

Responsible Authority:	Haringey Public Health, London Borough of Haringey
Date:	06/12/2019
Name:	Maria Ahmad, Health Improvement Officer Marlene D'Aguiar, Health In All Policies Officer
Contact:	Maria.Ahmad@Haringey.gov.uk Marlene.DAguiar@haringey.gov.uk

Public Health representation relation to: **OZ FOODS, 467- 469 HIGH ROAD, TOTTENHAM, N17 6QA**

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

Supply of Alcohol

Monday to Sunday 0000 to 2400

The opening hours of the premises:

Supply of Alcohol

Monday to Sunday 0000 to 2400

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

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

I as a representative of the Director of Public Health act as the responsible authority under the Licensing Act 2003 and would like to make a representation in support of the review regarding the premises license at: OZ FOODS, 467- 469 HIGH ROAD, TOTTENHAM, N17 6QA

Public Health has concerns under the following licensing objectives:

- Crime and disorder
- Protecting Children from Harm

Haringey: Alcohol and Health

Tackling alcohol misuse is key to achieving the outcomes in Haringey's Health and Wellbeing Strategy: giving every child the best start in life, reducing the gap in life expectancy between the east and west of the borough and improving mental health and well being. Part of achieving these involves community safety efforts to tackle alcohol crime and anti-social behaviour and ensuring health considerations are taken into account in any licensing decisions. We want to create a culture that prevents problem drinking from starting and provides help for people early on should they be struggling.

Evidence shows that an increased number of alcohol outlets results in significant increases in alcohol consumption and alcohol-related harm (including injury, violence and medical harm). Antisocial behaviour associated with street drinking has been recognised as a concern in Haringey. Problems identified include; litter, noise, urination and intimidation all of which have a detrimental impact to the quality of life for residents.

Though many factors are known to contribute to the above, the licensing committee has direct influence over two: density of licensed premises and trading hours.

Local Context of the Premises

The premises is located within a busy commercial and residential area. It is surrounded by five education establishments within 500 meter radius. This includes nursery, pre-school, independent school and 2 primary schools located within 500 meters of the premises (SafeStats, 2016). There is Bruce Grove Youth Space located 0.3 miles away (5 minutes walk) from the premises and the Bruce Grove station is less than a 2 minutes walk away. There are 14 on licenses and 11 off licences within 500m radius of the premises.

The premises has also been subject to prior offences since October 2017 over concerns of crime and disorder associated with the premises.

Public Health has specific concerns about the applicant's ability to uphold the 4 licensing objectives following seizures of illicit alcohol from the licensed premises under the control of the Premise License Holder and Designated premises Supervisor Mukaddes Temur on 27th March 2019.

The premises have not adequately demonstrated their commitment to uphold the licensing objectives, particularly relating to the prevention of crime and disorder and protecting children from harm. The Licensing Authorities approach to the supply of illicit goods is set out in Haringey's Statement of Licensing Policy 2016-21 at paragraph 58. It states that where illicit goods have been found it is considered as poor management which has the potential to undermine the licensing objectives.

Crime and disorder

The repeated sale of illicit alcohol constitutes illegal activity in direct contradiction to a commitment to the prevention of crime and disorder and has likely exacerbated issues in the area. The designated premises supervisor has violated the law on a numerous occasion i.e. Tobacco and Related Products Regulations 2016, criminal offence under section 144 of the licensing act 2003 and criminal offence under regulation 12 of the consumer protection from unfair trading regulations 2008.

The LSOA (small geographical area) in which the premise is located saw 31 alcohol related ambulance callouts in 2017/18.

This premises is located in the east of the borough where the impact of the sale of high strength beers lagers and ciders is having an adverse effect. The increase in street drinking and anti-social behaviour as a result of the increase and easy availability of these high strength cheap alcohol is being seen within the wards in the east of the borough. The premises has violated a mandatory license condition law – where high strength beer was being sold below the permitted price of Duty Plus VAT.

