LONDON BOROUGH OF HARINGEY

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Mr Ali Toprak Philip Lane Social Club 209-211 Philip Lane London, N15 4HL

Type of Offence: Gambling Act 2005 section 242

Date of Offence: 23rd February 2018

SCHEDULE OF CONTENTS

STATEMENT OF WITNESS

(Criminal Procedure Rules 2005 r271(1); Criminal Justice Act 1967 s.9; M.C. Act 1980 s5B)

Statement of: Chris Georgiou

Age of Witness: Over 18

This Statement, consisting of two (2) pages 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: 28th March 2018

- I am Chris Georgiou and I am employed by the London Borough of Haringey as a Tactical Enforcement Officer. Parts of my duties are to investigate offences under the Gambling Act 2005.
- On Friday 23rd February 2018 at approximately 16:30 hours, I visited Philip Lane Social Club 209-211 Philip Lane, London, N15 4HL as part of a multi agency licensing inspection with the Police and the Gambling Commission.
- 3. As I entered the premises I observed several gaming machines available for use within the business. I observed two (2) Joker Poker machines beside the entrance to the business, both switched off. I observed one (1) Joker Poker and one (1) Black Horse machine beside the bar area, both switched on and available for use. I observed a further two (2) Joker Poker machines, one (1) Black Horse machine and a betting terminal in a separate room the rear of the business. All of which were switched on and available for use. In total I observed seven (7) gaming machines and (1) betting terminal, six (1) of which were switched on and available for use.
- 4. On further inspection I observed that all seven (7) gaming machines and the betting terminal failed to display the relevant information required such as the machine category, no under 18 signage, details for the gambling hotline and details on general machine operating methods. At this point, I had suspicions that the gaming machines and the betting terminal were unlicensed and an offence had been committed contrary to the Gambling Act 2005. I exhibit photographs of the gaming machines as CG01.
- I identified myself to the owner and manager of the business who I know to be Mr Ali TOPRAK, date of birth 15th August 1963, home address 172 Church Street, London, N9 9AR, by showing him my authorisation.
- 6. Mr Ali TOPRAK was cautioned at 16:40 hours in the presence of Chander KALA from the Gambling Commission and asked the following questions:
- CG When did these machines get delivered?
- AT The back part, I rent to someone else. Business is down, I can't even cover rent.
- CG When did the machines arrive?
- AT Between fifteen (15) to twenty (20) days ago. Nearly one (1) month.
- CG Who owns the machines?
- AT I don't want to make any comment.
- CG How do the Joker Poker machines work?
- AT Just for enjoyment.
- CG What happens when someone wins?

Signed



Dated 28th March 2018

1

- AT Nothing.
- CG The Black Horse machines. How do they work?
- AT You win, ticket comes out, I give them money from till. When owner of machine comes, they give me money back plus commission.
- CG Who is the owner?
- AT I don't know. They come every ten (10) to fifteen (15) days and give me commission.
- CG How much money have you handed out to customers winning on Black Horse machines?
- AT I don't know.
- CG How many winners do you have per day?
- AT Sometimes nobody plays. People win sometimes £20, £30 but not always.
- CG Do you keep records?
- AT No, no records.
- CG How does the Betting Terminal work?
- AT It's not mine, I don't know.
- CG Who rents the back room to?
- AT His name is ALI, only a verbal agreement.
- CG Are you aware the machines are illegal?
- AT No
- CG How much money have you made from the machines so far?
- AT I'm not going to make any comments, I'm very upset.
- CG What is your current address?
- AT Flat C, 28 Ida Road, N15 5JE.
- CG Where did you get the Pall Mall cigarettes from?
- AT My waitress bought them.
- CG How much do you sell them for?
- AT They are for personal use.

I recorded all questions and answers in my pocket notebook which I read back Mr Ali TOPRAK. Mr TOPRAK accepted the questions and answers were accurate and proceeded to sign my notebook. I exhibit a copy of my pocket notebook as Exhibit CG02.

