NOTICE OF MEETING

SPECIAL LICENSING SUB COMMITTEE

Monday, 19th April, 2021, 10.00 am - MS Teams (view it here)

Members: Councillors Gina Adamou (Chair), Luke Cawley-Harrison and Peter Mitchell

Quorum: 3

1. FILMING AT MEETINGS

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

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

2. APOLOGIES FOR ABSENCE

3. URGENT BUSINESS

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

4. DECLARATIONS OF INTEREST

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

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

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a

pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

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

5. REVIEW OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003, ATAKAN SUPERMARKETS, 315-321 WEST GREEN ROAD, N15 (PAGES 1 - 54)

Emma Perry, Principal Committee Co-ordinator
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John Jones
Monitoring Officer (Interim)
River Park House, 225 High Road, Wood Green, N22 8HQ

Friday, 09 April 2021

Agenda Item 5

Report for: **Special Licensing Sub-Committee – 19th April 2021**

Title: **Review of a Premises Licence under the Licensing Act 2003**
Atakan Supermarkets 315-321 WEST GREEN ROAD N15

Report authorised by: **Daliah Barrett-Licensing Team Leader – Regulatory Services.**

Ward(s) affected: **ST ANNS**

Report for Key/ Non Key Decision: **Not applicable**

1. Describe the issue under consideration

1.1 An application for the review of the Premises Licence for Atakan Supermarket, 315-321 West Green Road N15-held by Mr **Metin KARTAL and Savas AKSU.**

1.2 The review is submitted by The Haringey Trading Standards Team. A copy of the application form is attached to this report at **Appendix 1.**

1.3 The applicants have cited their reason for the review due to the operation of the premises failing to uphold the licensing conditions and licensing objective of:

- The prevention of crime and disorder
- The protection of children from harm

1.4 The Guidance issued under section 182 of the Licensing Act 2003 (para 11.2) states that at any stage following the grant of a premises licence, a responsible authority, such as the Police or the Environmental Health Service, or any other person who can seek a review, may ask the Licensing Authority to review the premises licence because of a matter arising at the premises in connection with any of the four licensing objectives.

1.5 As such, in accordance with section 52(2) of the above-mentioned Act, the Licensing Authority must hold a hearing to consider the application and any relevant representations.

2. Licensing history of the premises

2.1 The premises was issued with a New Premises Licence in November 2005 under Grandfathered rights. The named DPS Mr M Kartal.

2.2 The current licence permits:

Supply of Alcohol on a 24 hour basis.

Supply of alcohol for consumption **OFF** the premises only. A copy of the licence is at Appendix 2.

2.3 The reason for review specifically concerns two incidents which took place at the premises, most recently on 20th January 2021 and a prior incident on 3rd November 2020. On both occasions' seizures of Non-Duty Paid and incorrectly labelled cigarettes and tobacco were made. The earlier seizure also included a large quantity of nitrous oxide canisters. (Psychoactive Substances)

3 Other considerations

3.1 Section 51 of the Licensing Act 2003 makes provision for a responsible authority or any other person to apply to the Licensing Authority for a review of the premises licence. As one of its functions, The Trading Standards Service enforces legislation applicable to the possession for sale and sale of "illegal tobacco" products. This term "illegal tobacco" is given to tobacco products (cigarettes and loose tobacco) that cannot lawfully be sold because it breaches certain legislation:

3.2 The Tobacco and Related Products Regulations 2016. These regulations require that tobacco products must bear certain information and health warnings. Cigarettes and tobacco must bear a "combined health warning". Products for sale in the UK must be labelled in English. The seriousness of these regulations is demonstrated by the penalty on conviction for an offence. On summary conviction, the penalty is a fine and/or 3 months imprisonment. On conviction on indictment, the penalty is a fine and/or 2 years imprisonment.

3.3 The Standardised Packaging of Tobacco Products Regulations 2015. These regulations deal with so called plain packaging. Their purpose is to remove all branding, motifs and logos from tobacco to stop tobacco packaging from being eye catching especially to younger people. Only the manufacturer's name and variant can appear on the pack and this has to be in standardised format. These regulations only apply to the UK. The seriousness of these regulations is demonstrated by the penalty on conviction for an offence. On summary conviction, the penalty is a fine and/or 3 months imprisonment. On conviction on indictment, the penalty is a fine and/or
2 years imprisonment.

3.4 The Tobacco Products Duty Act 1979. This states that tobacco should carry the fiscal mark indicating that the correct level of duty has been paid. This mark is "UK DUTY PAID". Illegal tobacco has not had the required duty paid which consequently makes it far cheaper than legal tobacco.

3.5 The General Product Safety Regulations 2005. This requires that consumer goods are reasonably safe. In the case of cigarettes, these should meet reduced ignition propensity requirements which means they should self-extinguish if not actively smoked. Illegal tobacco is a serious problem in Haringey. there have been a number of prosecutions brought by the Trading Standards Service against shop owners.

3.6 Haringey Council has enforcement obligations under the Psychoactive Substances Act 2016. This regulates those substances previously referred to as "legal highs". In an effort to control such substances, the Act regulates the effect rather than the substance. The Act defines a psychoactive substance by its effect, namely stimulating or depressing the person's central nervous system such to affect the person's mental functioning or emotional state. A Government document titled "Psychoactive Substances Act 2016: guidance for retailers" states at paragraph 3 "The act captures psychoactive substances that aren't covered by the existing misuse of drugs framework, e.g. nitrous oxide". Paragraph 3.3 states "Nitrous oxide is a colourless sweet-tasting gas often referred to as laughing gas. Nitrous oxide has several legitimate uses in medicine and dentistry. It is also used as a fuel additive and as a component of rocket fuel and is sold as an aerosol spray propellant within whipped cream canisters.

