

Memorandum

Date: 29th October 2019

Ref: WK/000448602

From: Trading Standards

To: Licensing

APPLICATION FOR A NEW PREMISES LICENCE – ARDA STORE, 40 TILSON ROAD, TOTTENHAM, LONDON, N17 9UY

The following are the representations of the Trading Standards Service in respect of this application.

The Service is concerned that the applicant Mahir ARDA has a pre-existing association with the premises and we are therefore concerned about his commitment to uphold the Licensing objectives. We are also concerned that this application may be an attempt to subvert a previous decision of the Licensing Committee to revoke the Premises Licence.

It is believed Mahir ARDA was present working as an employee of the business on the date of the previous seizure of alcohol from the premises on 1st April 2019 by Trading Standards and HMRC which was the incident which initiated the Licence Review. During this visit breaches of Licence Conditions were found at the premises.

Records show that Mr ARDA has also been present at the premises during previous regulatory visits indicating a strong association with the premises and we are concerned he may be subject to continued direction by the current Premises Licence Holder moving forward.

The representatives of the applicant have confirmed Mr ARDA is an employee of the business. We are aware that there is an unsigned draft agreement in existence for Mr ARDA to take over an assignment of the tenancy agreement, however, we are concerned that Mr Gunduz remains the tenant of the landlord of the premises and could still influence the applicant or regain control of the business.

For these reasons this Service would object to this application proceeding until the result of the appeal by the current Premises Licence holder is determined.

Should the Committee be minded to allow the application to proceed Trading Standards would require consideration by the Committee that the following Conditions be added to the Licence as we remain concerned about the operation of the premises.

Prevention of Children From Harm

1. The business shall adopt a "Challenge 25" policy.
2. A refusals register shall be maintained to record instances where alcohol sales are refused. These records shall be made available for inspection by Police and Authorised Council officers on request.
3. All staff responsible for selling alcohol shall receive regular training in the requirements of the Licensing Act 2003 and all other age restricted products

stocked on the premises. Written records of this training signed and dated by the person receiving the training and the trainer shall be retained and made available to Police and authorised council officers on request.

4. Posters shall be displayed in prominent positions around the till advising customers of the “proof of age” required under the “Challenge 25” policy at the premises.
5. Only Employees of the business who have been formally trained on Licensing requirements and age restricted sales may serve behind the counter.
6. A refusals book shall be kept at the premises to record details of all refusals to sell alcohol and age restricted products. This book shall contain:

The date and time of the incident,
The product which was the subject of the refusal
A description of the customer,
The name of the staff member who refused the sale
The reason the sale was refused.
This book shall be made available to Police and all authorised council officers on request.

7. The 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.

Prevention Of Crime and Disorder

8. 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.
9. 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.
- 10.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

11. Legible copies of receipts for alcohol purchases shall be retained on the premises for /twelve months and made available to Authorised Officers on request.
12. 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.
13. Where the trader becomes aware that any alcohol may be not duty paid they shall inform the Council of this immediately.
14. Only alcohol which is available for retail sale shall be stored at the licensed premises.
15. 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.
16. Tobacco shall only be taken from the covered tobacco display cabinet behind the sales counter in order to make a sale.
17. Only tobacco which is available for retail sale can be stored at the licensed premises.
18. 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.

CCTV

References to CCTV shall include a requirement to provide recordings on request to Authorised Council Officers in addition to police.

Mike Squire
Trading Standards