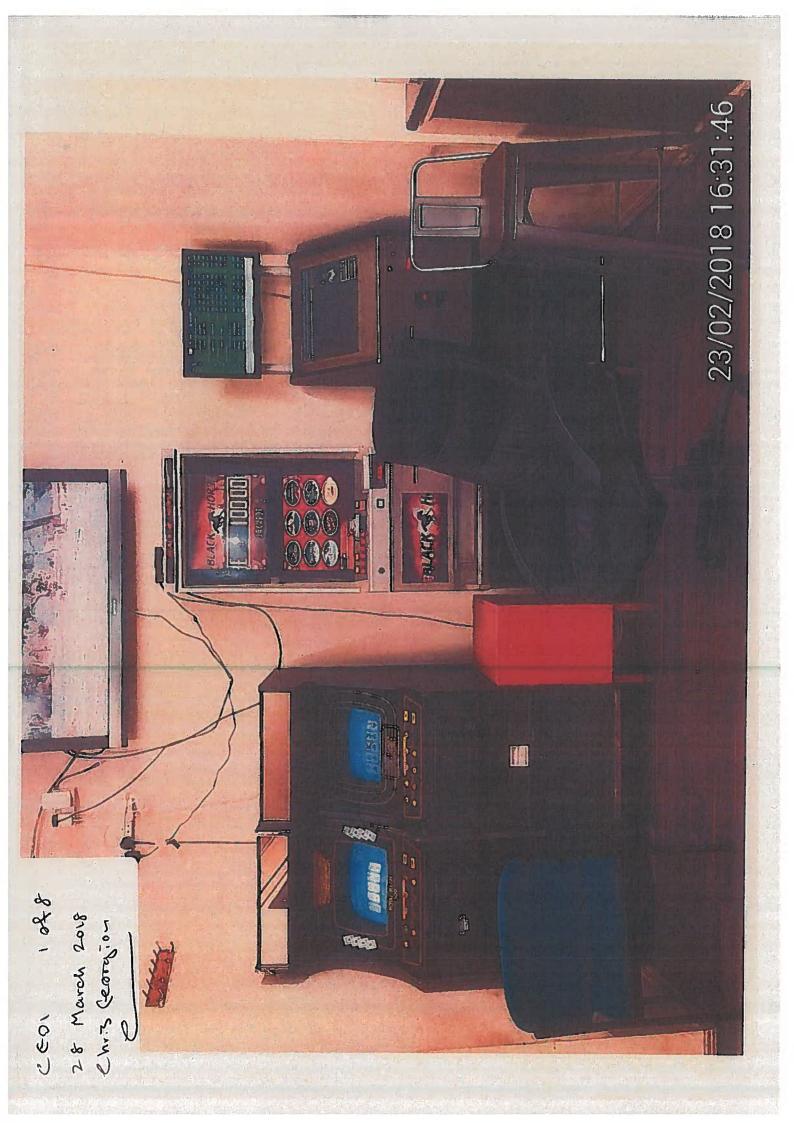
- 7. All seven (7) gaming machine and the betting terminal were seized under Section 317 of the Gambling Act 2005.
- 8. On 26th March 2018, I wrote to Mr TOPRAK informing him that Haringey Council would institute legal proceedings against him. I exhibit a copy of the letter as Exhibit CG03.
- 9. I am willing to attend court as a witness if required.