Products include small canisters in large packs, each enough for a recreational dose. These dispense the gas from canisters into balloons, which are used to inhale gas. It is an offence to possess a psychoactive substance for supply with the intention of supplying it for consumption. Having both nitrous oxide canisters and a creamer unit in possession would indicate the intention of supplying the nitrous oxide for consumption.

3.7 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, or the sale of firearms. 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.

3.8 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 go beyond any findings by the courts, which should be treated as a matter of undisputed evidence before them.

3.9 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 interest of the wider community and not those of the individual licence holder.

4 **Options**

The Committee must, having regard to the application and the representations, take such steps (if any), as it considers appropriate for the promotion of the licensing objectives. The options are:

- To modify the conditions of the licence
- To exclude a licensable activity from the scope of the licence
- To remove the designated premises supervisor
- To suspend the licence for a period not exceeding three months
- To revoke the licence
- To take no action.

4.1 The Sub-Committee must ensure that all licensing decisions have:

- a direct relationship to the promotion of one or more of the 4 licensing objectives;
- regard to the Council's statement of Licensing Policy;
- regard to the Secretary of State's National Guidance.

Where the authority modifies the conditions or excludes a licensable activity from the scope of the licence it may determine that the modification or exclusion is to have effect permanently or for a period not exceeding 3 months.

4.2 The Licensing Authority's determination of this application does not have effect until the 21 days appeal period has expired or if the decision is appealed, the date the appeal is determined and or disposed of.

4.3 **Section 182 Guidance – relevant sections.**

The most recent statutory guidance was Issued in April 2018 and applies to this application.

4.4 The following provisions of the Secretary of State's guidance (2018) apply to this application: Chapter 11-this chapter gives guidance around the review process and determining an application for a review.

4.5 Guidance issued under section 182 of the Licensing Act 2003 (para 11.2) states that at any stage following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.

4.6 In accordance with section 52(2) of the Act, the Licensing authority must hold a hearing to consider the application and any relevant representations.

4.7 Section 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 the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- 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 employing a person who is disqualified from that work by reason of their immigration status in the UK;
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

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

4.9 Human Rights

While all Convention Rights must be considered, those which are of particular relevance to the application are:

- Article 8 – Right to respect for private and family life.
- Article 1 of the First Protocol – Protection of Property
- Article 6(1) – Right to a fair hearing.
- Article 10 – Freedom of Expression

5 Use of Appendices

Appendix 1- Application review form
Appendix 2 – Copy of current licence.

Background paper**s: Licensing Act 2003**
Section 182 Guidance
Haringey Statement of Licensing policy
Report Pack

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

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I L. B. Haringey Trading Standards (Responsible Authority)
(Insert name of applicant)
apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description ATAKAN SUPERMARKET 315-321 WEST GREEN ROAD	
Post town LONDON	**Post code (if known) N15 3PA**

Name of premises licence holder or club holding club premises certificate (if known) **Metin KARTAL and Savas AKSU**

Number of premises licence or club premises certificate (if known) LN 00001545

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**

Please tick ✓ yes

I am 18 years old or over ☐

Current postal address if different from premises address

Post town **Post Code**

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

fro

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

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

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

	Please tick one or more boxes ✓
1) the prevention of crime and disorder	☒
2) public safety	☐
3) the prevention of public nuisance	☐
4) the protection of children from harm	☒

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

Introduction:

This application to review relate to the objectives To Prevent Crime and Disorder and The Protection of Children From Harm.

It specifically concerns two incidents which took place at the premises, most recently on 20th January 2021 and a prior incident on 3rd November 2020. On both occasions' seizures of Non-Duty Paid and incorrectly labelled cigarettes and tobacco were made. The earlier seizure also included a large quantity of nitrous oxide cannisters. (Psychoactive Substances)

Specific Details of Actions:

On 20th January 2021 an officer of the Trading Standards Service accompanied by Metropolitan Police Officers, including a Police Licensing Officer visited the premises of ATAKAN SUPERMARKET at 315 WEST GREEN ROAD N!5 3PA with the intention of carrying out an inspection of the premises. Officers entered the Premises at 10AM.

The joint Licensee and Designated premises Supervisor Metin KARTAL was not present during the visit, nor was the other joint Licensee Mr Savas AKSU.

Officers showed their Warrant Cards and introduced themselves to a Ms STEFANOVA who was serving at the till. She was asked if there were any foreign cigarettes behind the counter. She replied that there were not.

An inspection was made behind the counter by Trading Standards and 620 foreign cigarettes and 450g of Hand Rolling Tobacco were discovered which were not Duty Paid. These tobacco products also bore foreign language health warnings and were not in UK standardised packaging. Trading Standards issued a Code B Notice attached (Appendix 1) and a Receipt for the tobacco Products which were seized (Appendix 2). Photographs of the tobacco products seized on this visit are attached (Appendix 3).

According to figures supplied by HMRC the approximate Duty Value of the seized tobacco from this visit is £303.63

A letter was sent to the joint licensees Mr KARTAL and Mr AKSU dated 16th February 2021 asking questions under Caution in relation to the above incident. The letter sent to Metin KARTAL was returned by the post office marked "Addressee Gone Away" (APPENDIX 4) To date no reply has been received from Savas AKSU (Appendix 4A) .

On Tuesday 3rd November 2020 at 1355 hours officers from NA Proactive Unit (Metropolitan Police) executed a search warrant under S.39 PSYCHOACTIVE SUBSTANCES ACT 2016 at ATAKAN SUPERMARKET, 315 WEST GREEN ROAD, N15 3PA.

When officers entered the premises, they identified themselves as police officers to the multiple members of staff that were present and the details of the warrant were explained, along with the occupiers copy of the warrant being shown.

In the rear office of the premises was the joint Licensee and Designated Premises Supervisor Metin KARTAL. He stated that he was the owner of the shop. Once he was aware of what police were searching for, he directed officers to a rear kitchen area, where there were TEN (10) boxes of “gas canisters” aka nitrous oxide.

