

NOTICE OF MEETING

LICENSING SUB COMMITTEE B

Thursday, 21st July, 2016, 7.00 pm - Civic Centre, High Road, Wood Green, N22 8LE

Members: Councillors Vincent Carroll (Chair), David Beacham and Toni Mallett

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. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. 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 and using the public seating area, 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

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 considered at item 8 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 (PAGES 1 - 2)

The Chair will explain the procedure that the Committee will follow for the hearing considered under the Licensing Act 2003. A copy of the procedure is attached.

6. NAZAR SUPERMARKET, 657-663 HIGH ROAD N17 8AA (PAGES 3 - 50)

To consider an application made by a Trading Standards as a Responsible Authority for a premises licence review.

7. SUN MINIMARKET SUPERMARKET, 688 HIGH ROAD N17 8AE (PAGES 51 - 102)

To consider an application made by a Trading Standards as a Responsible Authority for a premises licence review.

8. ITEMS OF URGENT BUSINESS

To consider any new items of urgent business admitted under item 2 above.

Maria Fletcher, Principal Committee Co-ordinator

Tel – 020 84891512

Fax – 020 8881 5218

Email: maria.fletcher@haringey.gov.uk

Bernie Ryan

Assistant Director – Corporate Governance and Monitoring Officer

River Park House, 225 High Road, Wood Green, N22 8HQ

Wednesday, 13 July 2016

APPENDIX 3

LICENSING SUB-COMMITTEE REVIEW HEARINGS PROCEDURE SUMMARY	
INTRODUCTION	
1.	The Chair introduces himself and invites other Members, Council officers, the Premises Licence Holder, representatives of responsible authorities, interested parties and the Review Applicant to do the same.
2.	The Chair invites Members to disclose <ul style="list-style-type: none"> i) any prior contacts (before the hearing) with the parties or representations received by them; and separately any declarations of interest.
3.	The Chair explains the procedure to be followed by reference to this summary which will be distributed in advance.
NON-ATTENDANCE BY PARTY OR PARTIES	
4.	If one or both of the parties fails to attend, the Chair decides whether to: <ul style="list-style-type: none"> (i) grant an adjournment to another date, or (ii) proceed in the absence of the non-attending party. Normally, an absent party will be given one further opportunity to attend.
TOPIC HEADINGS	
5.	The Chair suggests the “topic headings” for the hearing. In the case of the majority of applications for variation of hours, or other terms and conditions, the main topic is: <p>Whether the extensions of hours etc. applied for would conflict with the four licensing objectives i.e.</p> <ul style="list-style-type: none"> (i) the prevention of crime and disorder, (ii) public safety, (iii) the prevention of public nuisance, and (iv) the protection of children from harm.
6.	The Chair invites comments from the parties on any other topic headings to be discussed.
WITNESSES	
7.	The Chair asks whether there are any requests by a party to call a witness and decides any such request.
8.	Only if a witness is to be called, the Chair then asks if there is a request by an opposing party to “cross-examine” the witness. The Chair then decides any such request.
DOCUMENTARY EVIDENCE	
9.	The Chair asks whether there are any requests by any party to introduce late documentary evidence.
10.	If so, the Chair will ask the other party if they object to the admission of the late documents.
11.	If the other party do object to the admission of documents which have only been produced by the first party at the hearing, then the documents shall not generally be admitted.

12.	If the other party object to documents produced late but before the hearing, the following criteria shall be taken into account when the Chair decides whether or not to admit the late documents:	
(i)	What is the reason for the documents being late?	
(ii)	Will the other party be unfairly taken by surprise by the late documents?	
(iii)	Will the party seeking to admit late documents be put at a major disadvantage if admission of the documents is refused?	
(iv)	Is the late evidence really important?	
(v)	Would it be better and fairer to adjourn to a later date?	
THE LICENSING OFFICER'S INTRODUCTION		
13.	The Licensing Officer introduces the report explaining, for example, the existing hours, the hours sought to be varied and the comments of the other Council Services or outside official bodies. This should be as "neutral" as possible between the parties.	
14.	The Licensing Officer can be questioned by Members and then by the parties.	
THE HEARING		
15.	This takes the form of a discussion led by the Chair. The Chair can vary the order as appropriate but it should include:	
(i)	an introduction by the Review Applicant's main representative	
(ii)	an introduction by the Premises Licence Holder or representative	
(iii)	questions put by Members to the Review Applicant	
(iv)	questions put by Members to the Premises Licence Holder	
(v)	questions put by the Review Applicant to the Premises Licence Holder	
(vi)	questions put by the Premises Licence Holder to the Review Applicant	
CLOSING ADDRESSES		
16.	The Chair asks each party how much time is needed for their closing address, if they need to make one.	
17.	Generally, the Review Applicant makes their closing address before the Premises Licence Holder, who has the right to the final closing address.	
THE DECISION		
18.	Members retire with the Committee Clerk and legal representative to consider their decision including the imposition of conditions.	
19.	The decision is put in writing and read out in public by the Committee Clerk once Members have returned to the meeting.	

Licensing Act 2003 Sub-Committee on 21st July 2016

Report title: Application for a Review of a Premises Licence at Nazar Supermarket, 657-663 High Road Tottenham N17 8AA

Report of: The Licensing Team Leader

Ward(s) affected Woodside

1. Purpose

To consider an application by The Trading Standards Team for a review of the premises licence at Nazar Supermarket.

Summary of application

- The applicants – Trading Standards as a Responsible Authority are seeking a review of the Premises Licence with reference to the licensing objectives of the Prevention of Crime and Disorder and Public Safety.

Date review application served: 3rd June 2016

In accordance with regulation 38 of the Licensing Act 2003 (Premises and Club Premises Certificates) Regulations 2005, officers arranged for notices of the review to be published for 28 days on the affected premises, on the public notice board at the Civic Centre and on the Council's website.

A copy of the review application and supporting documents are at Appendix 1.

2. Officers Observations

In determining this application the Licensing Sub Committee must have regard to the:

- 2.1
- (a) need to promote the four licensing objectives
 - (b) representations
 - (c) relevant sections of the statutory guidance to licensing authorities (appendix 2)
 - (d) relevant sections of the licensing authority's statement of licensing policy (appendix 3)

Report authorised by: Daliah Barrett

.....
Licensing Team Leader

Contact Officer: Ms Daliah Barrett-Williams

Telephone: 020 8489 8232

3. Access to information:

Local Government (Access to Information) Act 1985

Background Papers

The following Background Papers are used in the preparation of this Report:

File: Nazar Supermarket

The Background Papers are located at Regulatory Services, Alexandra House Level 6, 10 Station Road, Wood Green, London N22 7TR

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4. REPORT

Background

A premises licence was originally granted to Nazar Supermarket in January 2009. The licence was then transferred to Mr Irfan Ozdogon in September 2012. Mr Ozdogon was the licence holder at the time the offence took place. Since the incidents the licence has been transferred to a Mr Kemal Has . A Mr Murat Has is said to be the director of Quality Stores Limited which the premises operates under.

Licensable activities authorised by the Licence:

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

Supply of Alcohol

Monday to Sunday 0000 to 0000

The designated premises supervisor is: Mr Kemal Has

4.2.1 Details of the Application for Review and Supporting Documentation. Appendix 1

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

The operation of the premises has failed to uphold the Licensing Objectives of The Prevention of Crime and Disorder and Public Safety.

The premises were found to be stocking and selling non duty paid tobacco and alcohol from the premises.

5.0 RELEVANT REPRESENTATIONS (CONSULTATION)

Responsible authorities:

5.1 Comments of Metropolitan Police

No representation made.

5.2 Comments of Enforcement Services:

No representation made

5.3 Comments of The London Fire and Emergency Planning Authority

No representation made.

[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 Rebecca Whitehouse

(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 Nazar Supermarket 657-663 High Road, Tottenham	
Post town London	Post code (if known) N17 8AA
Name of premises licence holder or club holding club premises certificate (if known) Mr Irfan OZDOGAN	
Number of premises licence or club premises certificate (if known) LN000006934	

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)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address L.B.Haringey Trading Standards Service 6 th Floor, Alexandra House, 10 Station Road, London N22 7TR
Telephone number (if any) 020 8489-5158
E-mail address (optional) Rebecca.whitehouse@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 ✓

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

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

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

It particularly relates to the discovery of illicit alcohol in the shop under the control of the Premises Licence Holder and a previous occasion where illicit tobacco was discovered on the premises under the control of the current Designated Premises Supervisor which indicates that the highest standards of management have not been exhibited by the business.

On 14th October 2015, officers from Trading Standards and Her Majesty's Revenue and Customs (HMRC) visited the premises to inspect the stock of alcohol and tobacco. The Premises Licence Holder Irfan Ozdogan was present.

The officers seized alcoholic spirits with a Duty Value of £604.40 which were not Duty Paid. These products were both on display for sale on the premises and held in reserve stock on the premises.

The seized goods included bottles of Glens Vodka, Teachers Whisky, High Commissioner Whisky and Smirnoff Vodka. These products were genuine products, however, on closer examination HMRC officers discovered that the goods were in fact Duty diverted meaning that UK Duty had not been paid. The original export back labels on the bottles had been replaced with fake labels bearing a fake UK Duty Paid stamp, giving the impression the spirits were UK Duty Paid when they were not.

Irfan Ozdogan the Premises Licence holder was subsequently interviewed under Caution in accordance with the Police and Criminal Evidence Act 1984 by Trading Standards.

During the interview Mr Ozdogan stated he could speak on behalf of Quality Stores Limited (Co.

06765932) the company which owns and operates Nazar Supermarket.

Mr Ozdogan stated he was the Manager of the shop and Premises Licence Holder. He stated that Murat HAS, the Director of the Company which owned the business and Designated premises Supervisor was in Turkey at the time of the incident.

Mr Ozdogan explained that a customer of the shop named Haydar had offered to supply Nazar Supermarket with alcoholic spirits taken from Haydar's own business which was closing down. Ozdogan had agreed and Haydar had sold 80 or 90 bottles to Mr Ozdogan for £10 a bottle. Mr Ozdogan had bought the stock for the shop and had put it on sale for £14.99 and £15.99 a bottle. No invoice had been supplied with the goods. Mr Ozdogan stated he did not usually buy stock for the shop but was authorised to buy stock for the business while Mr Murat Has was away in Turkey. He added that he had not been specifically authorised to buy stock by Mr HAS from anywhere other than the Cash and Carry's where they usually bought stock.

When asked if there was anything he wished to say Mr Ozdogan stated he had now paid the Duty on the seized spirits.

Mr Ozogan added "...I will be more careful and check everything exactly. I don't buy anything different from the cash and carry I will buy everything from the cash and carry. If someone bring me anything I said no thank you I dont need to buy anything."

On 27th January 2016 Mr Irfan Ozdogan agreed and signed a Simple Caution admitting an offence under Regulation 12 of the Consumer Protection From Unfair Trading Regulations in relation to having in possession for supply alcoholic spirits bearing "UK Duty Paid" labels giving the impression that the products can be legally sold when they cannot".

On 27th January 2016 Quality Stores Limited agreed and signed a Simple Caution admitting an offence under Regulation 12 of the Consumer Protection From Unfair Trading Regulations in relation to having in possession for supply alcoholic spirits bearing "UK Duty Paid" labels giving the impression that the products can be legally sold when they cannot". This caution was signed by Murat HAS the Director of the Company and Designated Premises Supervisor.

Both of the above Cautions related to the same incident.

Murat HAS, the Designated Premises Supervisor has previously signed a Simple Caution on 5th February 2014 in relation to an incident which took place on 13th September 2013 at the same Licenced Premises. On that date Trading Standards and Police had conducted an inspection of Nazar Supermarket and discovered 9 packets of Shisha tobacco on display on shelves and in the office of the licenced premises. The Shisha tobacco did not carry UK written and pictorial health warnings as required under the Tobacco Products (Manufacture, Presentation and Sale) (Safety) Regulations 2002. The failure to comply with these requirements is a criminal offence under the Consumer Protection Act 1987.