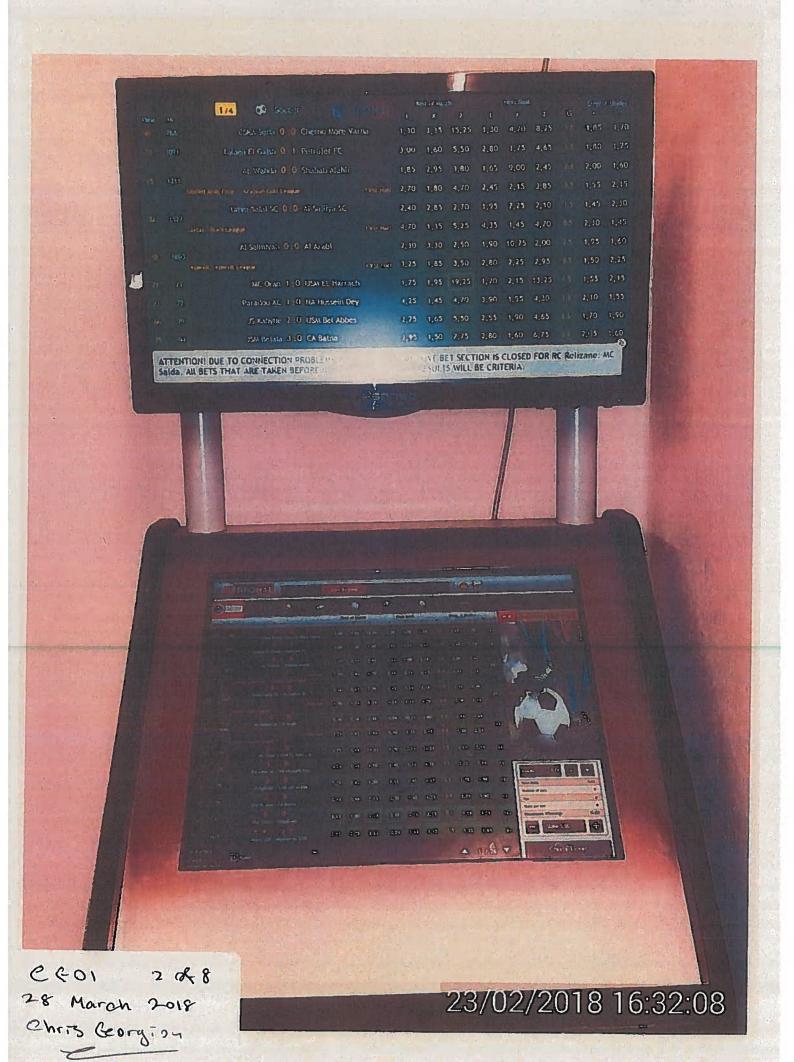
Form ED2 Page 1

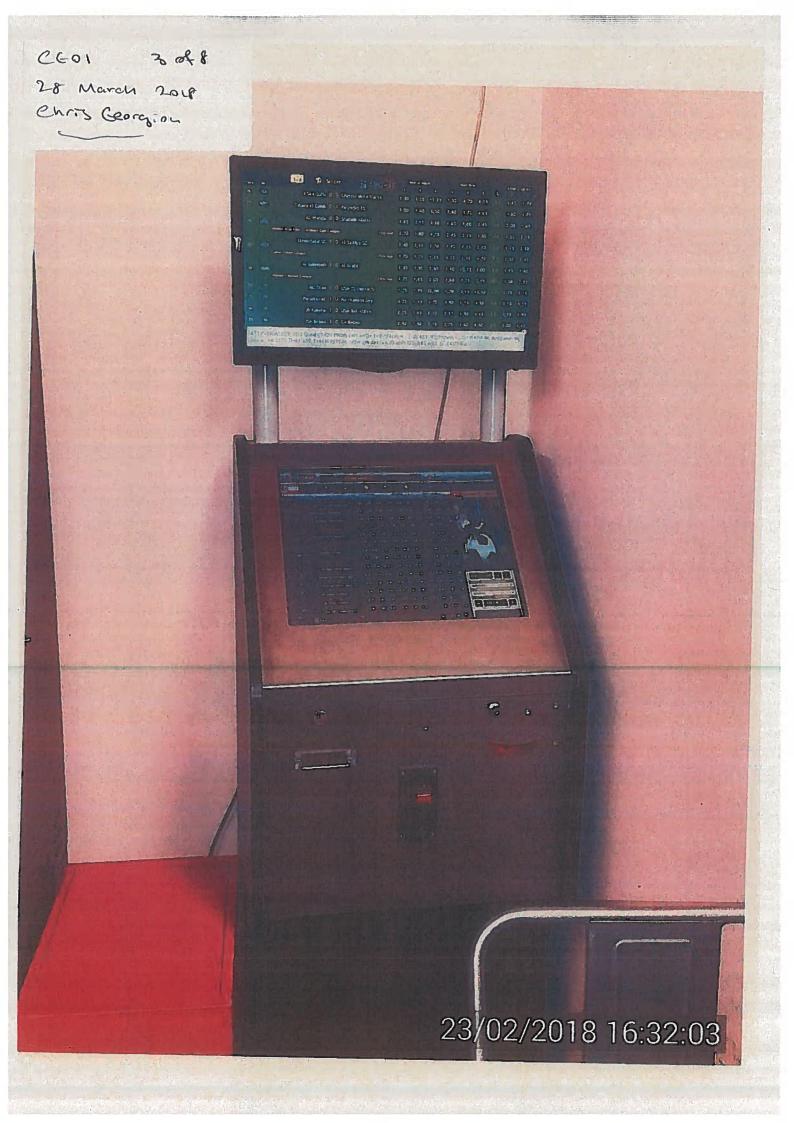
OFFENCE, ETC. REPORT

Signed

Dated 28th March 2018







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Community Safety & Enforcement

Head of Community Safety & Enforcement: Eubert Malcolm



Mr Toprak Philip Lane Social Club 209-211 Philip Lane London N15 4HL

Date: 26th March 2018
Our ref: WK/000406057
Tel: 020 8489 1335

Email: chris.georgiou@haringey.gov.uk

Re: Making Gaming Machines Available without a valid Operating Licence Contrary to Section 242 of the Gambling Act 2005

I write to you today with regards to the alleged offence described above.

Having carefully considered the facts and the circumstances surrounding the alleged offence I have concluded that there are sufficient grounds and it is in the public interest to institute legal proceedings against you under the above mentioned Act.

I will therefore pass the matter to our legal team for prosecution.

If you have any comments you wish to make then please do so, in writing, to me at the above address within the next seven days.

Yours Sincerely,

Chris Georgiou Tactical Enforcement Officer LICENSING ACT 2003 Sec 24 28 March 2018 Chr. S Ceory . 2

PREMISES LICENCE SUMMARY

Receipt: FO0109009956

Premises Licence Number: LN/00003186

This Premises Licence has been issued by:

The Licensing Authority, London Borough of Haringey, Technopark, Ashley Road Tottenham, London, N17 9LN

Signature:

Date: 29th March 2006

6th May 2014