The search continued and items seized included:

BWK/01 – Cigarettes & tobacco – Sealed in evidence bag MPSA24494451 – Found in office under desk.
BWK/05 – Retractable baton – Sealed in evidence bag MPSA24494467 – Found in office on desk.
MOM/01 – TEN (10) boxes of canisters – Sealed with evidence label MPSZ13353047 – Found in kitchen area.
MPM/01 – Quantity of foreign cigarettes and tobacco – Sealed in evidence bag M0819D018627 – Found in main shop behind counter.
MPM/02 – EIGHT (8) white boxes of cream chargers (gas cannisters) – Sealed in evidence bag M0819D018626 – Found in main shop behind counter.

At 1425 hours KARTAL was arrested by Police for possession with intent to supply of Psychoactive Substance and Possession Goods with a False Trademark For Sale (cigarettes).

Photographs of the Tobacco from this seizure are attached as APPENDIX 5
Photographs of the Gas Cannisters are attached as APPENDIX 6.
A photograph of the retractable baton Is attached as APPENDIX 7.

The total tobacco seizure from this visit was 2.4 kilos of hand rolling tobacco and 920 cigarettes. HMRC have estimated the Duty Value of these goods to be £952.32.

The grand total of Duty Evasion for both seizures was approximately. £1,255.95.

The photographs of the tobacco show that the tobacco products from both seizures were not in UK Standardised packaging. It can be a criminal offence under Regulation 15(1) of the Standardised Packaging of Tobacco Products Regulations 2015 to offer to supply tobacco products in non-standardised packaging which are not coloured pantone 448c (Dark drab green).

The foreign tobacco products from both seizures bore incorrect or foreign language health warnings so were not legal to sell in the UK. It can be a criminal offence under the Tobacco and Related Products Regulations 2016 to sell tobacco products with no health warnings, non-English language health warnings or health warnings in the incorrect format for the UK market.

It can be a Criminal Offence under Section 144 of The Licensing Act 2003 to keep non-Duty paid goods on a Licenced Premises and Metin KARTAL has been charged with this offence by the Metropolitan Police in relation to the seizure on 3rd November 2020 of tobacco products.

Section 7 of the Psychoactive Substances Act makes it an offence to supply the psychoactive substance to another person for its consumption, whether by any person to whom it is supplied or by some other person, for its psychoactive effects.

No further criminal action has been taken in respect of the Psychoactive Substances (Gas Cannisters) seized by the Metropolitan Police. There is a legitimate purpose for use of these canisters as a propellent for whipped cream in baking.
.
In this instance Trading Standards remains concerned that the size of the seizure of approximately 5,370 individual cannisters was so large that it would not be representative of normal stock levels for a retail shop which was not a specialist wholesale baking products supplier. When all factors are taken into account, namely the type of premises and the likely legitimate retail demand in the local area for these cannisters for legitimate baking purposes, Trading Standards remains of the opinion that any reasonable person would be suspicious that these cannisters were likely to be purchased for their psychoactive effects by the shop's customers. Trading Standards are also concerned that these canisters can potentially be bought by persons under the age of 18 and misused without controls in place.

Atakan Supermarket applied to join then Councils Responsible Trader Scheme in 2016 and was accepted. One of the Conditions of membership is that the shop make a commitment not to stock nonduty paid tobacco products. A copy of the application form and conditions are attached as Appendix 8.

Two previous visits have been made of the premises in respect of the Responsible Trader Scheme. On both Occasions on 11/9/17 and 25/10/18 the Premises was found not have a Refusals book available, which is a condition of membership.

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

- The willingness to intentionally or recklessly break one law indicates the business is less likely to be compliant with other laws.
- The sale by retailers of illicit goods gives them an unfair advantage over law abiding businesses.
- Illicit goods are often smuggled into the country and/or produced by organised crime. It is believed that the profits are frequently used to fund other types of serious organised crime.
- The trade in illicit tobacco causes huge losses to the UK's tax revenues.
- The trade in illicit tobacco facilitates teen smoking.
- The trade in illicit tobacco makes it harder to beat addiction.
- Illicit goods may be harmful as they do not come from legitimate, legal and/or traceable suppliers. There is no guarantee that they are safe and comply with other legislation.
- Supplying tobacco at cheap prices undermines the public health message.

Trading Standards is also concerned that the availability of Psychoactive Substances at the premises in large quantities should be subject to additional controls when recent activity at the premises is taken into account.

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
3rd November 2020	Visit to shop premises by Metropolitan Police. Execution of Search Warrant	Seizure of quantity of 2.4kg of hand rolling tobacco, 920 cigarettes and tobacco and 5370 Nitrous oxide Cannisters.
20h January 2021	Visit to shop Premises by Trading Standards and Police	Seizure of 620 cigarettes and 450g of hand rolling tobacco
16th February 2021	Letters sent to Metin KARTAL and Savas AKSU	Letters sent with questions under Caution in respect of seizure on 20th January 2021

Recommendations:

This licensee has clearly demonstrated that there has been a major breakdown in due diligence in respect to the sourcing of legitimate products to be sold by the business.

The scale of the Duty Evasion and the fact that there have been two incidents in quick succession means that Trading Standards have severely reduced confidence in the Joint Premises Licence Holders and Designated Premises Supervisor Trading Standards therefore, recommend that the Committee seriously consider revoking the Licence.

If the Committee are not minded to revoke the Licence then Trading Standards recommends that the Committee consider removing the Designated Premises Supervisor from the Licence and a period of suspension of the Licence in order to allow the Licensee to appoint a new Designated Premises Supervisor and fully implement the recommended additional conditions below.