Trading Standards are concerned at the possession for supply of illicit alcohol and tobacco for the following reasons:

- 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 alcohol and tobacco causes huge losses to the UK's tax revenues.
- The trade in illicit alcohol and tobacco facilitates teen drinking and smoking
- The trade in illicit alcohol and tobacco makes it harder to beat addiction

- The trade in illicit cigarettes poses a risk to public safety through increased risk of fire from non fire retardant cigarettes.
- 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 products with incorrect health warnings undermines the effectiveness of public health messages designed to discourage smoking.

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
13 th September 2013	Joint Visit with Police and Trading Standards	Seized 9 packets of Shisha Tobacco which did not carry UK Health Warnings- Murat Has Present at premises
5 th February 2014	Murat HAS signs Simple Caution in Relation to Shisha Tobacco seized on 13 th September 2013	Simple Caution Under the Consumer Protection Act 1987
14 th October 2015	Joint Visit with HMRC and Trading Standards	HMRC Seized alcoholic spirits with a Duty value of £604.40. Spirits included Glens Vodka, Teachers Whisky, High Commissioner Whisky and Smirnoff Vodka. The spirits had fake back labels with fake UK Duty Paid stamps. Samples of products taken by Trading Standards.
9 th December 2015	PACE Interview of Irfan OZDOGAN	Written Summary of PACE Interview
27 th January 2016	Irfan OZDOGAN signs Simple Caution in relation to alcoholic spirits seized on 14 th October 2015 with fake UK Duty Paid stamps	Simple Caution under the Consumer Protection From Unfair Trading Regulations 2008
27 th January 2016	Murat HAS signs Simple Caution in his capacity as Director of Quality Stores Limited in relation to alcoholic spirits seized on 14 th October 2015 with fake UK Duty Paid stamps	Simple Caution under the Consumer Protection From Unfair Trading Regulations 2008

Recommendations:

This licensee's have clearly demonstrated that there is a breakdown in due diligence In respect to the sourcing of legitimate products to be sold by the business on more than one occasion and a failure to pay substantial amounts of Duty to HMRC.

The facts indicate that the public are being misled with certain products being misdescribed as to their legal status and as a result a criminal offences have been committed.

The history of the premises indicates that the Designated Premises Supervisor Murat HAS was in control of the premises during the period in which two incidents have occurred both of which have resulted in Simple Cautions under Criminal Trading Standards Legislation.

There is evidence that the Designate Premises Supervisor and the Premises Licence Holder have been knowingly or recklessly involved in serious breaches of the law. This gives me reduced confidence in their willingness to fulfil their responsibility to promote the licensing objectives or to exhibit the highest standards of management.

I believe on the facts described in this application that the Designated Premises Supervisor Murat HAS should be removed from the licence.

I also recommend the following conditions be attached to the Licence by the Committee.

1. The Premises Licence Holder and Designated Premises Licence Holder shall ensure alcohol is only purchased from an authorised wholesaler and shall produce receipts for the same upon request for inspection. (An authorised wholesaler means an established warehouse or trade outlet with a fixed address and not a van or street trader, even if they claim they are part of, or acting on behalf of, an authorised wholesaler who provides full itemised VAT receipts).
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. 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 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 may be not duty paid they shall inform

the The Council of this immediately.

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

No conditions have previously been attached by the Licensing Authority.

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

Attached Documents

1. Simple Caution signed by Murat HAS dated 5th February 2014
2. Photographs of Seized spirits with fake UK Duty Paid stamps.
3. Copy of PACE interview Summary dated 9th December 2015
4. Simple Caution Signed by Irfan OZDOGAN dated 27th January 2016
5. Simple Caution signed by Murat HAS in his capacity of Director of Quality Stores Limited dated 27th January 2016
6. Companies House Documentation in relation to Quality Stores Limited.

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

yes

Please tick ✓

- 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 *[Handwritten Signature]*

Date 1/6/16

Capacity Manage CEH+TS

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

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.

**LONDON BOROUGH OF HARINGEY
ENFORCEMENT SERVICE**

Ref: Murat Has/ Nazar Supermarket

River Park House 2nd Floor
225 High Road
Wood green
London
N22 8HQ

RECORD OF SIMPLE CAUTION

PART 1: IDENTITY OF PERSON CAUTIONED

Title (Mr, Mrs etc) Mr

Surname: Has

First Names: Murat

Address: 657-633 High Road, London, N17 8AA

Date of Birth: 20/08/1971

Occupation: Director

Trading Name: Nazar Supermarket

Business Address: 657-633 High Road, London, London N10 3HS

Type of business: Supermarket

PART 2: PERSONS PRESENT

Officer administering caution:

Signed.....*[Signature]*.....

Person receiving the caution:

Signed.....*[Signature]*.....

Witness:

Signed.....*[Signature]*.....

PART 3: DETAILS OF OFFENCE(S)

Mr Murat Has- Director

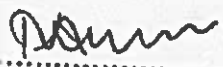
On the 13th September as of operational Condor 2, Trading Standards officers and Police officers were involved in an exercise carrying inspections in the Northumberland Park area. The Trading Standards Officers and police officers entered Nazar Supermarket at 657-663 High Road, London N17 8AA. During the inspection, the officers discovered 3 packets Shisha Tobacco displayed on a shelf in the premises. The officers found further 4 and 2 boxes of Shisha Tobacco were found in a office. Established the owner of the premises and the director of the company was Mr. Murat Has.

OFFENCE(S) - Tobacco Products(Manufacture, Presentation and Sale)(Safety) Regulations 2002(as amended) Regulation 14(1) and did not have the required warning "smoking kills" or "Smoking seriously harms you and others around you" and on the other most visible surface an additional health warning in the form of a picture warning set out in Part 1 of the schedule. This is contrary to Section 12(1) of the Consumer Protection Act 1987

PART 4: CERTIFICATE AS TO EVIDENCE and PUBLIC INTEREST CONSIDERATIONS

I certify that I am satisfied that there is evidence of the offender's guilt sufficient to give a realistic prospect of conviction of the offence specified in Part 3 hereof. I am further satisfied that the administration of a caution is in the public interest by reason of:-

.....

Signed: 

PART 5: ADMISSION OF OFFENCE and CONSENT TO CAUTION

I, **Murat Has**, admit the offence described above and agree to accept a simple caution in this case.

I accept that this caution forms part of my criminal record and that it may influence how I am dealt with should I commit an offence in the future.

I understand that I have the right to take independent legal advice before I sign or say anything and that I do not have to sign or say anything unless I wish to do so.

I understand that if I am cautioned in respect of the offence specified in Part 3 above, a record will be kept of the caution by the Council and, if applicable, by the Office of Fair Trading. It has been explained to me that the fact of a previous caution may influence the decision whether or not to prosecute if I should offend again and that the caution may be cited if I am subsequently found guilty of an offence by a Court.

I ADMIT THE OFFENCES SPECIFIED IN PART 3 HEREOF AND CONSENT TO BE FORMALLY CAUTIONED.

6.0 Comments of Interested Parties

No comments made.

7.0 POLICY CONSIDERATIONS

7.1 The following provisions of the Licensing Act 2003 apply to this application: Section 51-53 (review of premises licenses)

In determining the application the Licensing Sub Committee can take such steps as it considers necessary for the promotion of the licensing objectives, which are:

1. Take no further action
2. modify the conditions of the license
3. exclude a licensable activity from the scope of the license
4. remove the designated premises supervisor
5. suspend the license for a period not exceeding three months
6. revoke the license.

Where the Licensing Sub Committee takes steps mentioned in 3 or 4 it may provide that the modification or exclusion is to have effect for one such period (not exceeding three months) as it may specify. The Licensing Sub Committee is asked to give full reasons for its decision.

The Licensing Sub Committee must make its decision within 5 working days of the end of the hearing. Any decision of the Licensing Sub Committee is stayed from coming into effect for 21 days from the date of the decision, pending any appeal that might be made and the determination of that appeal. Any party to the proceedings may appeal against the decision of the Licensing Sub Committee.

8.0 The following provisions of the Secretary of State's guidance apply to this application: Paras 11.24-11.28 These provisions are attached at **Appendix 2.**

8.1 The following paragraphs of the licensing authority's Statement Of Licensing Policy apply to this application; Section 78, these provisions are attached at **Appendix 3.**

8.2 The Licensing Sub Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property which may include licences in existence, and the protection of private and family life.

Appendix 1 – Application form and supporting documents

PART 3: DETAILS OF OFFENCE(S)

Mr Murat Has- Director

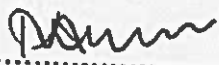
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PART 4: CERTIFICATE AS TO EVIDENCE and PUBLIC INTEREST CONSIDERATIONS

I certify that I am satisfied that there is evidence of the offender's guilt sufficient to give a realistic prospect of conviction of the offence specified in Part 3 hereof. I am further satisfied that the administration of a caution is in the public interest by reason of:-

.....

Signed: 

PART 5: ADMISSION OF OFFENCE and CONSENT TO CAUTION

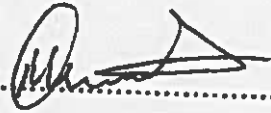
I, **Murat Has**, admit the offence described above and agree to accept a simple caution in this case.

I accept that this caution forms part of my criminal record and that it may influence how I am dealt with should I commit an offence in the future.

I understand that I have the right to take independent legal advice before I sign or say anything and that I do not have to sign or say anything unless I wish to do so.

I understand that if I am cautioned in respect of the offence specified in Part 3 above, a record will be kept of the caution by the Council and, if applicable, by the Office of Fair Trading. It has been explained to me that the fact of a previous caution may influence the decision whether or not to prosecute if I should offend again and that the caution may be cited if I am subsequently found guilty of an offence by a Court.

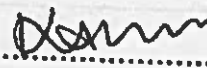
I ADMIT THE OFFENCES SPECIFIED IN PART 3 HEREOF AND CONSENT TO BE FORMALLY CAUTIONED.

Signed: 

Dated: 5/2/2014

PART 6: CERTIFICATE AS TO CAUTION

On ~~12/18~~ ^{5/2/2014} at Trading Standards, Unit 271-272 Lee Valley, Technopark, Ashley Road, London, N17 9LN, at 12:10 hours, I formally cautioned the person named in Part 1 hereof in respect of the offence specified in Part 3 hereof.

Signed: 

Dated: 5/2/2014

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 either UK European, Greek-Cypriot, Turkish-Cypriot, African, Caribbean/West Indian, Asian, Irish or Other (specify):

Ethnic Origin: Kurdish

Photographs of Examples of Spirits Seized on 14th October 2015 From Nazar Supermarket





London Borough of Haringey
Commercial Environmental Health
Alexandra House
10 Station Road
Wood Green
London
N22 7TR



Simple Caution

Offender surname: OZDOGAN Forenames: Irfan

Date of birth: 23rd November 1981

Address: 36 Strand Place, London N18 1QS

Occupation: Store Manager: Premises Licence Holder

Details of offence: you did engage in a commercial practice set out in paragraph 9 of Schedule 1 of the Consumer Protection From Unfair Trading Regulations 2008, namely that you had in possession for the purposes of supply Glens Vodka, Teachers Whisky, High Commissioner Whisky and Smirnoff Vodka all of which bore a "UK DUTY PAID" label creating the impression that the product can be legally sold when it cannot.

Date of offence: 14th October 2015

Place of offence: 657-663 High Road, Tottenham, London N17 8AA

Legislation contravened: Regulation 12 of the Consumer Protection From Unfair Trading Regulations 2008

Brief details: On 14th October 2015 Haringey Trading Standards accompanied by Officers Of Her Majesty's Revenue and Customs conducted an inspection of Nazar Off Licence at 657-663 High Road, Tottenham N17 8AA. On the premises officers discovered for sale bottles of Glens Vodka, Teachers Whisky, High Commissioner Whisky and Smirnoff Vodka which were genuine products but had had counterfeit rear labels applied to them bearing false "UK Duty Paid" Stamps, giving the impression the goods were legal to sell when in fact they had not had Excise Duty paid on them to the value of £604.40 and were therefore, illegal to sell in the UK.