Part 1 - PREMISES DETAILS

<u>Postal Address of Premises or, if none, Ordnance Survey map reference or description:</u>

PHILIP LANE CAFÉ 209-211 PHILIP LANE LONDON N15 4HL

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

1100 to 2300

The opening hours of the premises:

Monday to Sunday

1100 to 2330

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

Supply of alcohol for consumption both OFF the premises

Part 2

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

Ali Toprak 124 St Loys Road Tottenham London N17 6UD

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:

Ali Toprak

State whether access to the premises by children is restricted or prohibited:

Not applicable

28 March 2018 Chr.7 Georgian

WK1304765

NOTIFICATION OF 2 OR LESS GAMING MACHINES or GAMING MACHINE PERMIT APPLICATIONS (i.e. for greater than 2 machines)

(FOR USE BY PREMISES LICENSED TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE PREMISES)

Please refer to guidance notes at the back of this form before completing

Enforcement Service LICENSING

Technopark, Ashley Road, Tottenham, London N17 9LN

Tel: 0208 489 8232 Fax: 0208 489 5536

Minicom: 0208 489 5549



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^{*}Please keep a copy of your existing permit on the premises to which it relates.

NOTIFICATION OF 2 OR LESS GAMING MACHINES or GAMING MACHINE PERMIT APPLICATIONS (i.e. for greater than 2 machines)

(FOR USE BY PREMISES LICENSED TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE PREMISES)

