Neighbourhoods

Regulatory Services Manager: Gavin Douglas



Mohsen Khoshnoud
M & Z International Food Ltd
5-6 Queens Parade
Green Lanes
London N8 0DR

Your ref:

Date: 1st July 2022

Our ref: WK 539038

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 M & Z International Food of 5-6 Queens parade, Green Lanes N8 0DR on 16th June 2022

During the visit 420 cigarettes were seized which were found in a carrier bag behind the counter. 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 addition, there is a specific condition on your Licence which states that "Only products available for retail sale can be stored at the licensed premises." Which if complied with would indicate that these cigarettes were for retail sale.

In order to complete my investigation I wish to put some questions to you as the Director of the Company holding the Premises Licence. 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?
Mr Mohsen Khoshnoud
2. What is your date and place of birth?
JUNE 1973 IRAN – BRITISH CITEZEN
3. What is your home address?
FLAT 2 WOODSTOCK AVENUE LONDON NW11 9RG
4. Are you the Director of M&Z International Food Limited trading from 5-6 Queens Parade, Green Lanes, London N8 0DR on 16th June 2022.
YES
5. Would you agree you are active in the management of the business?
YES
6. How long have you been trading as M & Z International Food from 5-6 Queens parade, Green Lanes, N8 0DR?
I took over the business on the 6 February 2020

7. Do you agree that you had tobacco which was not Duty paid and not packaged in UK standardised packaging in your shop on 16th June 2022?

YES

8. How much were you selling these tobacco products for?

THEY WERE A GIFT FOR MY PERSONAL USE I WAS NOT SELLING THEM.

9. Where did you buy these tobacco products?

I DID NOT PURCHASE THEM THEY WERE A GIFT

10. Do you have any invoices for them? If yes, please enclose a copy with your reply?

NO THEY WERE A GIFT AND NOT FOR SALE ONLY FOR PERSONAL USE

11. Do you know it is illegal to sell tobacco without payment of UK Duty?

YES

12. Do you know it is illegal to sell tobacco in the UK in non-standardised packaging?

YES

13. Do you know it is illegal to sell tobacco with non UK approved health warnings?

YES

14. Do you know it is an offence under the Licensing Act 2003 to keep non Duty Paid tobacco a Licenced Premises?

YES

15. Your licence contains a condition which states "Only products available for retail sale can be stored at the licensed premises". Do you agree therefore that the seized cigarettes were a product available for retail sale"?

NO THEY WERE A GIFT FROM A FRIEND WHO HAD BEEN TO TURKEY HE BROUGHT THEM TO THE SHOP FOR ME THE DAY BEFORE YOUR VISIT I HAD FORGOTTEN THEY WERE THERE. THEY WERE FOR MY PERSONAL USE ONLY

16. How much time do you spend at the business in an average week and what hours do you normally work there?

AT LEAST 50 HRS PER WEEK IF NOT MORE

17. What role if any does Ali Erdogan carry out at the business.

NOTHING HE WAS THE PREVIOUS OWNER

18. How many hours does he spend at the business in an average week?

NONE

19. Do you have anything you would like to say in respect of the large quantity of non Duty Paid tobacco found at the Licensed Premises?

IT WAS NOT A LARGE QUANTITY THEY WERE A GIFT FOR MY PERSONAL USE I KNOW THEY WERE NOT MEANT TO BE IN THE SHOP I JUST FORGOT THEM FROM THE DAY BEFORE.

20. 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?

AS ABOVE

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. You may also provide a copy of your response by E Mail to Michael.squire@haringey.gov.uk which will assist me.

As previously mentioned to your Licensing Agent I also require to see CCTV 16th June 2022 between 8AM- 12:15 PM from all cameras showing the counter itself customers at the counter and the person serving behind the counter. This can be provided to me on USB stick or disc or I will attend the licenced premises to view the material. Please note I am away from the office for the next two weeks.

E michael.squire@haringey.gov.uk

I thank you for your attention.

Yours faithfully



M Squire
Trading Standards Specialist Officer

www.haringey.gov.uk

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London Borough of Haringey
Commercial Environmental Health
River Park House
225 High Road
Wood Green
London
N22 8HQ



Simple Caution

Offender surname: KHOSHNOUD

Forenames: Mohsen

Date of birth: [REDACTED]

Address: [REDACTED]

Occupation: Director

Offences:

- 1) Did have in possession/expose for supply a Herbal product for smoking , namely 30 packets of shisha which did not comply with Regulation 28 of the Tobacco and Related Products Regulations 2016 in that the unit pack did not bear a health warning in English consisting of the text "Smoking this product damages your health Contrary to Regulation 48 (c) of the Tobacco and Related products Regulations 2016.

- 2) Being a person who works at the premises in a capacity with the authority to prevent the keeping of goods on the premises did knowingly keep or allow to be kept on the licensed premises goods namely herbal shisha which have been imported without payment of duty. Contrary to Section 144 (1) of the Licensing Act 2003.

Date of offence: 22nd March 2021

Place of offence: 5-6 Queens Parade, Green Lanes, London N8 0RD

Legislation contravened: The Tobacco and Related Products Regulations 2016.
The Licensing Act 2003.

Brief details: Did have in possession for supply packets of Shisha herbal smoking material which did not bear the correct UK written and pictorial health warnings on

the packaging and were being kept on a licenced premises without payment of Excise Duty.