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.

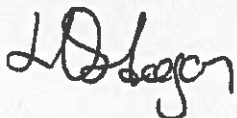
I agree to accept a simple caution for the offence shown above.

Signature of person cautioned:

Date:

IRFAN OZDOGAN

27/10/2016



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.

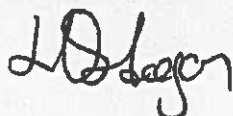
I agree to accept a simple caution for the offence shown above.

Signature of person cautioned:

Date:

IRFAN OZDOGAN

27/10/2016



Caution administered by Rebecca Whitehouse
Job title: Manager
Council: Harringey Alexandra Hare
Office address: 10 St John Rd. London N22 7TR
Signature: *[Handwritten Signature]*
Date: 27/1/16.

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 Kurdish British

London Borough of Haringey
Commercial Environmental Health
Alexandra House
10 Station Road
Wood Green
London
N22 7TR

Haringey
LONDON

Simple Caution

Part 1:

Case Ref: 335889 15/16A

Company name: **QUALITY STORES LIMITED**

Company address: 657-663 High Road, Tottenham, London N17 8AA

Company Registered No: 06765932

Details of offence(s): you did engage in a commercial practice set out in paragraph 9 of Schedule 1 of the Consumer Protection From Unfair Trading Regulations 2008, namely that you had in possession for the purposes of supply Glens Vodka, Teachers Whisky, High Commissioner Whisky and Smirnoff Vodka all of which bore a "UK DUTY PAID" label creating the impression that the product can be legally sold when it cannot.

Date of offence(s): 14th October 2015

Place of offence(s): 657-663 High Road, Tottenham N17 8AA

Legislation contravened: Regulation 12 of the Consumer Protection From Unfair Trading Regulations 2008.

Brief details of offence(s): On 14th October 2015 Haringey Trading Standards accompanied by Officers Of Her Majesty's Revenue and Customs conducted an inspection of Nazar Off Licence at 657-663 High Road, Tottenham N17 8AA. On the premises officers discovered for sale bottles of Glens Vodka, Teachers Whisky, High Commissioner Whisky and Smirnoff Vodka which were genuine products but had had counterfeit rear labels applied to them bearing false UK Duty Paid Stamps, giving the impression the goods were legal to sell when in fact they had no thad Excise Duty paid on them to the value of £604.40 and were therefore, illegal to sell in the UK.

Part 2:

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

1. The company admits to committing the offence(s) shown above. A simple caution is not a criminal conviction, but I understand that details of the caution may be kept on a national or other databases.
2. If new evidence comes to light suggesting that the offence(s) the company has (have) committed is (are) more serious, the local authority may still take legal action against the company.
3. If there are any victims as a result of this (these) offence(s), they might still take civil action against the company and the local authority may give the companies registered address to the victims so they can do this.
4. If the company is charged with another offence, the local authority will tell the court that the company has received this simple caution.
5. If the company applies for certain licences connected with the business, e.g. under the Consumer Credit Act 1974 or Licensing Act 2003, this caution may be taken into account in any decision.

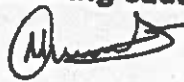
Part 3

I have read and understand all this information.

I hereby declare that I am authorised by the company to admit the offence(s) described above and agree to accept a Caution in this case. I understand that a record will be kept of this caution and that it may influence a decision to institute proceedings should the Company be found to be infringing the law in the future. I further understand that this Caution may be cited should the Company subsequently be found guilty of an offence by a Court of Law. I also understand that in some circumstances the company may be under a duty to disclose the existence of this Caution.

Signature of person receiving caution on behalf of the company

Name: MURAT HAS



Date: 27/01/2016

Part 2:

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

1. The company admits to committing the offence(s) shown above. A simple caution is not a criminal conviction, but I understand that details of the caution may be kept on a national or other databases.
2. If new evidence comes to light suggesting that the offence(s) the company has (have) committed is (are) more serious, the local authority may still take legal action against the company.
3. If there are any victims as a result of this (these) offence(s), they might still take civil action against the company and the local authority may give the companies registered address to the victims so they can do this.
4. If the company is charged with another offence, the local authority will tell the court that the company has received this simple caution.
5. If the company applies for certain licences connected with the business, e.g. under the Consumer Credit Act 1974 or Licensing Act 2003, this caution may be taken into account in any decision.

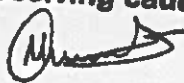
Part 3

I have read and understand all this information.

I hereby declare that I am authorised by the company to admit the offence(s) described above and agree to accept a Caution in this case. I understand that a record will be kept of this caution and that it may influence a decision to institute proceedings should the Company be found to be infringing the law in the future. I further understand that this Caution may be cited should the Company subsequently be found guilty of an offence by a Court of Law. I also understand that in some circumstances the company may be under a duty to disclose the existence of this Caution.

Signature of person receiving caution on behalf of the company

Name: MURAT HAS



Date: 27/01/2016

Caution administered by Rebecca Whitehouse
Job title: Manager
Council: Haringey
Office address: Box House 10 Station Rd London N22 7TR
Signature: *[Handwritten Signature]*
Date: 27/1/16

Companies House

BETA This is a trial service — your [feedback \(https://response.questionback.com/companieshouse/chpbeta/\)](https://response.questionback.com/companieshouse/chpbeta/) will help us to improve it.

QUALITY STORES LIMITED

Company number **06765932**

Registered office address

657-663 High Road, Tottenham, London, N17 8AA

Company status

Active

Company type

Private limited Company

Incorporated on

4 December 2008

Accounts

Next accounts made up to **31 December 2015**
due by **30 September 2016**

Last accounts made up to **31 December 2014**

Annual return overdue

Next annual return made up to **4 December 2015**
due by **1 January 2016**

Last annual return made up to **4 December 2014**

Nature of business (SIC)

- 47190 - Other retail sale in non-specialised stores

Companies House

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QUALITY STORES LIMITED

Company number 06765932

Filter officers

Current officers

Apply filter

1 current officer / 2 resignations

HAS, Murat

Correspondence address 36 Strand Place, London, Uk, United Kingdom, N18 1QS

Role Director

Date of birth August 1971

Appointed on 21 May 2010

Nationality British

Country of residence United Kingdom

Occupation Company Director

HAS, Kemal

Correspondence address 17 Windsor Avnue, London, Uk, United Kingdom, E17 5NL

Role Secretary

Appointed on 4 December 2008

Resigned on 1 January 2010

COBAN, Kucuk Huseyin

Correspondence address 12 Yarmouth Crescent, Tottenham, London, N17 9PG

Role Director

Companies House

BETA This is a trial service — your [feedback \(https://response.questionmark.com/companieshouse/chpbeta/\)](https://response.questionmark.com/companieshouse/chpbeta/) will help us to improve it.

QUALITY STORES LIMITED

Company number 06765932

Filter officers

Current officers

Apply filter

1 current officer / 2 resignations

HAS, Murat

Correspondence address 36 Strand Place, London, Uk, United Kingdom, N18 1QS

Role Director

Date of birth August 1971

Appointed on 21 May 2010

Nationality British

Country of residence United Kingdom

Occupation Company Director

HAS, Kemal

Correspondence address 17 Windsor Avenue, London, Uk, United Kingdom, E17 5NL

Role Secretary

Appointed on 4 December 2008

Resigned on 1 January 2010

COBAN, Kucuk Huseyin

Correspondence address 12 Yarmouth Crescent, Tottenham, London, N17 9PG

Role Director

Date of birth January 1969

Appointed on 4 December 2008

Resigned on 21 May 2010

Nationality British

Country of residence England

Occupation Company Director

Commercial & Operations

Regulatory Services Manager: Gavin Douglas



Murat HAS
Nazar Supermarket
657-659 High Road
Tottenham,
London N17 8AA

Your ref:

Date: 3rd June 2016

Our ref: WK 345594

Dear Sir,

Re: Licensing Act 2003: Application For Licence Review

I am writing to inform you that as a Responsible Authority this Service will be making an application to the Licensing Committee to review your Premises Licence.

I have enclosed a copy of the application for your reference.

Yours faithfully

A handwritten signature in blue ink, appearing to read "MS", written over a faint circular stamp.

Michael Squire
Tactical Trading Standards Enforcement Officer

Commercial Environmental Health &
Trading Standards
Level 6, Alexandra House
10 Station Road, Wood Green
London N22 7TR

T 020 8489 5158
E michael.squire@haringey.gov.uk
www.haringey.gov.uk

Shah Noshaba

From: Mark.L.Greaves@met.pnn.police.uk
Sent: 04 July 2016 09:04
To: Licensing
Cc: Barrett Daliah
Subject: RE: Application for a Review of a Premises Licence: Nazar Supermarket, 657-663 High Road, Tottenham, London, N17 8AA (WK/355196)

Hi Noshi

I have scanned our indices for the previous 13 months and found nothing relevant to this matter.

Regards

Mark

Mark Greaves PC 164YR
Licensing / CPDA / Crime Prevention
Haringey Borough Police

Tel: 020 3276 0150

This Message is Restricted/Confidential
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From: Shah Noshaba [<mailto:Noshaba.Shah@haringey.gov.uk>] **On Behalf Of** Licensing
Sent: 06 June 2016 16:52
To: Haringey Building Control; De Gruchy Jeanelle; Enforcement Response; Pearce Derek; Planning Enforcement; Whitehouse Rebecca; Morris Marion; Ekemezuma Felicia; Williamson Emma; 'Somerville Linda'; 'YR_Licensing@met.pnn.police.uk'; Ogosi Grace; Frontline; 'Fire'; Tempest Tracy - Roads and Transport Policing Command
Cc: Barrett Daliah; Anderson Chanel
Subject: RE: Application for a Review of a Premises Licence: Nazar Supermarket, 657-663 High Road, Tottenham, London, N17 8AA (WK/355196)

Dear RA's

Please find attached a copy of a Premises Licence Review for Nazar Supermarket, 657-663 High Road, Tottenham, London, N17 8AA.

Please note the last day of consultation is 3rd July 2016.

Please forward all responses to licensing@haringey.gov.uk

Kind regards

Noshaba Shah
Licensing Officer



Haringey London
Licensing Team, Alexandra House, Level 6, 10 Station Road, Wood Green, London, N22 7TR

T. 020 8489 5536

noshaba.shah@haringey.gov.uk

www.haringey.gov.uk

[twitter@haringeycouncil](https://twitter.com/haringeycouncil)

facebook.com/haringeycouncil

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LICENSING ACT 2003
Sec 24

PREMISES LICENCE

Receipt: AG909725

Premises Licence Number: LN/000006934

This Premises Licence has been issued by:
**The Licensing Authority, London Borough of Haringey,
6th Floor Alexandra House, 10 Station Road,
Wood Green, London, N22 7TR**

Signature:.....

Date: 23rd January 2009
Transfer & DPS: 14th April 2016

Part 1 – PREMISES DETAILS

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

**NAZAR SUPERMARKET
657-663 HIGH ROAD
TOTTENHAM
LONDON
N17 8AA**

Telephone: 020 8365 0208

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 0000 to 0000

The opening hours of the premises:

Monday to Sunday 0000 to 0000

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

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

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.

Annex 2 – Conditions consistent with the Operating Schedule

We will train our staff with general policies of Health & Safety, hygiene and Licensing.
The premises will be under the control of the DPS as well as two personal licence holders.

THE PREVENTION OF CRIME AND DISORDER

CCTV will be in operation 24 hours. The system will be maintained and recordings made available on request to Police or Licensing Authority.

Door staff will be employed when necessary and trained.