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	Section C - General Information	
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	8. Address of Premises 209/211 Philip lan	0 1000
	Harigas NIE4HL	Z ZZYNOLGY)
	9. Telephone number of Premises	
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	10. Name of existing Premises Licence holder	
	AliToprak	
	11. Address of Premises Licence holder (If different from 8 above)	V
	124 St Loys Rd Totten	ham Longad
	NIZ 6UD	
	12. Telephone number (daytime) of Premises Licence holder	
	07903099654	
	13. E-mail address of Premises Licence holder (where available)	
	The state of the s	
	14 Name address taleshare and a mail of any of	***************************************
	14. Name, address, telephone and e-mail of agent (e.g. solicitor) if submit	tted on behalf of the applicant
	Riki Our.	BRIAN BULLY
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	15. Licensing Act 2003 Premises Licence Reference (i.e. number)	T Y COMMISSION OF THE PARTY OF
	LN/0000 1386.	TN22 SGU
		20.020.630.336
	Section D - Fee and Signature(s)	
	I enclose a sum of (£56) (cheques should be made payable to (The L	Andon Bosson & Alexander
	I understand that I must comply with the Gaming Machine Co	de of Practice for Alcohol Licensed
The state of the s	Premise Permits and Permissions issued by the Gambling Com	mission. (see guidance note 8)
	Please note: It is an offence under section 342 of the Gambling Ac	t 2005 if a nerron without many th
	excuse, gives to a licensing authority for a purpose connected with misleading.	that Act Information which is false or
	Dated Ly Ly	
	Signed (by or on behalf of Licensing Act 2003 Premises Licence holde	(8,20)
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	Print Name OPUAN CUEV	
* * * * * * * * * * * * * * * * * * * *	* If you wish to have a maximum of 2 gaming machines then the fee payable	1.0000
	en the fee payable is £150.00	e is £50.00. If you wish to have more
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28 March 2018 Chris Ceregia

REQUEST FOR ACKNOWLDEGMENT OF RECEIPT OF MY NOTIFICATION OF 2 OR LESS GAMING MACHINES

R1	20-		
l,			Act 2003 licence holder), request
that this pape	or is returned to me at the following	lowing address and with	the details below provided by the
local licensin	g authority, so as to acknowledge and acknowledge ackn	owledge my notification	n of 2 or less gaming machines(insert name of premises).
Insert addres	s to which you wish this ackn		
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Official Use Only	(to be completed by the	local licensing author	ority)
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	fee:		
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Local licensing au	ithority stamp:		

NOTIFICATION OF 2 OR LESS GAMING MACHINES or GAMING MACHINE PERMIT APPLICATIONS (i.e. for greater than 2 machines)

Guidance notes:

- This form is to be used for the notification of up to 2 gaming machines of categories C and / or D under Section 282 of the Gambling Act 2005.
- The premises must be licensed under the Licensing Act 2003 to sell alcohol for consumption on the premises, without the requirement that alcohol is served only with food and there must be a bar for serving alcohol to customers on the premises.
- The gaming machines must be located on these licensed premises.
- 4. A 'Premises Licence holder' is a person holding a Premises Licence under the Licensing Act 2003.
- 5. There is no statutory limit to the number of machines which may be applied for although the licensing authority has some discretion in this regard. It should also be noted that the licensing authority can cancel the permit or vary the number of machines should the premises be mainly used for making gaming machines available for use on the premises (Schedule 13 paragraph 16 Gambling Act 2005). You may therefore wish to contact the licensing authority to ask whether there is a local policy as regards applications and whether application for certain numbers of machines are decided via a hearing of local councillors.
- Sections 282 and 283, as well as SI 2007 / of the Gambling Act 2005 provide for two types of gaming machines which can be located in alcohol licensed premises. These are:
 - Category C: Maximum stake = 50p / Maximum prize = £70
 - Category D: Maximum stake = 10p or 30p non-monetary / Maximum prize = £5 cash or £8 non-monetary
- 8. All alcohol licensed premises which provide gaming machines for use on the premises must comply with any relevant Code of Practice Issued by the Gambiling Commission under Section 24 of the Gambiling Act 2005. The Gaming Machine Code of Practice for Alcohol licensed premises permits and permissions is available via the Gambling Commission's website at: http://www.gamblingcommission.gov.uk/ Should you be unclear as to the provisions of the code of practice please contact the Gambling Commission or your local Council licensing service.
- This licensing authority must notify the applicant of its grant / refusal of the application for a permit as soon as is reasonable practicable after that decision to grant / refuse has been made.
- 10. Where you are notifying the local licensing authority of 2 machines or less, you may wish to request an acknowledgement of receipt of the notification. The form attached to this application can be utilised for this purpose.