Protecting Children from Harm

The license premise has a responsibility to promote the licensing objective and considering the high levels of anti-social behaviour on the high road near schools we have concerns over the safeguarding of children. During a parents focus group for the Schools Superzones pilot project, parents from Welbourne primary school mentioned several times the anti-social behaviour activities, including alcohol-related issues, particularly around St Loys Rd and the High Road and the strong smell of urine nearby when travelling to school with their children. The premises is located less than a minute walk away from St Loys Rd.

Recommendation

Public health is not confident in licensee's ability to promote the four licensing objectives going forward and we support the recommendations made by Trading Standards; for the committee to consider removing the Designated Premises Supervisor and suspending the premises licence for a time period.

If this licence is to be granted, Public Health recommends that the following conditions are to be attached, along with the conditions submitted by the applicant, in order to minimise any potential harm to our residents. Furthermore, please note that the stipulated conditions might (as well) be replicated in the trading standards representation, still Public Health wants to emphasise the importance of including the following conditions.

Crime and disorder

- Legible notices displayed at exits about noise when leaving event ('respecting needs of local residents and leaving the area quietly')
- Litter – clearing public area immediately surrounding premise daily if consumption is taking place off premises
- Alcohol to be covered and secured outside of the hours of operation within the trading area.
– the retailer should have a lockable roller-shutter fridges or stand-alone fridges that are lockable. "Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills/screens or secured behind locked cabinet doors to the satisfaction of the Police or Licensing Authority"
- There shall be no self-service of spirits on the premises
- Spirits are best kept behind the staff at the counter and therefore must be handed over to the customer and allows for there to be more interaction with the seller and the customer.
- The licensee should join the Responsible Retailers Scheme
- High strength alcohol restriction: no spirits shall be sold with an ABV greater than sixty-five per cent (65%), no super-strength beer, lagers or ciders of 6.5% ABV (alcohol by volume) or above shall be sold at the premises.
- A CCTV system shall be installed and be recording at all times licensable activities are taking place.
- The CCTV shall cover at least the entry/exit of the licensable area. The system shall record for a minimum of thirty (30) days on a system with adequate storage for this purpose.
- Any CCTV footage shall be made available to Police or an officer from the local authority as soon as practicable, but in any event within three (3) days upon request, providing the request is within data protection regulations.
- All staff involved in the sale or supply of alcohol shall be trained in the law about the sale of alcohol. This includes conditions on the premise licence, operation of the CCTV system, recognising signs of drunkenness upon delivery, how to refuse service and the premises duty of care. Training shall be regularly refreshed and at no greater than 6 monthly intervals and shall be logged. Training records shall be made available for inspection upon request by a police officer or an authorised officer of the Council.
- The premises shall display prominent signage indicating that it is an offence to sell alcohol to anyone who is drunk.
- A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.
- An ultra-violet light will be available at the premises for the purpose of checking the UK Duty Stamp on spirits as soon as practical after they have been purchased.

- If any spirits bought by the business have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to Trading Standards as soon as possible.

Protecting children from harm

- The licensee shall adopt the 'Challenge 25 policy', and promote it on their premises through the prominent display of posters.
- Age-restricted products training shall cover the following steps: the assessment of age; how and when to challenge for proof of age; acceptable proof of age and how to check it; and recording refusals.
- A refusals log must be kept and made immediately available on request to the police or an authorised person. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusal log shall record any actions that appear to be needed to protect young people from harm. The log must record all refused sales of alcohol and include the following:
 - a) the identity of the person who refused the sale;
 - b) the date and time of the refusal;
 - c) the alcohol requested and reason for refusal.

These conditions are designed to ensure that the licensee takes appropriate steps to promote and uphold all four licensing objectives. We believe that all licensees who are fulfilling their duty to promote the licensing objectives will be already complying with many of these conditions. These are the type of precautions needed to meet Haringey's Statement of Licensing Policy requirement of a high standard of management.