Personal Licence holders will control all sales.

We are part of neighbourhood watch organisations.

PUBLIC SAFETY

Premises will comply with all Fire Safety requirements

All Health and Safety equipment, fire extinguishers will be installed and sign posted.

Staff will be trained to deal with public emergencies.

THE PREVENTION OF PUBLIC NUISANCE

The premise is insulated to combat any excess noise.

THE PROTECTION OF CHILDREN

The premises will be controlled by the DPS and personal licence holders at all times

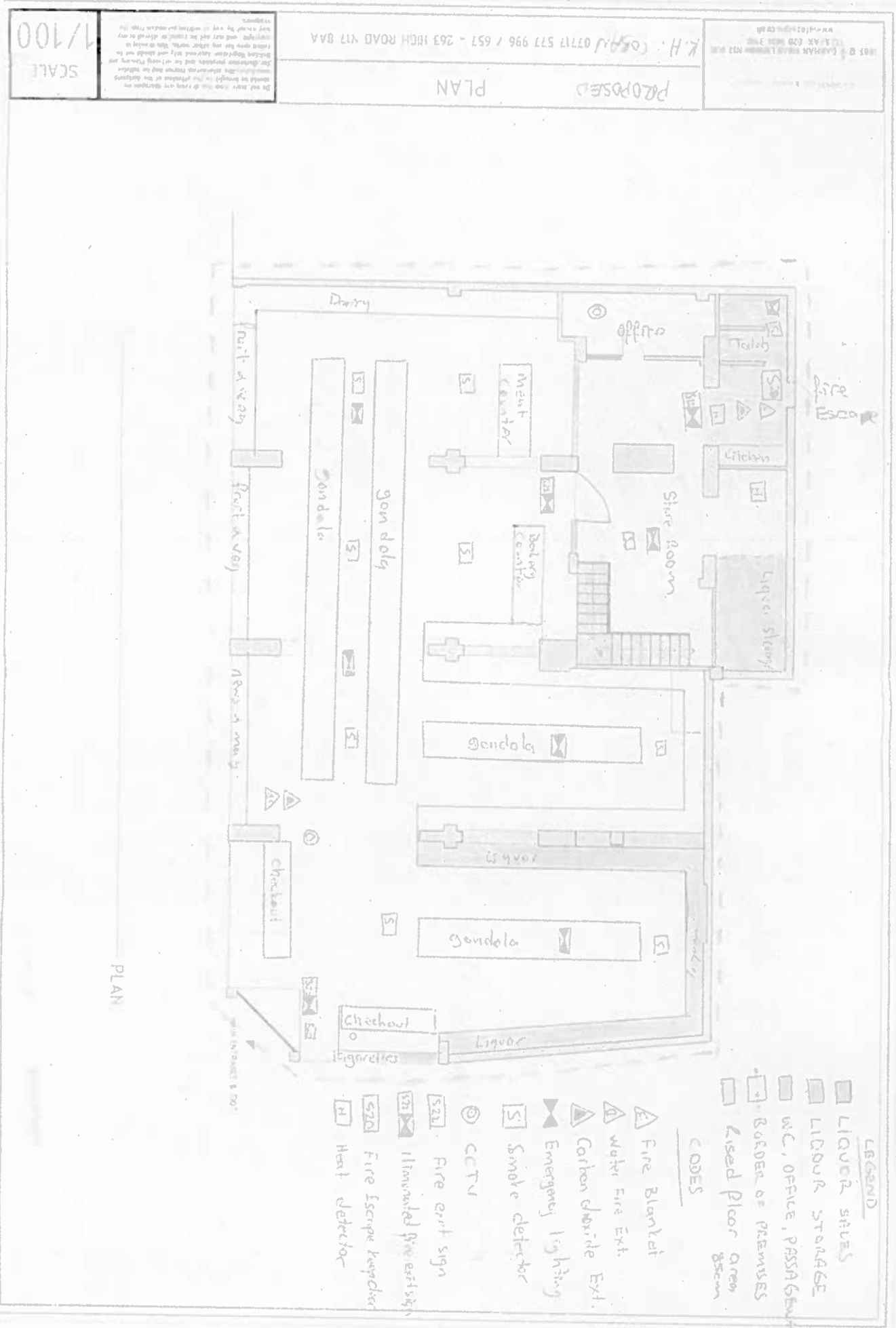
Alcohol may only be sold to individuals over the age of 18 with valid proof of identification with one of the following:

- 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



Appendix 2 – Section 182 Guidance

- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption)¹⁰;
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
- revoke the licence.

- 11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.
- 11.21 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.
- 11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.
- 11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

Reviews arising in connection with crime

- 11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises; money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

¹⁰ See chapter 15 in relation to the licensing of live and recorded music.

- 11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.
- 11.26 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual licence holder.
- 11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
 - for the sale and distribution of illegal firearms;
 - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
 - for prostitution or the sale of unlawful pornography;
 - by organised groups of paedophiles to groom children;
 - as the base for the organisation of criminal activity, particularly by gangs;
 - for the organisation of racist activity or the promotion of racist attacks;
 - for knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter;
 - for unlawful gambling; and
 - for the sale or storage of smuggled tobacco and alcohol.
- 11.28 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Appendix 3 – Licensing Policy

- The prohibition of the participation of customers in the performance
- The maintenance of a minimum distance of 1 metre between performer and customers during the performance
- The provision of CCTV and the maintenance of a library of recordings
- A code of conduct for dancers including appropriate disciplinary procedures for failure to comply with the code
- Rules of conduct for customers, including appropriate procedures for breach of these rules
- Procedures to ensure that all staff employed in the premises have pre-employment checks including suitable proof of identity, age and (where required) permission to work
- The provision of supervisors and security staff
- Other necessary steps to be taken, including in the recruitment or supply of performers, is free of the influence or organised criminal activity

78 The sale and possession of smuggled, bootlegged or counterfeit Products and the handling of stolen goods

The guidance to the Act indicates that offences can be committed by certain persons in licensed premises if they allow the sale or supply of smuggled, bootlegged or counterfeit goods on the premises. This is in particular relation to alcohol or tobacco products, but may also include the sale of other counterfeited products such as DVDs and CDs and the handling of stolen goods.

Smuggled – foreign brands illegally brought into the UK

Bootlegged (duty evaded) foreign products brought into the UK in illegal quantities and / or resold in the UK

Counterfeit – Fake goods and packaging. Cheap low quality and often dangerous products packaged to look like premium UK brands

Offences are for selling illicit products but also for employees permitting sales and for employees buying or selling. The Home Office guidance indicates that these offences are taken particularly seriously. To prevent these offences occurring, the licensee should consider taking certain precautions. Advice on this can be obtained from the council's trading standards service.

79 Theft of personal property

Recent analysis of crime statistics has given rise to increasing concern over levels of theft of personal property within licensed premises, especially within the developing northern-western riverside area of the borough. Licence applicants are asked to give consideration to appropriate control measures within their risk-assessments and operating schedules.

Important steps that can be taken to reduce the risk of theft of personal property include:

- Raise the level of awareness among customers of the risk of theft of personal property through crime prevention information. This is especially important within premises where there is a high level of transient, tourist trade
- Provide controlled cloakroom areas
- Provide Chelsea clips under tables
- Ensure all areas of the premises are well lit and able to be observed by staff. Direct staff to observe the customer areas and politely raise with customers when personal belongings are unattended
- Provide and publicise internal CCTV

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 Licensing Act 2003 Sub-Committee on 21st July 2016

Report title: Application for a Review of a Premises Licence at Sun Minimarket Supermarket, 688 High Road Tottenham N17 8AE
Report of: The Licensing Team Leader
Ward(s) affected Woodside
1. Purpose

To consider an application by The Trading Standards Team for a review of the premises licence at Sun Minimarket.

Summary of application

- The applicants – Trading Standards as a Responsible Authority are seeking a review of the Premises Licence with reference to the licensing objectives of the Prevention of Crime and Disorder and Public Safety.

Date review application served: 3rd June 2016

In accordance with regulation 38 of the Licensing Act 2003 (Premises and Club Premises Certificates) Regulations 2005, officers arranged for notices of the review to be published for 28 days on the affected premises, on the public notice board at the Civic Centre and on the Council's website.

A copy of the review application and supporting documents are at Appendix 1.

2. Officers Observations

In determining this application the Licensing Sub Committee must have regard to the:

- 2.1
- (a) need to promote the four licensing objectives
 - (b) representations
 - (c) relevant sections of the statutory guidance to licensing authorities (appendix 2)
 - (d) relevant sections of the licensing authority's statement of licensing policy (appendix 3)

Report authorised by: Daliah Barrett

 Licensing Team Leader

Contact Officer: Ms Daliah Barrett -Williams
Telephone: 020 8489 8232
3. Access to information:

 Local Government (Access to Information) Act 1985
 Background Papers

The following Background Papers are used in the preparation of this Report:

File: Sun Minimarket

The Background Papers are located at Regulatory Services, Alexandra House Level 6, 10 Station Road, Wood Green, London N22 7TR

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4. REPORT

Background

A premises licence was originally granted to Sun Minimarket in February 2008. Mr Yapicu has been the licence holder and DPS since this time.

Licensable activities authorised by the Licence:

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**

New Years Eve **from the start of permitted hours on 31 December until the start of permitted hours on 1 January**

The designated premises supervisor is: Mr mehmet Yapici

4.2.1 Details of the Application for Review and Supporting Documentation. Appendix 1

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

The operation of the premises has failed to uphold the Licensing Objectives of The Prevention of Crime and Disorder and Public Safety.

The premises were found to be stocking and selling non duty paid tobacco and alcohol from the premises.

5.0 RELEVANT REPRESENTATIONS (CONSULTATION)

Responsible authorities:

5.1 Comments of Metropolitan Police

No representation made.

5.2 Comments of Enforcement Services:

No representation made

5.3 Comments of The London Fire and Emergency Planning Authority

No representation made.

6.0 Comments of Interested Parties

No comments made.

7.0 POLICY CONSIDERATIONS

- 7.1 The following provisions of the Licensing Act 2003 apply to this application:
Section 51-53 (review of premises licenses)

In determining the application the Licensing Sub Committee can take such steps as it considers necessary for the promotion of the licensing objectives, which are:

1. Take no further action
2. modify the conditions of the license
3. exclude a licensable activity from the scope of the license
4. remove the designated premises supervisor
5. suspend the license for a period not exceeding three months
6. revoke the license.

Where the Licensing Sub Committee takes steps mentioned in 3 or 4 it may provide that the modification or exclusion is to have effect for one such period (not exceeding three months) as it may specify. The Licensing Sub Committee is asked to give full reasons for its decision.

The Licensing Sub Committee must make its decision within 5 working days of the end of the hearing. Any decision of the Licensing Sub Committee is stayed from coming into effect for 21 days from the date of the decision, pending any appeal that might be made and the determination of that appeal. Any party to the proceedings may appeal against the decision of the Licensing Sub Committee.

- 8.0 The following provisions of the Secretary of State's guidance apply to this application: Paras 11.24-11.28 These provisions are attached at **Appendix 2.**
- 8.1 The following paragraphs of the licensing authority's Statement Of Licensing Policy apply to this application; Section 78, these provisions are attached at **Appendix 3.**
- 8.2 The Licensing Sub Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property which may include licences in existence, and the protection of private and family life.