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Date of receipt:	
Signature and name of staff who received:	
Date of receipt of fee:	
Signature and name of staff who received fee: .	
Application accepted / returned (please delete a	as appropriate)
Date of premises licence (Licensing Act 2003) to	ransfer (if applicable):

28 Mener 2018 Chris Ceorgin 20 March pos Chro Congin

> inforcement Service, Technopark, Tottenham, London, N17 9LN Tel: 020 8489 8232 Fax: 020 8489 5528

> > www.haringey.gov.uk



Lead Officer (Licensing) Dallah Barrett - Williams Haringey

Reference: LN/000012491

ADA Group

Date: 28th April 2014.

167 Stoke Newington road

Direct dial: 020 8489 8232

London

Philiplane Special Club Email: daliah.barreti@haringey.gov.uk

N16 8BP

209/211 Philiplane NISGHL London

Dear Sir/Madam.

PremsLN/000001386.

Re:

Personal Licence to authorise the Supply of Alcohol under the Licensing Act 2003 - Ali Toprak

Please find enclosed your Personal License issued under the Licensing Act 2003.

The Personal Licence LN/000012491 number is enclosed.

This license allows the holder to supply, or to authorise the supply of alcohol on a licensed premises

The new regime of the Licensing Act 2003 commenced on 24th November 2005. Your personal license is valid for 10 years from the 27th April 2014 until the 26th April 2024. The renewal of the license should be sought prior to the date of expiry from the London Borough of Haringey, Licensing Authority.

As the holder of a Personal License you are required by law to notify the licensing Authority of any changes to your name or address.

If you are convicted of a relevant offence in this country or a foreign offence, it is your duty under the Licensing Act 2003 to declare the offence/offences to the Court in question and also the Licensing Authority that issued the personal license.

For ease of reference I enclose a list of all the relevant offences which you are required to declare under the Licensing Act 2003.

If you have any queries please do not hesitate to contact me on the above details.

Daliah Barrett-Williams Licensing Lead Officer

02 7 0 7 28 March ross Chris Conegia

The Licensing Authority **London Borough of Haringey** Place & Sustainability, Technopark Ashley Road, Tottenham London, N17 9LN

Licensing Act 2003 - Personal Licence

Licence Number:

LN/000012491

Name:

Ali Toprak

Address:

124 St Loys Road Tottenham

London N17 6UD

Start Date:

27th April 2014

Expiry Date:

26th April 2024

The holder of this licence named above is hereby authorised to sell or supply or to authorise the sale or supply of alcohol in accordance with the provisions of Part 6 of the Licensing Act 2003.

Relevant / Foreign Offences

issue Date: 28th April 2014

Licensing Authority

A personal licence holder must produce this licence on request by a police officer, authorised officer of the Licensing Authority or other duly authorised officer.

Ali Toprale authorizanta 07903099654

Licensed Premises Gaming Machine Notice

No: LN/000013739

(insert licensed premises gaming machine notification number)

This notice confirms that:

Philip Lane Social Club

(name of LA2003 premises licence holder)

Has given notification pursuant to Section 282 of the Gambling Act 2005 of their intention to make available up to 4 gaming machines, each of which is Category C or D, for use at the following premises:

209-211 Philip Lane, Tottenham, London N15 4HL

(address of premises, including postcode)

Licensing Act 2003 Premises Licence number:

LN/000003186

(insert LA 2003 premises licence number)

Date on which this notice takes effect:

21st January 2015

This notice is issued by:

The Licensing Team
London Borough of Haringey
Technopark
Ashley Road
Tottenham
N17 9LN

(Name and address of licensing authority issuing)

Signed:

Licensing Authority

Licensed premises which provide gaming machines for use on the premises must comply with any relevant Code of Practice issued by the Gambling Commission under Section 24 Gambling Act 2005. (available at http://www.gamblingcommission.gov.uk)

This Notice is not transferable

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