1. The business shall adopt a “Challenge 25” policy.

2. A refusals register shall be maintained to record instances where sales of ages restricted products are refused. Including products restricted by other conditions attached to the Licence. These records shall be made available for inspection by Police and Authorised Council officers on request.

3. All staff responsible for selling alcohol shall receive regular training in the requirements of the Licensing Act 2003 and all other age restricted products stocked on the premises. Written records of this training signed and dated by the person receiving the training and the trainer shall be retained and made available to Police and authorised council officers on request.

4. Posters shall be displayed in prominent positions around the till advising customers of the “proof of age” required under the “Challenge 25” policy at the premises.

5. Only Employees of the business who have been formally trained on Licensing requirements and age restricted sales may serve behind the counter.

6. A refusals book shall be kept at the premises to record details of all refusals to sell alcohol and age restricted products. This book shall contain:
   The date and time of the incident,
   The product which was the subject of the refusal
   A description of the customer,
   The name of the staff member who refused the sale
   The reason the sale was refused.
   This book shall be made available to Police and all authorised council officers on request.

7. The Premises Licence Holder and Designated Premises Licence Holder shall ensure alcohol is only purchased from a wholesaler registered with HMRC under the Alcohol Wholesaler Registration Scheme (AWRS).and shall produce receipts for the same upon request for inspection.

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

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

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

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

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

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

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

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

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

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

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

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

18. CCTV shall cover the area of the sales counter and copies of recordings in a readily available format shall be provided on request by Police or Authorised Council Officers.

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

20. Gas cartridges, including cream chargers and Nitrous oxide cartridges shall only be supplied to persons over the age of 18.

21. Any refusal of sale of nitrous oxide gas cartridges shall be recorded in the Refusals Register.

22. Retail packs/boxes of nitrous oxide/gas cartridge or cream charger cartridges must not be broken open and must be sold in their original intended state. Cartridges may not be sold individually.

23. Sales of cartridges containing nitrous oxide shall only be made be subject to the purchaser providing a valid photo ID. and proof of address. Details of the purchaser shall be recorded in a register which will include the date of sale and the name and address of the purchaser. This register shall be produced to Authorised Council Officers or Police on request.

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

Attached Documents

Appendix 1 Code B Notice 20th January 2021
Appendix 2: Receipt from Trading Standards 20th January 2021
Appendix 3: Photographs of Tobacco Products Seized By trading Standards on 20th January 2021
Appendix 4: Letter to Savas AKSU
Appendix 4A Letter to Metin KARTAL and Post office Return Slip
Appendix 5: Photographs of Tobacco Seized by Police on 3rd November 2020
Appendix 6: Photographs of Nitrous Oxide Cartridges Seized by Police on 3rd November 2020
Appendix 7: Photograph of Retractable Baton seized by Police on 3rd November 2020.
Appendix 8: Application Form For Responsible Retailer Scheme.

Please tick ✓ yes

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

If yes please state the date of that application

Day		Month		Year			

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

N/A

Please tick ✓

yes

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

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

Part 3 – Signatures (please read guidance note 4)

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

Signature

……

Date 24th February 2021

……

Capacity **Commercial Environmental Health and Trading Standards Manager**

……

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6) Felicia Ekemezuma Commercial EH & TS Manager Regulatory Service River Park House Level 1 (North) 225 High Road Wood Green	
Post town **London**	**Post Code** **N22 8HQ**
Telephone number (if any) 0208 489 5153 or 07805752926	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) felicia.ekemezuma@aol.com	

Notes for Guidance

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

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APPENDIX 1 Code B Notice

Haringey LONDON

REGULATORY SERVICES: INFORMATION TO THE OCCUPIER
Notice of the powers to search premises and the rights of occupiers
Powers of Entry Code of Practice
Police and Criminal Evidence Act 1984 Code of Practice
Schedule 5 Consumer Rights Act 2015 Entry Notice

Name of business/occupier METIN KARTAL ATAKAN SUPERMARKET
Name of person receiving notice NEEL STEFANOVA
Address of premises 315 WEST GREEN ROAD
N15 3PA

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

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

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

☐ Under_____ Act_____ Date granted_____ By_____

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

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

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

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

Purpose of Entry: To Check Tobacco + Alcohol

3) **WRITTEN CONSENT** (TICK THOSE WHICH APPLY AND OBTAIN A SIGNATURE)
With the written consent of a person entitled to grant entry (only applicable if not under warrant or statutory powers)

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

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

Signature_____ Name (Capitals)_____

Status relative to premises_____

OFFICER IN CHARGE OF SEARCH
Name M SQUIRE
Position TEO Officers sig._____
Date 20/1/24
Time Start 10:00 Finish 10-29

(Complete After Search) Premises Searched Record

OFFICERS PRESENT AT SEARCH (Show Name & Organisation)
M SQUIRE K MEDAN LK ALICE + NEIL LAWSON (BLUE)

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

Extent of Search:

Worksheet visit No:

WHITE –OFFICERS COPY PINK- SEARCH REGISTER YELLOW- OCCUPIERS COPY

APPENDIX 1 Code B Notice

Haringey LONDON

REGULATORY SERVICES: INFORMATION TO THE OCCUPIER

Notice of the powers to search premises and the rights of occupiers
Powers of Entry Code of Practice
Police and Criminal Evidence Act 1984 Code of Practice
Schedule 5 Consumer Rights Act 2015 Entry Notice

SUMMARY OF POWERS OF ENTRY/SEARCH

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

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

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

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

SEIZE AND SIFT

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

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

RIGHTS OF THE OCCUPIER

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

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

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

LICENSING ACT 2003
Sec 24

PREMISES LICENCE

Receipt: AG 754272 **Premises Licence Number:** LN 00001545

This Premises Licence has been issued by:

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

Signature: ..... **Date:** 24th November 2005

Part 1 – PREMISES DETAILS

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

ATAKAN SUPERMARKET
315-321 WEST GREEN ROAD
LONDON
N15 3PA

Telephone: 020 8365 8226

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:

No restrictions in regards to hours for the supply of alcohol

The opening hours of the premises:

Monday to Sunday 24 hours a day

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

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

LICENSING ACT 2003
Sec 24

Part 2

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

Savas Aksu

Mr Metin Kartal

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

Not applicable

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

Mr Metin Kartal

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

Personal Licence:	LN/200500170
Issued by:	The London Borough of Enfield

Annex 1 –Mandatory Conditions

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

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

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

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

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

Minimum Drinks Pricing

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

2. For the purposes of the condition set out in paragraph 1 –

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) “permitted price” is the price found by applying the formula –

P = D + (DxV)

Where –

(i) P is the permitted price

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –

(i) The holder of the premises licence

(ii) The designated premises supervisor (if any) in respect of such a licence, or

(iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

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

Annex 1 –Mandatory Conditions

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

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

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

Annex 2 – Conditions consistent with the Operating Schedule

THE PREVENTION OF CRIME AND DISORDER

CCTV will be installed and maintained on premises.

Red Care Alarm System connected directly to the Police to be installed and maintained on premises.

Premises will have a General Alarm system and external shuttering.

At least two members of staff will be working on premises after 2300.

PUBLIC SAFETY

Premises will have and maintain on the premises: safety lighting, smoke detector, carbon dioxide and 9 litre water fire extinguishers, fire escape keep clear signs, internally illuminated fire escape signs.

THE PREVENTION OF PUBLIC NUISANCE

Premises will discourage noise from patrons arriving and queuing or departing from the premises by displaying police notices for customers' attention.

THE PROTECTION OF CHILDREN

To prevent the purchase of alcohol by minors, staff will request proof of age identification such as Drivers' Licence or Passport, refused sales will be entered into the Refusal; Book for record.

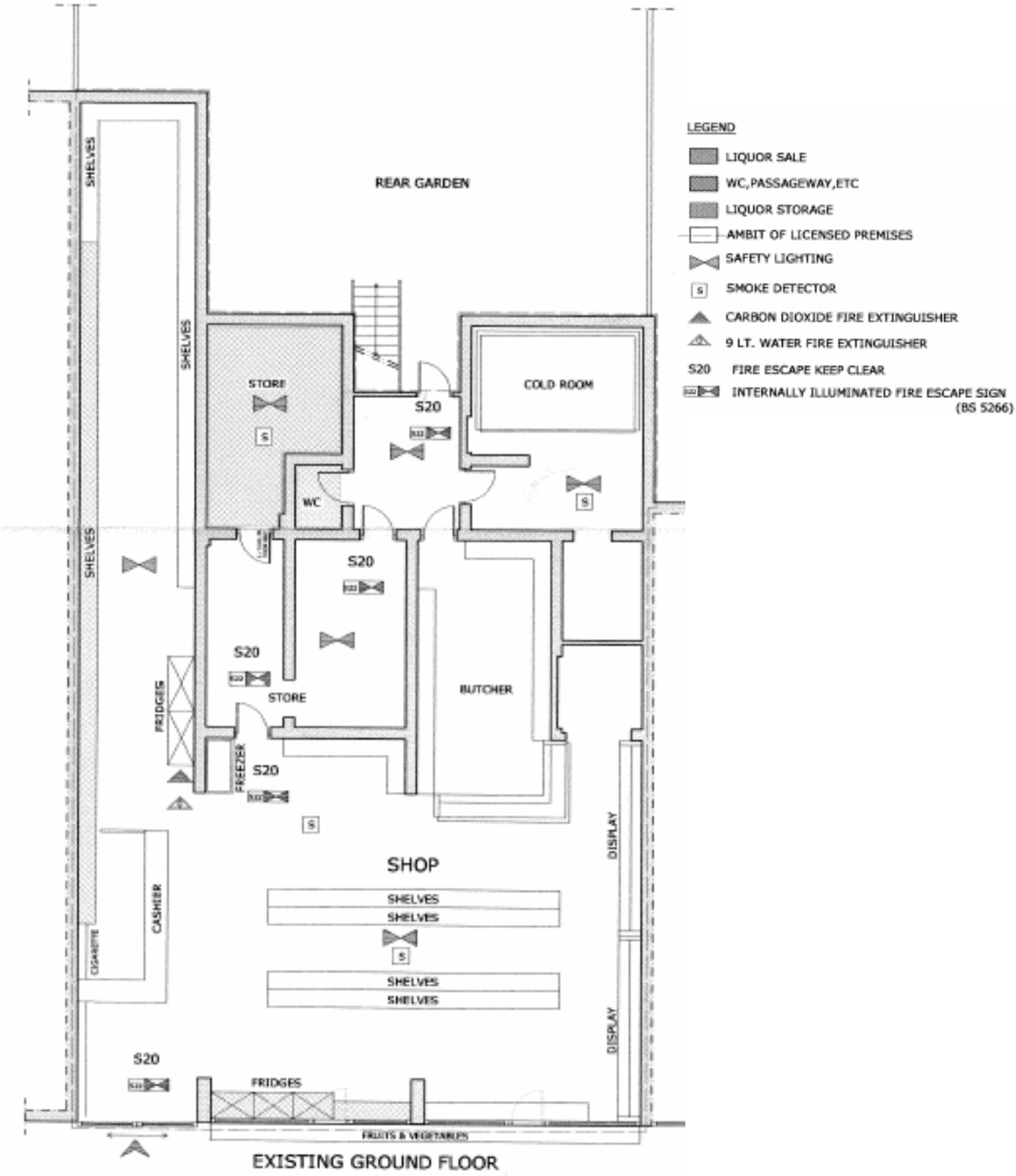
Alcohol may only be sold to individuals over the age of 18 with valid proof of identification with one of the following:

- 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



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M SQUIRE
0208 489 5158

Regulatory Services RS 00542

Haringey LONDON

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

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

Name: ATAKAN SUPERMARKET Date: 20/1/20

Address: 315 WEST GREEN ROAD

N15 3PA Post Code

Enactment(s)

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

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

Notice /Observations/Action Required (Circle if applicable)

Item No.	Description of Property Or Notice/Observations/Action	Seized by Officer	From Where Or Legislation	Time	Seal No. or Statutory Requirement
1	450g Golden Yarbuh	MS	Under Counter	10.32	A08550
2	620 Golden [illegible]	MS	Under Counter	10.34	A08576
3	4x Bottles [illegible]	MS	[illegible] shelf	10.36	A08579

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

Authorised Officer:
(Signed) M
(Print Name) M SQUIRE
(Designation) TRIAL E.O.