Appendix 1 – Application form and supporting documents

[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 Rebecca Whitehouse

(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 Sun/Efe Minimarket 688 High Road, Tottenham, London	
Post town London	Post code (if known) N17 8AE

Name of premises licence holder or club holding club premises certificate (if known) Mr Mehmet YAPICI

Number of premises licence or club premises certificate (if known) LN000003057
--

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
<input type="text"/>	<input type="text"/>

I am 18 years old or over

Please tick ✓ yes

Current postal address if different from premises address	<input type="text"/>
--	----------------------

Post town	<input type="text"/>	Post Code	<input type="text"/>
------------------	----------------------	------------------	----------------------

Daytime contact telephone number	<input type="text"/>
---	----------------------

E-mail address (optional)	<input type="text"/>
----------------------------------	----------------------

(B) DETAILS OF OTHER APPLICANT

Name and address
<input type="text"/>
Telephone number (if any)
<input type="text"/>
E-mail address (optional)
<input type="text"/>

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address L.B.Haringey Trading Standards Service 6 th Floor, Alexandra House, 10 Station Road, London N22 7TR
Telephone number (if any) 020 8489-5158
E-mail address (optional) Rebecca.whitehouse@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 ✓

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

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

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

It particularly relates to the discovery of illicit tobacco and alcohol in the shop under the control of the Premises Licence Holder which indicates that the highest standards of management have not been exhibited by the business.

On 18th August, officers from Trading Standards and Her Majesty's Revenue and Customs (HMRC) visited the premises to inspect the stock of alcohol and tobacco. The Premises Licence Holder and Designated Premises Supervisor, Mehmet Yapici was present.

The officers seized 1,260 cigarettes, 3.4 kilogrammes of hand rolling tobacco and 72.8 litres of mixed spirits all of which were identified by HMRC as non Duty paid representing a Duty value of £1,733.71 .

The seized goods included bottles of Glens Vodka, High Commissioner Whisky and Smirnoff Vodka. These products were genuine products, however, on closer examination HMRC officers discovered that the goods were in fact Duty diverted meaning that UK Duty had not been paid. On these products the original back labels which complied with HMRC export requirements had been replaced with fake labels bearing a fake UK Duty Paid stamp, giving the impression the spirits were UK Duty Paid and legal to sell in the UK when they were not. Samples of these products were seized by Trading Standards with the remainder seized by HMRC. Other spirits bore foreign Duty stamps, again indicating that UK

Duty had not been paid.

In addition, officers discovered behind the counter 20 tubs each containing 170g of Winston Hand Rolling tobacco bearing foreign tax stamps and health warnings, when questioned in the shop by HMRC Officers Mr Yapici informed officers he bought the tubs for £16 each and sold them for £17.50.

At this point Mr Yapici was asked if he had more foreign tobacco in the shop and he stated that he did not.

A further search revealed a knife packaging box next to the till containing 260 Marlboro Gold Cigarettes with foreign health warnings which were not UK Duty paid.

After a further more detailed search officers also discovered a panel at the back of the spirit shelving. When this panel was removed a further 1,000 Marlboro Gold Cigarettes were found.

Haringey Trading Standards seized samples of the products as it was suspected that the Health Warnings on the tobacco contravened the requirements of the Consumer Protection Act 1987 as they were not in the correct prescribed form and were not in the English Language. Trading Standards also seized samples of the alcoholic spirits which were found with fake back labels and UK Duty stamps. The remainder of the the products were seized by HMRC,

Mr Yapici was subsequently interviewed under caution in accordance with the Police and Criminal Evidence Act by Haringey Trading Standards. This interview took place on 16th September 2015.

During the interview Mr Yapici stated that the Marlboro Gold Cigarettes were not for supply and that he had bought them for his workers and to give to rude people to prevent them from causing trouble in the shop. He admitted he was selling the Winston Tobacco but stated he believed the tobacco was tax paid as it bore a tax marking which did not relate to the UK. Mr Yapici stated he did not know about the law which required health warnings on tobacco to be in English.

Mr Yapici agreed that the spirits were for sale but believed that the Foreign tax stamps on some of the products made them legal to sell.

Mr Yapici was asked to provide invoices for the spirits but has not done so.

When asked if there was anything he wished to say Mr Yapici stated he was really upset and wanted to apologise.

On 24th February 2016 at Tottenham Magistrates Court Mr Mehmet Yapici pleaded guilty to an offence under Regulation 12 of the Consumer Protection From Unfair Trading Regulations in relation to having in possession for supply alcoholic spirits bearing "UK

Duty Paid" labels giving the impression that the products can be legally sold when they cannot". Mr Yapici was fined £415 and ordered to pay costs of £894 and £42 victim surcharge.

Mr Yapici attended Court and was represented by Counsel.. The defendant stated that he had repaid all the unpaid duty to HMRC as well as financial penalties levied by HMRC and had receipts with him for these payments. Counsel stated his business is struggling financially and he is suffering from ill health. The defendant was given credit for his early guilty plea and The Magistrates ordered that all goods seized be forfeited and destroyed.

It is a requirement for all tobacco products supplied commercially in the UK to bear Health Warnings both pictorial and written in a prescribed way in the English Language. The tobacco found in the shop did not carry UK written and pictorial health warnings as required under the Tobacco Products (Manufacture, Presentation and Sale) (Safety) Regulations 2002. The failure to comply with these requirements is also a criminal offence under the Consumer Protection Act 1987.

The business had signed up to Haringey's Responsible Retailer Scheme and was accepted as members on 14th August 2014. This scheme includes a signed commitment by the business to abide by all legislation relating to the retail supply of alcohol and tobacco enforced by HMRC.

Trading Standards are concerned at the possession for supply of illicit alcohol and tobacco for the following reasons:

- 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 alcohol and tobacco causes huge losses to the UK's tax revenues.
- The trade in illicit alcohol and tobacco facilitates teen drinking and smoking
- The trade in illicit alcohol and tobacco makes it harder to beat addiction
- The trade in illicit cigarettes poses a risk to public safety through increased risk of fire from non fire retardant cigarettes.
- 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 products with incorrect health warnings undermines the effectiveness of public health messages designed to discourage smoking.

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
25 th June 2014	Application received from Sun Supermarket to Join Responsible Trader Scheme	Application form received from business.
14 th August 2014	Sun Supermarket accepted as members of Haringey's Responsible Retailer Scheme	Business signs up to a commitment to trade responsibly including the commitment to comply with HMRC legislation relating to illicit products.
18 th August 2015	Joint Visit with HMRC and Trading Standards	HMRC seized 1,260 cigarettes, 3.4 kilogrammes of hand rolling tobacco and 72.8 litres of mixed spirits representing a Duty value of £1,733.71 . Trading Standards Seized samples of these products.
16 th September 2015	PACE Interview of Mehmet Yapici	Written Summary of PACE Interview
24 th February 2016	Mehmet Yapici pleads guilty to an offence under the Consumer Protection From Unfair Trading Regulations	<p>At Tottenham Magistrates Court Mr Yapici pleaded guilty to the following offence</p> <p>On 18th August 2015 at EFE Minimarket, 688 High Road, London N17 0AE you did engage in a commercial practice set out in paragraph 9 of Schedule 1 of the Consumer Protection From Unfair Trading Regulations 2008, namely that you had in your possession for the purposes of supply, bottles of Glens Vodka, High Commissioner Whisky and Smirnoff Vodka, all of which bore a "UK DUTY PAID" label, creating the impression that the product can be legally sold, when it cannot</p> <p><u>CONTRARY TO Regulation 12 of the Consumer Protection from Unfair Trading Regulations 2008</u></p>

Recommendations:

This licensee has clearly demonstrated that there is a breakdown in due diligence in respect to the sourcing of legitimate products to be sold by the business and a failure to pay substantial amounts of Duty to HMRC.

The facts indicate that the public are being misled with certain products being misdescribed as to their legal status and as a result a criminal offences have been committed.

The history of the premises indicates that the Designated Premises Supervisor Mehmet Yapici was in control of the premises during the period in which the incident occurred.

There is evidence that Mehmet Yapici the Designated Premises Supervisor and the Premises Licence Holder has been knowingly or recklessly involved in serious breaches of the law and concealment of illicit products on the premises. This gives me reduced confidence in his willingness to fulfil his responsibility to promote the licensing objectives or to exhibit the highest standards of management.

I, therefore, recommend the following conditions be attached to the Licence by the Committee.

1. The Premises Licence Holder and Designated Premises Licence Holder shall ensure alcohol is only purchased from an authorised wholesaler and shall produce receipts for the same upon request for inspection. (An authorised wholesaler means an established warehouse or trade outlet with a fixed address and not a van or street trader, even if they claim they are part of, or acting on behalf of, an authorised wholesaler who provides full itemised VAT receipts).
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. 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 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 may be not duty paid they shall inform the The Council of this immediately.
8. 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 store room or behind the sales counter.
9. Tobacco shall only be taken from the covered tobacco display cabinet behind the sales counter in order to make a sale.
10. only products available for retail sale can be stored at the licensed premises.

The Committee may also wish to consider suspending the licence for a period at it's discretion.

No conditions have previously been attached by the Licensing Authority.

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

Attached Documents

1. Photographs of Seized spirits with fake UK Duty Paid stamps and illicit tobacco seized.
2. Copy of PACE interview Summary dated 16th September 2015
3. Witness Statements of HMRC Officers Strauss, Hoang and Soni
4. Application form to join Responsible Retailer Scheme including terms and conditions dated 25th June 2014 signed by Mehmet Yapici.

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

Please tick ✓ yes

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

yes

Please tick ✓

- 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 *[Handwritten Signature]*

Date 1/6/16

Capacity Manager Commercial E.H.F.S.

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

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.

Winston

EXPERT CUT FOR ROLLING & TUBING

Fumer provoque un vieillissement de la peau.
Rauchen lässt Ihre Haut altern.

15.50

Winston

EXPERT CUT FOR ROLLING & TUBING

15.50

Fumer peut...
Rauchen kann zu...

Winston...
Folgende...

Winston

EXPERT CUT FOR ROLLING & TUBING

SPCS KNIFE SET
NON-STICK COATING
(8 pieces knives készlet)
Набор из 8 ножей для
Messer Set 8 tlg
couteaux 8 pièces



Non-stick coating. A smooth
hard surface which allows
quick and easy cleaning of
blades.



Non-slip handle. A
comfortable and grippy
handle to ensure safe usage
of knife when cutting.

Euro
€ 169.00

Thank you for
choosing
Exclusive
collection

CHEESE

5"

5"