Please read the declaration below and make sure you understand it before you sign.

1. I have admitted to committing the offence shown above. A simple caution is not a criminal conviction, but I understand that details of the caution may be kept on police or other databases.
2. If new evidence comes to light suggesting that the offence I have committed is more serious, the local authority may still take legal action against me.
3. If there are any victims as a result of this offence, they might still take civil action against me and the local authority may give my name and address to the victims so they can do this.
4. If I am charged with another offence, the local authority will tell the court that I have received this simple caution.
5. If I apply for certain licences connected with my business, e.g. under the Consumer Credit Act 1974 or Licensing Act 2003, this caution may be taken into account in any decision.
6. If I already work in a job which is included in the list of notifiable occupations (these are jobs in a position of trust or responsibility, for example, teachers, care workers, taxi drivers, soldiers and doctors), the local authority may tell my employer about this simple caution. (I can ask the local authority for a copy of the full list of notifiable occupations.)
7. If I apply for certain jobs, either paid or unpaid, that need me to have a criminal records check (DBS check), the local authority may give my new employer information about this simple caution. (DBS checks are needed for nearly all jobs where you work with children or vulnerable adults, as well as for other sensitive jobs involving a high level of trust.)
8. I understand that accepting this simple caution may mean that some countries will not allow me to live there permanently and some may not allow me to visit (for example, on business, for a holiday or as a student).

I have read and understand all this information.
I agree to accept a simple caution for the offence shown above.

Signature of person cautioned:



Date: 27th SEPT 2021

Caution administered by M SQUIRE

Job title: TRADING STANDARDS SPECIALIST OFFICER

Council: HARLINGEY

Office address: River Park House, 225 High Road, N22 8HQ

Signature:



Date:

2nd November 2021

ETHNIC ORIGIN

In view of the importance of ensuring that every cautioning decision is taken on the basis of fair and equal treatment irrespective of ethnic origin, the Head of Legal Services maintains a record of the ethnic origin of persons cautioned in order that decisions may be monitored. Please specify Ethnic Origin (not Nationality) as UK European, Greek-Cypriot, Turkish-Cypriot, African, Caribbean/West Indian, Asian, Irish or Other (specify):

Ethnic Origin *Irish*

Appendix 2

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LICENSING ACT 2003
Sec 24

PREMISES LICENCE

Receipt: AG766451

Premises Licence Number: LN/00002261
LN/000003348

This Premises Licence has been issued by:

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

Signature:

Date: 24th November 2005
Transfer: 29th June 2021

Part 1 – PREMISES DETAILS

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

**M&Z INTERNATIONAL FOODS
5-6 QUEENS PARADE
GREEN LANES
LONDON
N8 0RD**

Telephone: 020 8347 8822

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 Saturday	0800 to 2300
Sunday	1000 to 2230
Good Friday	0800 to 2230
Christmas Day	1200 to 1500 & 1900 to 2230

The opening hours of the premises:

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

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

LICENSING ACT 2003

Sec 24

Part 2

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

M & Z International Food Ltd
5-6 Queens Parade
Green Lanes
London
N8 0DR

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

12446030

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

Mr Ali Erdogan

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: Z01N0444C0/1

Issued by: London Borough of Waltham Forest

Annex 1 –Mandatory Conditions

Supply of alcohol.

1. 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.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The premises licence holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) 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 either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

4. Prohibition on Sale of Alcohol below Cost of Duty plus VAT

(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption 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) —dutyll is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6) ;

(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 rate 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 personll 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 personll 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

(e) —valued added taxll 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 this 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.

Annex 1 –Mandatory Conditions

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

(b) 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.

Door supervision.

1. Any person(s) required to be on the premises to carry out a security activity must be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001 or be entitled to carry out that activity by virtue of Section 4 of that Act.

Annex 2 – Conditions consistent with the Operating Schedule

THE PREVENTION OF CRIME AND DISORDER

- 1- The Premises Licence Holder and Designated Premises Licence Holder shall ensure alcohol will only be 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.
- 2- 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.
- 3- 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
- 4- Legible copies of the documents referred to in condition 3 above shall be retained on the premises and made available for inspection by Police and authorised Council Officers on request.
- 5- Copies of the documents referred to in condition 3 above shall be retained on the premises for a period of not less than twelve months.
- 6- An ultra violet light shall be purchased and used at the store to check the authenticity of all stock purchased which bears a UK Duty Paid stamp.
- 7- Where the trader becomes aware that any alcohol where duty is not paid they shall inform the Council of this immediately.
- 8- Only products available for retail sale can be stored at the licensed premises.
- 9- A CCTV system shall be installed and kept in working order. CCTV should be able to record colour footage for a period of 28 days and be able to capture clear video of persons faces and shoulders where they enter the premises and cover the area of the sales counter. These should a police Officer or Authorized 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.
- 10- All staff left in charge of the premises should be trained in the operation of CCTV and the production of copies of recordings.

PUBLIC SAFETY

THE PREVENTION OF PUBLIC NUISANCE

THE PROTECTION OF CHILDREN

Alcohol may only be sold to individuals over the age of 18 with valid proof of identification with one of the following:

Annex 2 – Conditions consistent with the Operating Schedule

- A valid passport
- A photo driving license issued in a European Union Country
- A proof of age standard card system
- A citizen card, supported by the Home Office

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

Not applicable

Annex 4 – Plans