Notice Received By:
(Signed)
(Print Name)
(Status)

WHITE COPY –(Trader) YELLOW COPY (Officer) PINK COPY (Remains in Pad)

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APPENDIX 3: ATAKAN SUPERMARKET: PHOTOS FROM VISIT ON 20th JANUARY 2021

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Environment & Neighbourhoods
Regulatory Services Manager: **Gavin Douglas**

Haringey LONDON

Mr Metin Kartal
68 Roseberry Road
London
N9 9SD

Your ref:

Date: 16th February 2021

Our ref: WK/486014

Dear Sir,

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

I write further to my visit to your shop premises trading as Atakan Supermarket 315 West Green Road,London N15 3PA on 20th January 2021.

During the visit quantities of tobacco products were seized, namely 620 cigarettes and 450g of hand rolling tobacco. These products did not carry the correct UK health warnings, were not Duty Paid and were not in standardised packaging as required for the UK market. These facts can constitute offences under the above mentioned legislation.

Also during the visit 4 bottles of Tequila were seized as their original Duty stamps had been obscured and new ones added.

Keeping tobacco and alcohol on a Licensed Premises which is not Duty Paid can also be an offence under the Licensing Act 2003.

In order to complete my investigation I wish to put some questions to you as the Licensee and as I believe the owner of the business. When replying please ensure that this letter is answered by you and you sign and date it to approve its content. Before I ask any questions I must caution you that is, **You do not have to say anything. But it may harm your defence if you do not mention when questioned something which you later rely on in Court. Anything you do say may be given in evidence. You are also advised that you may wish to seek legal advice or consult a solicitor before replying to this letter.**

1. Can you state your full name?
2. What is your date and place of birth?
3. What is your home address?
4. Were you the owner of Atakan Supermarket on 20th January 2021.
5. If you are the owner do you trade as a sole trader a Partner or a Director of a Limited company?
6. If you are a partner what is the name and address of the other partners?

7. If you are trading as a Limited company what is the name of the company and are you a Director?

8. Would you agree you are active in the management of the business?

9. How long have you been trading as Atakan Supermarket.

10. Do you agree that you had tobacco which was not Duty paid and not packaged in UK standardised packaging in your shop on 20th January 2021?

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

12. Where did you buy these tobacco products?

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

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

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

16. Do you know it is illegal to sell tobacco without UK approved health warnings?

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

18. Can you provide copies of purchase invoices for the four bottles of Jose Cuervo Tequila seized on 20th January 2021 as I wish to verify the status of these products.

19. How much time do you spend at the business in an average week?

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

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

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

I thank you for your attention.

Yours faithfully

M Squire
Tactical Trading Standards Enforcement Officer

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


Royal Mail
We were unable to deliver this item because
addressee gone away
address incomplete
address inaccessible
addressee unknown
refused
not called for
no such address
date 19/2/24
initials

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Environment & Neighbourhoods
Regulatory Services Manager: **Gavin Douglas**

Haringey LONDON

Savas Aksu
110 The Roundway
London
N17 7HG

Your ref:

Date: 16th February 2021

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I thank you for your attention.