8" Slice

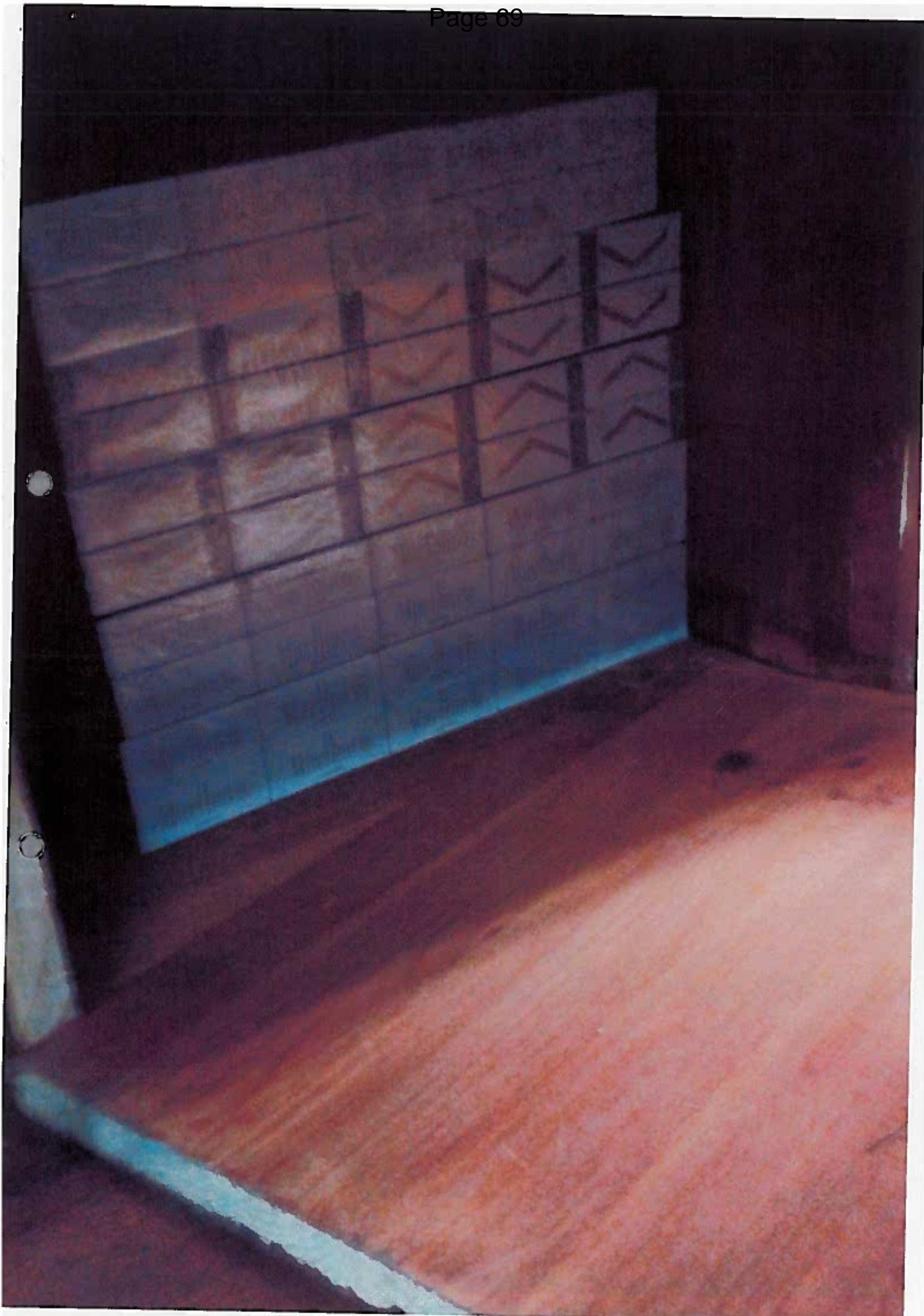
8" Bread K

8" Chef Knife



FRONE
FRONE
FRONE

FRONE







15.50

Winston

EXPERT CUT FOR...

£8.35

930 49

Winston

HIGH COMBINATION

HIGH COMBINATION

LONDON BOROUGH OF HARINGEY TRADING STANDARDS

RECORD OF TAPE RECORDED INTERVIEW

Person Interviewed Mehmet YAPICI

Place of Interview: Interview Room: Alexandra House, N22

Date of Interview 16/9/2015 Commenced 10:54 Ended 11:29

Interviewing Officer(s) Michael Squire Tactical Trading Standards Enforcement Officer

Other Persons Present D Balakrishnan Trading Standards Officer :Neslian Yapici (Daughter): T Yengin- Interpreter

Officer Preparing Record M Squire

Signature [Handwritten Signature]

Tape Ref No MS/MY/SUN Identifying Mark No of Pages 5

TAPE TIMES	
	<p>Mr YAPICI was informed that the interview was being recorded on CD and that at the end of the interview he would get a notice about what would happen to the CDs. The persons present introduced themselves.</p> <p>Mr Yapici Gave his home address as 249A Lordship Lane, N17 6AA. Mr Yapici gave his date of birth as 01/05/1960 and his place of birth as Turkey.</p> <p>The reason for the interview was explained in that it related to cigarettes and tobacco found in his shop on 18th August 2015 with non English language health warnings and that an offence may have been committed under the Consumer Protection Act 1987. It was also explained that alcoholic spirits were found which had fake or false UK Duty Stamps on them which gives the impression they are legal to sell when they are not which</p>

Exhibit No. MS/SE/S
 Referred to in my statement dated.....
 Signed.....
 Name..... M SQUIRE

RECORD OF TAPE RECORDED INTERVIEW OF: Mehmet YAPICI

can be an offence under the Consumer Protection From Unfair Trading Regulations.

Mr Yapici confirmed the shop premises at 688 High Road Tottenham was run through a Limited company EFE Limited and that he was a Director.

Mr YAPICI was cautioned at 11:00 AM in the following terms;
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. Do you understand?

Mr YAPICI confirmed he understood the caution.

Mr YAPICI was informed he could have a Solicitor present or seek legal advice

Mr YAPICI confirmed he did not want a Solicitor.


Mr YAPICI was informed he was not under arrest and could leave at any time.

Mr YAPICI confirmed he was the owner of Sun Mini Market at 688 High Road Tottenham and that the business was run through a company EFE Limited. He confirmed he had been trading for four or five years. He confirmed he was the Premises Licence holder and Premises Supervisor. He

Signed..........

RECORD OF TAPE RECORDED INTERVIEW OF: Mehmet YAPICI

	<p><i>confirmed he sometimes bought the Cigarettes and tobacco for the shop and sometimes he sent his workers. He stated he did not buy from sellers who came to his shop and has tried to be very careful about that.</i></p> <p><i>Mr EFE was shown photographs marked MS/TR/1 (Winston tobacco in tubs) MS/TR/2 (tobacco behind a Panel in his shop) and a third photo MS/TR/3 tobacco contained in a knife box which was seized from his shop.</i></p>
MS:10:	<p><i>Can you explain what this tobacco was doing in your shop?</i></p>
MY 12:00	<p><i>The first one, the Winston tobacco I believed that was quite legal because it had the stamp on it and that's why they were in the open.</i></p> <p><i>Mr Yapici explained that he believed the seal on the tub made it legal to sell.</i></p>
MS 12:30	<p><i>What did you want to say about the other tobacco?</i></p>
MY 12:44	<p><i>These are only for the use of my workers and sometimes when there are some rude people who come in and demand things they will give them a packet just to get rid of them.</i></p>

Signed..........

RECORD OF TAPE RECORDED INTERVIEW OF: Mehmet YAPICI

<p>MS MY 14:15</p>	<p><i>Mr YAPICI was asked if he knew that cigarettes and tobacco in the UK had to have English Health warnings and a picture warning for example a diseased lung to warn smokers. He replied he was not aware of a law about the health warnings.</i></p> <p>You weren't aware there was a law about the health warnings? I didn't know there was a law, these came by boats and I thought they would be legal to sell.</p> <p><i>Mr YAPICI confirmed he bought the tobacco off of people who had returned from holiday and he bought them from people in a nearby coffee shop not at the shop premises. He again denied selling the cigarettes.</i></p> <p><i>Mr Yapici was asked about why he kept the cigarettes behind a panel in the shop and was again shown a photograph MS/TR/2. He denied trying to hide them. He replied it was to stop them getting mixed up with the others. Mr YAPICI was asked why he made the panel. He stated the panel was already there and he kept money and change behind it.</i></p> <p><i>Mr YAPICI was asked why he had so many. He said they were cheap and they did not often come by.</i></p> <p><i>Mr YAPICI stated the cigarettes were for his workers or for</i></p>
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RECORD OF TAPE RECORDED INTERVIEW OF: Mehmet YAPICI

	<p><i>people who came into the shop who were drunk he would give them the cigarettes to get them to go away.</i></p> <p><i>Mr YAPICI said he was not hiding them and thought they were legal.</i></p> <p><i>Mr YAPICI was asked to explain why he kept cigarettes for drunk people. He replied he bought them for his workers but if people come into the shop to cause trouble he would give them these cigarettes rather than originals to encourage people to leave rather than cause trouble as Tottenham is a dodgy place.</i></p> <p><i>Mr YAPICI was asked to explain why he kept cigarettes in a knife box as they looked hidden again. He denied this and said they were just kept in a box.</i></p> <p><i>Mr YAPICI was asked if he noticed that the English cigarettes were different to the others. He said he did not really notice. He agreed he knew the foreign cigarettes were cheaper because they came from another Country.</i></p> <p><i>Mr Yapici was informed that he would now be asked questions about the alcohol.</i></p> <p>MS 21:38</p> <p>MY: 22:00</p> <p>Are you aware what a UK Duty Stamp is?</p> <p>When he saw the red stamp on it he thought it was original and bought it.</p>
--	--

RECORD OF TAPE RECORDED INTERVIEW OF: Mehmet YAPICI

Mr YAPICI was asked to explain if he knew why it was there. He stated he believed it showed they were UK products. Mr Yapici stated he did not know the symbol mean't Tax had been paid.


Mr YAPICI stated he knew the knew the stamp meant the product was legal and thats what he knows. He knows that if they don't have a stamp they are not legal. Mr YAPICI went on to explain with reference to photograph MS TR4 that he thought the foreign seals on the bottles also made it legal to sell on both cigarettes and spirits.

Mr YAPICI agreed he did not know the UK DUTY stamp was the only one that was important.

He agreed all the spirits in the Shop were for sale. He said only the Bulgarians bought the Bukgarian Vodka so he didn't sell much.


Mr Yapici said the High commissioner Whisky was bought from a Cash and Carry in Leyton and it was cheaper than normal. He throught the stamp made it legal. Mr YAPICI was asked to provide invoices within seven days.

Mr YAPICI was asked where he bought the Smirnoff Vodka from. He said his workers bought it from a Cash and Carry. He didn't know which one. He explained the Smirnoff was £52 plus VAT for six bottles it could be from the Cash and Carry behind

Signed.....

RECORD OF TAPE RECORDED INTERVIEW OF: Mehmet YAPICI

	<p><i>the IKEA Store. Mr YAPICI was asked about paperwork. He said he would check but his workers paid cash. Mr YAPICI was asked if he paid cash did that mean he does not get a receipt. He stated he has a receipt but can't remember where or when it was. MR YAPICI was asked to provide the invoice.</i></p> <p><i>Is there anything you want to say at the moment?</i></p> <p><i>I am really upset and I want to apologise. I didn't know this was happening.</i></p> <p><i>Mr YAPICI stated the workers do not buy anything when he is around. He stated he has sacked a couple of workers who wanted but stuff from outside.</i></p> <p><i>Mr Yapici stated again he was embarrassed and sorry about it.</i></p> <p><i>Interview concluded 11:29</i></p>

Signed..........

WITNESS STATEMENT

ENGLAND AND WALES ONLY

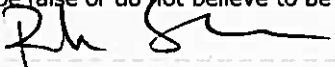
(Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B)

Statement of: Ruth Strauss

Age if under 18: Over 18 (If over 18 insert 'over 18')
Customs

Occupation: Higher Officer, HM Revenue & Customs

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

Signature: 

Date: 25/08/2015

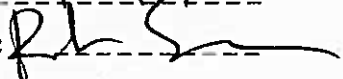
I work in CITEX Operations, Jubilee House, Stratford. As part of my duties I conduct visits to Off Licences, Cash and Carries and Tobacco and Alcohol Wholesalers. As part of these duties I will seize Excise Goods (that is goods that are liable to a duty of Excise) where the goods are found to be not duty paid. I will also issue Civil Assessments to recover lost duty, and issue Excise Wrongdoing Penalties when evasion has taken place.

I provide the following information under schedule 15 of the enterprise act

I acquired the information during my visit under the Customs and Excise Management Act 1979.

4. At approximately 11.45am hours on the 18/08/2015, I was on duty with other HMRC Officers conducting a shop inspection under S112 of the Customs and Excise Management Act 1979 also in attendance was Officer Squire from Trading Standards Haringey, we identified ourselves as HMRC officers by way of our official identification cards, and reason for the visit was explained. The reason for the visit was to verify the duty status of the excise products being sold and stored in the shop. The shop details are:

Date: 25/08/2015

Signature: 
(signature of witness)

Signature: _____
(signature witnessed by)

STATEMENT OF WITNESS: ENGLAND AND WALES ONLY

WITNESS STATEMENT

ENGLAND AND WALES ONLY

(Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B)

Statement of: Ruth Strauss

EFE Mini Market Ltd, 688 High Road, Tottenham, London, N17 0AE. The director Mr YAPICI MEHMET was present and he provided identification in the form of a current driving licence which confirmed his date of birth and residential address being: D.O.B - 01.05.60, address shown as 249A Lordship Lane, Tottenham, London N17 6AA.