Yours faithfully

M Squire
Tactical Trading Standards Enforcement Officer

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

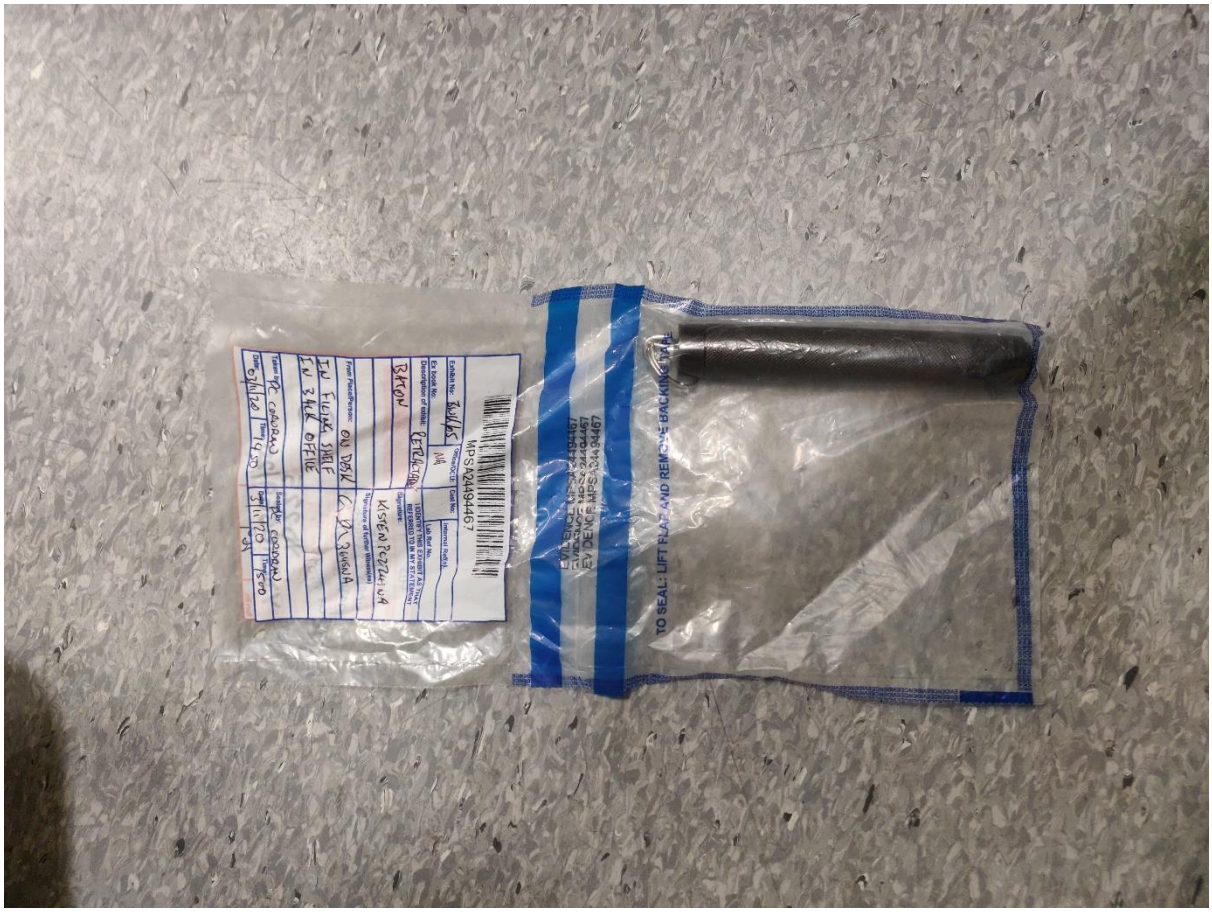
APPENDIX 5 TOBACCO SEIZED ON Police VISIT 20th NOVEMBER 2020

APPENDIX 5 TOBACCO SEIZED ON Police VISIT 20th NOVEMBER 2020

APPENDIX 6 GAS CANNISTERS- NITROUS OXIDE FROM VISIT 3rd NOVEMBER 2020

APPENDIX 6 GAS CANNISTERS- NITROUS OXIDE FROM VISIT 3rd NOVEMBER 2020

APPENDIX 7: Photo of Retractable baton seized on visit November 2020



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Haringey LONDON

CHRIS DENINGTON 0208 489 5194

Regulatory Services and Community Safety
Alexandra House 6th Floor, 10 Station Road, Wood Green, London N22 7TR
Tel: 020 8489 5134 Fax: 0208 489 5554
www.haringey.gov.uk
Group Manager Regulatory Services: Gavin Douglas

RESPONSIBLE RETAILER SCHEME

Application for Registration under the Responsible Retailer Scheme

Part 1 – Applicant's Details

1. Title: Mr ☑ Mrs ☐ Miss ☐ Ms ☐ Other *(please specify)*

Surname: KARTAL
Other name(s): METIN
2. Home Address: 34 Sterling avenue Waltham Cross EN3 8DE
Postcode:
3. Telephone: Daytime: 0208 365 8226
Mobile: 07985 68795
Evening:
4. Email Address: Ay-sema89@hotmail.com

[please give as many contact details as possible in case we need to contact you]

As the **Premises Licence Holder /Designated Premises Supervisor/Proprietor/Manager**(please delete as appropriate) of the premises hereinafter mentioned I HEREBY MAKE APPLICATION in respect of REGISTRATION UNDER THE RESPONSIBLE RETAILER SCHEME at the premises of which particulars are given below:

The following sections to be filled in by the Officer.

Part 2 – Premises Details

5. Business/Trading Name of Premises:
ATAKAN FOOD CENTRE

6. Postal Address of Premises:
315-319 WEST GREEN ROAD

Postcode: N15 3PA.

7. Number of staff employed in the business:
10

8. Premises Licence Schedule Displayed on Premises:

Yes/No

9. Number of staff employed in the business with Personal Licences:
(Issuing Licensing Authorities and Licence numbers).

Alr. M. KARTAL.

10. Age Verification Policy in Operation at Premises : VERBAL

Yes/No

11. Details and Records of Staff Training around Age Restricted Products: NONE

12. Record of Refusals Register Available and Inspected: NONE

Yes/No

Date of Last Entry: —

13. Age Verification Posters displayed on the premises: ONLY LOTTERY — POSTERS IN PACK SHOWN & ASKED TO DISPLAY.

Yes/No

Type:

14. Statutory Notices displayed on premises (where applicable). (Tobacco & Fireworks)

Yes/No

Type:

15. Policy in place on Proxy Sales: VERBAL

Yes/No

16. Type of Age Restricted Products within Premises:

Alcohol:	✓
Tobacco:	✓
Fireworks:	
Knives:	
Solvents:	✓
Other:	*

17. Coverage by CCTV within premises: (How many cameras & number of days recording)

12 KEPT FOR 1 MONTH

18. Any Prompts on Electronic Tills SCANNED

Yes/No

19. Any other comments from the Officer Inspecting the Premises:

DO NOT STORE, DISPLAY OR SELL ILLICIT/ILLEGAL TOBACCO PRODUCTS & ALCOHOL NON DUTY/TAX PAID, NON ENGLISH LABELS, NO HEALTH WARNINGS etc. DO NOT SELL TO UNDER AGE PERSONS etc OFFENCES MAY LEAD TO SUSPENSION OR REVOCATION OF LICENCE

Part 3 – Signature

22. Name of Applicant:

Signature:	MR Bolat T
Print Name:	Bertol
Capacity:	Manager
Date:	30-11-16

I AM AWARE OF THE PROVISIONS OF THE RESPONSIBLE RETAILER SCHEME AND THE RELEVANT CONDITIONS AND I HEREBY APPLY FOR REGISTRATION UNDER THE SCHEME.