- 1. As part of the inspection I checked the alcohol that was in the shop and in the stock room, in the stock room I found Flirt vodka which bore foreign duty stamps, this product was also on the shelves for sale, I asked the director Mehmet Yapici where this product had been bought from he informed me a cash and carry in Leyton approximately six months before that had closed down, he was unable to provide an address for this cash and carry or any invoices.**
- 2. I asked M.Y. if he knew about duty stamps that should be on bottles of spirits over 30% ABV and over 35 c/s or more (as from 1 January 2007 it becomes an offence to hold, move or sell spirits in the UK that should bear stamp that don't) to which M.Y. said yes he was aware.**
- 3. I detected more foreign spirits which were both in the stock room and on the shelves all these products were Bulgarian**

Date: 25/08/2015

Signature: 

(signature of witness)

Signature: _____

(signature witnessed by)

STATEMENT OF WITNESS: ENGLAND AND WALES ONLY

WITNESS STATEMENT

ENGLAND AND WALES ONLY

(Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B)

Statement of: Ruth Strauss

Spirits which had been purchased from the same cash and carry in Leyton with the same outcome paid cash no invoices given to M.Y.

4. Detected in the shop was High Commissioner Whisky which bore a counterfeit rear label.

5. Detected in the shop was Smirnoff Vodka which bore a counterfeit rear label.

6. The foreign bottles of spirits found in the stock room where hidden underneath and behind soft drinks of Ribena.

7. When I first went into the shop I went behind the counter where I found tubs of Winston hand rolling tobacco which bore foreign stamps in a plastic bag, I asked M.Y. if he had any more foreign cigarettes or hand rolling tobacco in the shop M.Y. said no, I then found several more tubs of Winston hand rolling tobacco in black bags under the counter, I then again asked M.Y. if he had any more foreign cigarettes or hand rolling tobacco in the shop and he replied no search the shop, Officer Hoang found further foreign cigarettes in the shop in the form of two separate concealments which he note booked.

Date: 25/08/2015

Signature: [Handwritten Signature]
(signature of witness)

Signature: _____
(signature witnessed by)

STATEMENT OF WITNESS: ENGLAND AND WALES ONLY

WITNESS STATEMENT

ENGLAND AND WALES ONLY

(Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B)

Statement of: Andrew Hoang

Age if under 18: Over 18 (If over 18 insert 'over 18')
Customs

Occupation: Higher Officer, HM Revenue & Customs

This statement (consisting of 2 page(s) each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature: 

Date: 25/08/2015

I am an Officer of HM Revenue and Customs working in CITEX Operations based at Jubilee House, Stratford, and London. As part of my duties I conduct visits to off licences, cash and carries and tobacco and alcohol wholesalers. As part of these duties I will seize Excise Goods (that is goods that are liable to a duty of Excise) where the goods are found to be not duty paid. I will also issue Civil Assessments to recover lost duty, and issue Excise Wrongdoing Penalties when evasion has taken place.

I provide the following information under Schedule 15 of the Enterprise Act.

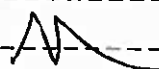
I acquired the information during my visit under the Customs and Excise Management Act 1979.

On 18th August 2015 at approximately 11:45 hours, I entered the premises of Efe Mini Market Ltd, 688 High Road, Tottenham, N17 0AE under Section 112 of the Customs and Excise Management Act 1979. I was accompanied by Officer Strauss, Officer Soni and Officer Squire from Trading Standards Haringey.

Myself, Officer Strauss and Officer Soni identified ourselves as HMRC officers by way of our official identification cards, and explained the reason for the visit. The reason for the visit was to verify the duty status of the excise products being sold and stored in the shop.

As part of the inspection, I checked the stock behind the counter and in the front of the shop.

Date: 25/08/2015

Signature: 

(signature of witness)

Signature: _____

(signature witnessed by)

STATEMENT OF WITNESS: ENGLAND AND WALES ONLY

WITNESS STATEMENT

ENGLAND AND WALES ONLY

(Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B)

Statement of: Andrew Hoang

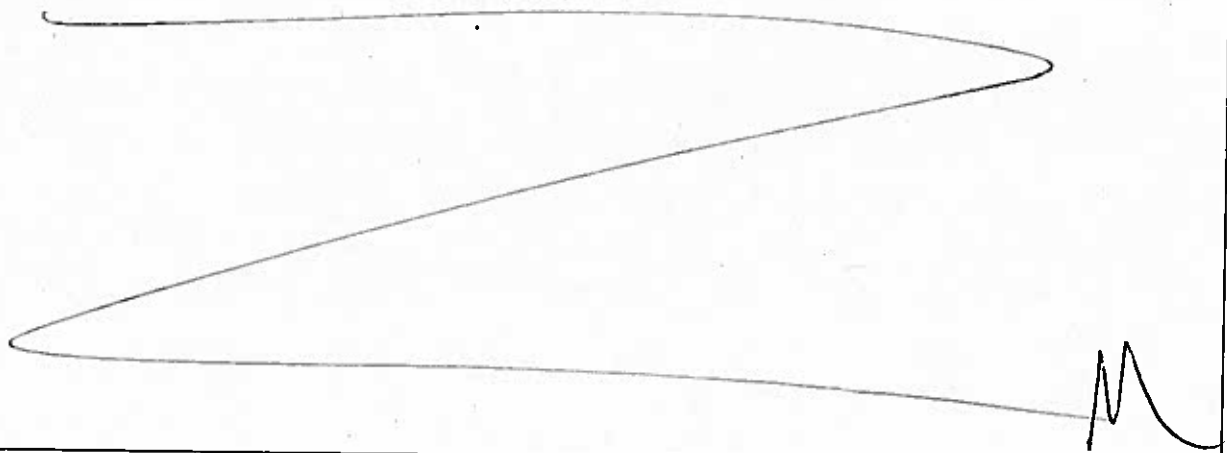
I found additional tubs of Winston Hand Rolling Tobacco behind the till, with no UK duty paid markings.

I asked Mr Mehmet Yapici, the director of Efe Mini Market Ltd, if he had any more non duty paid tobacco products on the premises. M.Y. replied no.

After I asked M.Y. about the tobacco which he had said no to , I discovered a knife box, which had been concealed next to the till, containing 260 Marlboro Gold cigarettes, all foreign with no UK duty paid markings.

I also found a concealed panel within the spirit shelving, found inside the concealment was 1,000 Marlboro Gold cigarettes, all foreign with no UK duty paid markings on.

On the shelf behind the counter where the spirits were on display I noted bottles of High Commissioner Whisky, which had a fake label and fake duty stamp which had been incorporated into the rear label, I informed Officer Strauss as she had detected other brands of spirits both in the shop and stock room which had similar issues.



Date: 25/08/2015

Signature: 

(signature of witness)

Signature: _____

(signature witnessed by)

STATEMENT OF WITNESS: ENGLAND AND WALES ONLY

WITNESS STATEMENT

ENGLAND AND WALES ONLY

(Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B)

Statement of: Meenakshi Soni.

Age if under 18: Over 18 (if over 18 insert 'over 18')
Customs

Occupation: Higher Officer, HM Revenue & Customs

This statement (consisting of 4 page(s) each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature: *Meenakshi Soni*

Date: 25/08/15

I work in CITEX Operations, Jubilee House, Stratford. As part of my duties I conduct visits to Off Licences, Cash and Carries and Tobacco and Alcohol Wholesalers. As part of these duties I will seize Excise Goods (that is goods that are liable to a duty of Excise) where the goods are found to be not duty paid. I will also issue Civil Assessments to recover lost duty, and issue Excise Wrongdoing Penalties when evasion has taken place.

I provide the following information under schedule 15 of the enterprise act

I acquired the information during my visit under the Customs and Excise Management Act 1979.

1. At approximately 11.45am hours on the 18/08/2015, I conducted a shop inspection with Officer Hoang, Officer Strauss from HMRC under S112 of the Customs and Excise Management Act 1979 also in attendance was Officer Squire from Trading Standards Haringey, we identified ourselves as HMRC officers by way of our official identification cards, and reason for the visit was explained. The reason for the visit was to verify the duty status of the excise products being sold and stored in the shop. The shop

Date: 25.08.15

Signature: *Meenakshi Soni*

(signature of witness)

Signature: _____

(signature witnessed by)

STATEMENT OF WITNESS: ENGLAND AND WALES ONLY

WITNESS STATEMENT

ENGLAND AND WALES ONLY

(Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B)

Statement of: Meenakshi Soni.

details are: EFE Mini Market Ltd, 688 High Road, Tottenham, London, N17 0AE. The director Mr YAPICI MEHMET was present and he provided identification in the form of a current driving licence which confirmed his date of birth and residential address being: D.O.B – 01.05.60, address shown as 249A Lordship Lane, Tottenham, London N17 6AA.

- 1. During the inspection in the shop found behind the counter was 20 tubs of 170gms each Winston hand rolling tobacco which bore foreign duty stamp on each tub. I asked Yapici Mehmet about this hand rolling tobacco and where he purchased it from, he said he had bought from a man and provided no further details of the man he bought from. I asked Mr Mehmet if he had more tobacco in the shop. Mr Mehmet replied he has no more tobacco products stored in the shop. Officer Hoang found two further concealments behind the counter which both had foreign cigarettes in the brand being Marlboro Gold the total amount of cigarettes detected was 1,260. I asked Mr Mehmet to be honest with me and tell me if he had more tobacco products stored in the shop. He replied check it yourself.**
- 2. I asked Mr Yapici Mehmet where he bought the hand rolling tobacco and cigarettes from. Mr Yapici Mehmet replied he bought**

Date: 25.08.15Signature: Meenakshi Soni

(signature of witness)

Signature: _____

(signature witnessed by)

STATEMENT OF WITNESS: ENGLAND AND WALES ONLY

WITNESS STATEMENT

ENGLAND AND WALES ONLY

(Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B)

Statement of: Meenakshi Soni.

from a man and he had no details of the man. I asked Yapici Mehmet if he was aware that he had non UK duty paid tobacco products in his shop. I also confirmed with him regarding his awareness of selling non UK duty paid tobacco products in his shop. Mr Yapici Mehmet confirmed he was aware that he should not have non UK duty paid tobacco products in his shop and he should not be selling these products on.

3. I asked Yapici Mehmet how much he bought the hand rolling tobacco for and how much he sold it to customers. Yapici Mehmet replied he bought each tub of Winston hand rolling tobacco for £16.00 each and he sold to the customers for £17.50 each.

4. I asked Yapici Mehmet where or who he purchased these non UK duty paid hand rolling tobacco and cigarettes from. Yapici Mehmet gave no details of the person he purchased these products from, but confirmed that he had paid cash for these products, and received no proof of purchase.

5. At approximately 11:50 I seized the goods. I confirmed with Mr Mehmet he understood the reason for seizure, which he did. Also present was Mr. Mehmet's brother. I explained to his brother that Mr Mehmet is selling non UK duty paid tobacco products in his shop and that is why they have been seized. Mr Mehmet's brother confirmed that he and Mr Mehmet understood why the goods had

Date: 25.08.15Signature: Meenakshi Soni

(signature of witness)

Signature: _____

(signature witnessed by)

STATEMENT OF WITNESS: ENGLAND AND WALES ONLY

WITNESS STATEMENT

ENGLAND AND WALES ONLY

(Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B)

Statement of: Meenakshi Soni.

been seized.

6. Also found during the shop inspection was various bottles of spirits which also formed part of the seizure but these were detected by Officer Strauss in the shop and stock room.

7. I issued Seizure information notice (156), warning letter, 12A fact sheet, HRA, FS1 and FS9. I also explained him that he has one calendar month to appeal against the seizure.

8. I told Mr Mehmet I will invite him for an interview in the office at a later date to be arranged. I gave my contact details to Mr Mehmet and left the premises at approximately 13.00.