I CERTIFY that to the best of my knowledge and belief, the information contained in this application is true

DATE..30.....11.....16..... **SIGNED**..MR.....Bolat T.....

If the applicant signs on behalf of a Company or partnership, the capacity of the Applicant should be stated.

Return completed form to:

Trading Standards Service, Alexandra House, 6th Floor, 10 Station High Road, London N22 7TR.
Telephone: 020 8489 4519

FOR OFFICIAL USE ONLY

Date of Inspection .....

Name of the Officer carrying Inspection out.....

Recommendation .....

Date reported to Scheme Manager.....

Decision.....

Entered on Schedule: – Date .....

RESPONSIBLE RETAILER SCHEME

CONDITIONS OF MEMBERSHIP

As a participant in the Responsible Retailer Scheme, I agree to comply with the following conditions:

- I agree to abide by all legislation relating to the sale of all age restricted products,
- My staff and I will operate a Challenge 25 scheme when selling any age restricted products and will only accept bona-fide forms of identification as proof of age (e.g. passport, driving licence). If customers cannot prove they are old enough to make the purchase, then my staff will refuse the sale,
- I will use a refusals register or similar system, and will check on a regular basis that my staff keep the register or system up to date by logging any sales refusals made to underage customers,
- I will ensure that my sales staff, continue to receive regular training on all the legislation applicable to age restricted products, and keep an up-to date record of the training given to staff members. At the very least I will get them to read through and sign that they have read the material as provided,
- If, applicable I will display clearly visible signs required by legislation, stating minimum age requirements for the products I sell (e.g. statutory notices for tobacco products and fireworks),

- I fully understand that Haringey Trading Standards Service can carry out test purchasing of age-restricted products at my business premises, utilising child volunteers, at any time when the premises are open for trade,
- I agree to abide by all legislation relating to the retail supply of alcohol and tobacco, including that legislation enforced by Environmental Health Services and HM Revenue & Customs,
- I fully understand that Haringey Regulatory Services reserves the right to refuse or revoke membership of the scheme if there is any evidence of non-compliance with the conditions of the scheme, and that my participation in the scheme will be reviewed if there are any significant changes in my business circumstances.

SUSPENSION OF MEMBERSHIP

To maintain the credibility and integrity of the Responsible Retailer Scheme, any members who fail test purchases for age restricted products, are identified by Police as allegedly selling to those underage or who are identified by other enforcement agencies such as HMRC as being in breach of relevant legislative provisions will be notified in writing that their membership is to be suspended.

The offending business will be instructed to remove from display on their premises any branding materials, i.e. the membership display sticker etc, which could mislead consumers into thinking the business is still an active member of the scheme. Failure to comply with this instruction will be considered to be a potential breach of the Consumer Protection from Unfair Trading Regulations 2008. This is a criminal offence.

Suspension from the Responsible Retailer Scheme will be for a minimum period of 3 months from the date of the alleged breach of the legislative provisions. Suspension from the Responsible Retailer Scheme will not preclude legal proceedings also being brought against a retailer. Also suspension from the Responsible Retailer Scheme will not prevent Reviews of Premises Licences by a Responsible Authority entitled to take such an action under the Licensing Act 2003.

Before allowing membership to resume, Haringey Trading Standards Service and/or Police will make efforts to ascertain through follow-up test purchases and reference to other relevant enforcement agencies, whether the retailer in question is acting responsibly and is indeed worthy of renewed membership of the Responsible Retailer Scheme. Repeated test purchase failures and sales to underage persons of age restricted products from the premises, as identified by Police Officers, will lead to expulsion from the scheme. Businesses will be notified in writing when the suspension has been lifted and new Responsible Retailer branding material will be provided at this point.

Members have a right of appeal against the decision by Haringey Council Regulatory Services to suspend membership. Appeals must be made in writing within one calendar month of the date of notification of suspension. Please state clearly in your appeal any mitigating circumstances that you feel should be taken into consideration by the Appeals Panel.

Decisions on appeals against suspension will be made by a panel of the relevant Regulatory Services Team Managers, after reviewing any evidence submitted by the appellant. The decision of the Appeals Panel is final, and will be notified to appellants within one calendar month of the appeal being received. Appeals against suspension should be addressed to: **The Chief Trading Standards Officer, Haringey Trading Standards, Alexandra House, 6th Floor, 10 Station Road, Wood Green, London, N22 7TR.**
E-mail tradingstandards@haringey.gov.uk

DATA PROTECTION

Personal information provided in an application form and during the period of any subsequent Registration is normally held for a period of five years from the expiry of the last consecutive Registration held. It will be used primarily for the purpose of the licensing function concerned although it may also be used for data matching purposes across various licensing functions. Personal information held for the purposes of Registration will be held and used in accordance with the requirements of the Data Protection Act 1998. To assist the Council in the prevention and detection of fraud so that it can protect the public funds it administers the Council may use information provided for licensing purposes within this Authority for data matching purposes. It may also data match information provided for licensing purposes with other public bodies that regulate, administer or are in receipt of public funds for the purposes of the prevention and detection of fraud.

FREEDOM OF INFORMATION

Add conditions to current Licence under "The Prevention of Crime and Disorder"

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 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.
11. Only Employees of the business who have been formally trained on age restricted sales may serve behind the counter
12. Only Staff who have undertaken appropriate training (as agreed with the Licensing Authority) to be present at the premises during trading hours
13. Staff to undertake appropriate training (as agreed with the Licensing Authority) in all aspects of relevant Licensing legislation, law and practice in relation to age restricted sales. This training will be recorded and refreshed on a regular basis and must be available upon request by Police, Trading Standards or Licensing officers
14. The premises to maintain a record to include successful challenges to proof of age and this record to be available upon request by Police, Trading Standards or Licensing officers