9. Officer Strauss and officer Hoang also made notes in their notebooks of the cigarettes, hand rolling tobacco and spirits that had been seized on the day, and where these products had been located in the shop.

10. The amounts seized on the day was 1,260 cigarettes, 3.4 kilos hand rolling tobacco and 72.80 litres of mixed spirits. The excise duty evaded amounts to £1733.71. This information has been extracted from a departmental database.

M.S

Date: 25.08.15

Signature: *Meenakshi Soni*

(signature of witness)

Signature: _____

(signature witnessed by)

STATEMENT OF WITNESS: ENGLAND AND WALES ONLY

Commercial & Operations

Regulatory Services Manager: Gavin Douglas



Mehmet YAPICI
Sun/Efe Minimarket
688 High Road
Tottenham, London
N17 8AE

Your ref:

Date: 3rd June 2016

Our ref: WK 355018

Dear Sir,

Re: Licensing Act 2003: Application For Licence Review

I am writing to inform you that as a Responsible Authority this Service will be making an application to the Licensing Committee to review your Premises Licence.

I have enclosed a copy of the application for your reference.

Yours faithfully

A handwritten signature in blue ink, appearing to be "M. Squire".

Michael Squire
Tactical Trading Standards Enforcement Officer

Commercial Environmental Health &
Trading Standards
Level 6, Alexandra House
10 Station Road, Wood Green
London N22 7TR

T 020 8489 5158
E michael.squire@haringey.gov.uk
www.haringey.gov.uk

Shah Noshaba

From: Mark.L.Greaves@met.pnn.police.uk
Sent: 04 July 2016 09:03
To: Licensing
Cc: Barrett Daliah
Subject: RE: Application for a Review of a Premises Licence: Sun Minimarket, 688 High Road, Tottenham, London, N17 0AE (WK/355199)

Hi Noshi

I have scanned our indices for the previous 13 months and found nothing relevant to this matter.

Regards

Mark

Mark Greaves PC 164YR
Licensing / CPDA / Crime Prevention
Haringey Borough Police

Tel: 020 3276 0150

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From: Shah Noshaba [<mailto:Noshaba.Shah@haringey.gov.uk>] **On Behalf Of** Licensing
Sent: 06 June 2016 16:51
To: Haringey Building Control; De Gruchy Jeanelle; Enforcement Response; Pearce Derek; Planning Enforcement; Whitehouse Rebecca; Morris Marlon; Ekemezuma Felicia; Williamson Emma; 'Somerville Linda'; 'YR_Licensing@met.pnn.police.uk'; Ogosol Grace; Frontline; 'Fire'; Tempest Tracy - Roads and Transport Policing Command
Cc: Barrett Daliah; Anderson Chanel
Subject: Application for a Review of a Premises Licence: Sun Minimarket, 688 High Road, Tottenham, London, N17 0AE (WK/355199)

Dear RA's

Please find attached a copy of a Premises Licence Review for Sun Minimarket, 688 High Road, Tottenham, London, N17 0AE.

Please note the last day of consultation is 3rd July 2016.

Please forward all responses to licensing@haringey.gov.uk

Kind regards

Noshaba Shah
Licensing Officer



Haringey London
Licensing Team, Alexandra House, Level 6, 10 Station Road, Wood Green, London, N22 7TR
T. 020 8489 5536

noshaba.shah@haringey.gov.uk

www.haringey.gov.uk

[twitter@haringeycouncil](https://twitter.com/haringeycouncil)

facebook.com/haringeycouncil

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LICENSING ACT 2003
Section 24

PREMISES LICENCE

Receipt: AG766864

Premises Licence Number: LN000003057

*This Premises Licence has been issued by:
The Licensing Authority, London Borough of Haringey,
Ashley Road, Technopark, London N17 9LN*

Signature:

Date: 28th February 2008

Part 1 – PREMISES DETAILS

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

**SUN MINIMARKET
688 HIGH ROAD
TOTTENHAM
LONDON
N17 0AE**

Telephone: 020 8808 6953

Where the Licence is time limited, the dates:

N/A

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
New Years Eve	from the start of permitted hours on 31 December until the start of permitted hours on 1 January

LICENSING ACT 2003
Sec 24

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.

Part 2

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

Mehmet Yapici
249A Lordship Lane
London N17 6AA

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

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

Mehmet Yapici
249A Lordship Lane
London N17 6AA

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

LN000002491

Issued by London Borough of Haringey

Expires: 11th March 2016

Annex 1 –Mandatory Conditions

(2) Supply of alcohol: 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.

(3) The second condition is that every supply of alcohol under the premises licence must be made
or authorised by a person who holds a personal licence.

Annex 2 – Conditions consistent with the Operating Schedule

This licence has been granted upon the conversion, under Schedule 8 to the Licensing Act 2003, of the existing justices' license and such rights and restrictions that applied thereto are hereby incorporated into this license, subject to any terms herein to the contrary and / or any limitation or restriction imposed by the Licensing Act 2003 or any subsequent amendment thereto.

THE PREVENTION OF CRIME AND DISORDER

CCTV monitoring to be installed and maintained.

Premises to liaise with police and make available to them any footage they deem helpful in addition to our refusals book.

All spirits to be kept behind the counter, which will be continually manned;

All other intoxicating liquor will be kept under close supervision in an area covered by CCTV.

PUBLIC SAFETY

All Fire Authority recommendations to be followed.

THE PREVENTION OF PUBLIC NUISANCE

Premises will do everything possible to alleviate public nuisance on and in the vicinity of the premises during the hours in which intoxicating liquor is sold.

THE PROTECTION OF CHILDREN

The designated premises supervisor will instruct all persons, selling or supplying, our alcohol not to serve persons under the age of 18 years.

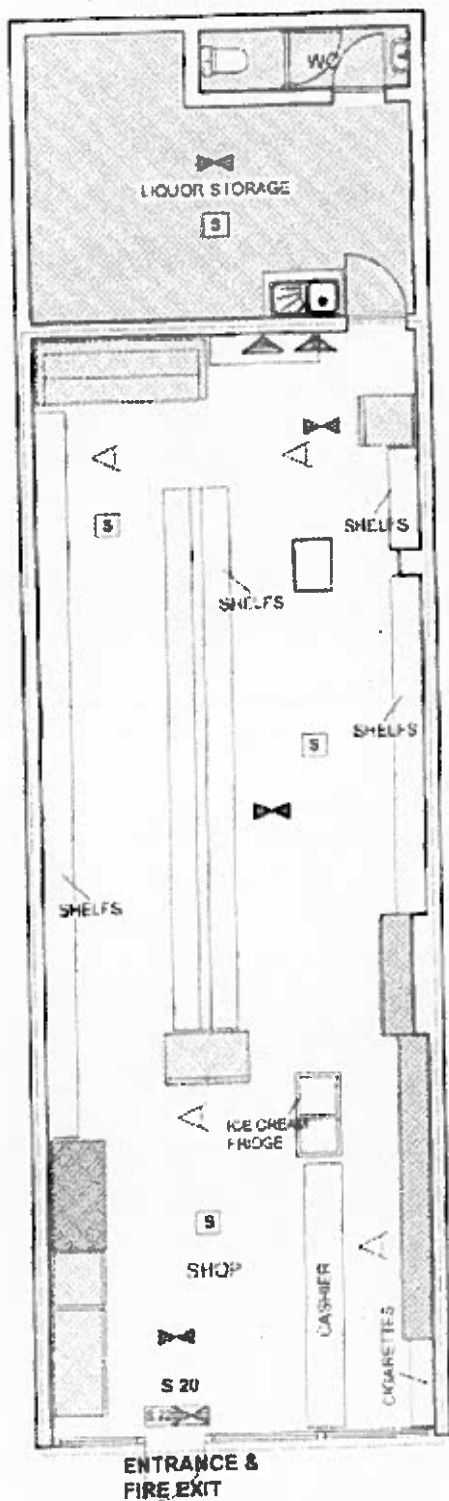
No employee under the age of 18 years will be responsible for the sale of intoxicating liquor.

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














- 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

Annex 4 - Plans



LEGEND

-  LIQUOR STORAGE AREA
-  LIQUOR FRIDGES AREAS
-  PASSAGEWAYS, WC'S, ETC.
-  LIQUOR SHELF'S AREAS
-  SOFT DRINKS & FOODS FRIDGES AREAS
-  AMBIT OF LICENSED PREMISES
-  SAFETY LIGHTS
-  SMOKE DETECTOR
-  CARBON DIOXIDE FIRE EXTINGUISHER
-  9 L T. WATER FIRE EXTINGUISHER
-  FIRE ESCAPE KEEP CLEAR
-  CCTV
-  INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)

YAGMUR SUPERMARKET	688 HIGH ROAD LONDON N17
PROPOSED GROUND FLOOR PLAN	
SCALE : 1/100	DATE : 29/08/05
REF NO : 35468164-01	

Appendix 2 – Section 182 Guidance

- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption)¹⁰;
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
- revoke the licence.

- 11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.
- 11.21 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.
- 11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.
- 11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

Reviews arising in connection with crime

- 11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises; money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

¹⁰ See chapter 15 in relation to the licensing of live and recorded music.

- 11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.
- 11.26 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual licence holder.
- 11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
 - for the sale and distribution of illegal firearms;
 - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
 - for prostitution or the sale of unlawful pornography;
 - by organised groups of paedophiles to groom children;
 - as the base for the organisation of criminal activity, particularly by gangs;
 - for the organisation of racist activity or the promotion of racist attacks;
 - for knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter;
 - for unlawful gambling; and
 - for the sale or storage of smuggled tobacco and alcohol.
- 11.28 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Appendix 3 – Licensing Policy

- The prohibition of the participation of customers in the performance
- The maintenance of a minimum distance of 1 metre between performer and customers during the performance
- The provision of CCTV and the maintenance of a library of recordings
- A code of conduct for dancers including appropriate disciplinary procedures for failure to comply with the code
- Rules of conduct for customers, including appropriate procedures for breach of these rules
- Procedures to ensure that all staff employed in the premises have pre-employment checks including suitable proof of identity, age and (where required) permission to work
- The provision of supervisors and security staff
- Other necessary steps to be taken, including in the recruitment or supply of performers, is free of the influence or organised criminal activity

78 The sale and possession of smuggled, bootlegged or counterfeit Products and the handling of stolen goods

The guidance to the Act indicates that offences can be committed by certain persons in licensed premises if they allow the sale or supply of smuggled, bootlegged or counterfeit goods on the premises. This is in particular relation to alcohol or tobacco products, but may also include the sale of other counterfeited products such as DVDs and CDs and the handling of stolen goods.

Smuggled – foreign brands illegally brought into the UK

Bootlegged (duty evaded) foreign products brought into the UK in illegal quantities and / or resold in the UK

Counterfeit – Fake goods and packaging. Cheap low quality and often dangerous products packaged to look like premium UK brands

Offences are for selling illicit products but also for employees permitting sales and for employees buying or selling. The Home Office guidance indicates that these offences are taken particularly seriously. To prevent these offences occurring, the licensee should consider taking certain precautions. Advice on this can be obtained from the council's trading standards service.

79 Theft of personal property

Recent analysis of crime statistics has given rise to increasing concern over levels of theft of personal property within licensed premises, especially within the developing northern-western riverside area of the borough. Licence applicants are asked to give consideration to appropriate control measures within their risk-assessments and operating schedules.

Important steps that can be taken to reduce the risk of theft of personal property include:

- Raise the level of awareness among customers of the risk of theft of personal property through crime prevention information. This is especially important within premises where there is a high level of transient, tourist trade
- Provide controlled cloakroom areas
- Provide Chelsea clips under tables
- Ensure all areas of the premises are well lit and able to be observed by staff. Direct staff to observe the customer areas and politely raise with customers when personal belongings are unattended
- Provide and publicise internal CCTV

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