



Haringey Licensing Authority
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Edmonton Police Station
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N9 0PW

PC Derek Ewart 1277NA

www.met.police.uk

21/02/2023

POLICE REPRESENTATION

**TOPS NEWSAGENTS (Trading as MAXXI FOOD & WINE), 42 TOPSFIELD PARADE,
TOTTENHAM LANE, HORNSEY, LONDON N8 8PT (WK/560463)**

Dear Sir/Madam,

In summary, I wish to make supporting representation following representation from Trading Standards on the following objectives:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety
- Protection of Children From Harm

Having read and considered the application, police would like to bring to your attention a history of issues related to the premises.

Tops Newsagents (Trading as Maxxi Food and wine centre) is a family run business with 3 other locations under similar names across both Haringey and Enfield. The business is essentially a convenience store with off sale Alcohol.

Background

The designated premises supervisor for the premises is Ms Aylin YENGIN .Aylin Yengin is the wife of Urgan Altun (Also known previously as Kemal Altun) who until 2015 ran **MAXXI Wine Centre, 495 Hertford Road, Enfield, EN3 5XH** when that premises licence was revoked on the grounds of the Prevention of Crime and Disorder because the premises had been found to be selling non duty paid tobacco and alcohol and licence conditions were being breached. Both Ms Aylin Yengins home address and Mr Urgan Altun (Previously Kemal Altun) home address are the same.

Recently (4th January 2023) Whilst Aylin Yengin was acting as the DPS for the premises shown as Maxi **Food & Wine, 38 Chase Side, Southgate, N14 5PA** a review By the London Borough of Enfield Trading Standards was carried out following a number of unlawful activities that included:

- ❖ illicit tobacco being seized from the premises;
- ❖ breaches of licence conditions;
- ❖ selling non-compliant vapes and e-cigarettes;
- ❖ selling Viagra and Sildenafil without a medical registration from MHRA;
- ❖ selling drug paraphernalia;
- ❖ **Selling nitrous oxide (known as NOx).**

The Licensing Sub Committee (Enfield) decided to suspend the premises licence for three months and the additional licence conditions were added to the premises licence.

Context

This information supports the fact that this is a family run business whereby Aylin Yengin is shown as the designated Premises supervisor for three separate locations thus:

- 1) Tops newsagents (trading as Maxxi Food & Wine), 42 Topsfield parade, Tottenham lane, Hornsey, London, N8 8pt
- 2) Maxi Food & Wine, 38 Chase Side, Southgate, N14 5PA
- 3) Maxxi Wine Centre, 495 Hertford Road, Enfield, EN3 5XH

History

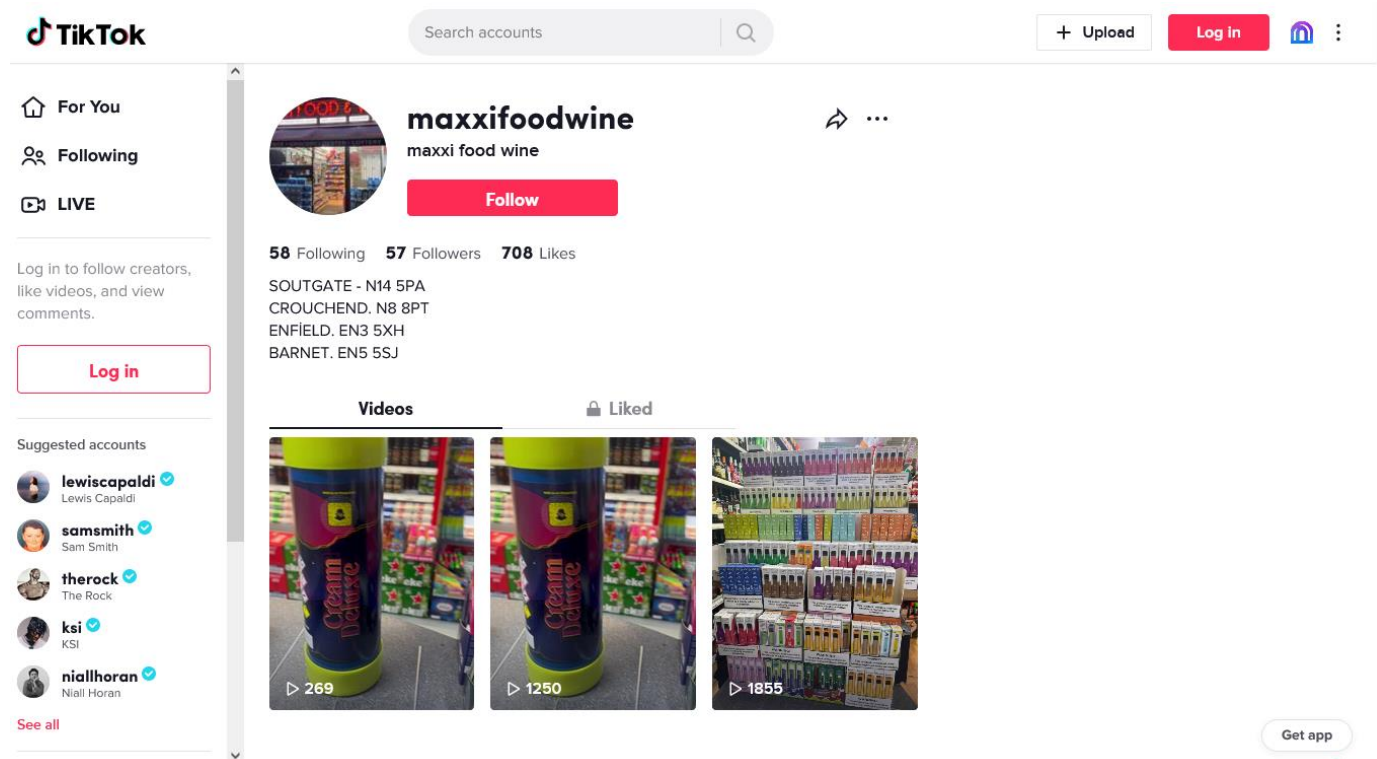
In respect of these premises 42 Topsfield Parade a search of Police data indices reveals that these premises are also associated with incidents involving crime and disorder. The Police CAD database shows that in the less than **1 month from Dec 2022 to January 2023** There were **8 calls** made by members of the public regarding Anti-social behaviour and associated crime, **7 calls** were informing Police that the premises were attracting both people and people in vehicles to buy the large NOx canister's whereby they were seen to exit the shop and inhale the contents both outside the shop and in the surrounding streets and discarding the large canisters on the footways and in the alleyway to the side of the premises in the alleyway .

Residents stating that the youths inhaling the NOx canister's often doing it from balloons on a nightly basis and then becoming aggressive if challenged with one resident being threatened that they would have eggs thrown at their windows .large groups hanging around next to the shop with cars pulling up playing loud music and inhaling NOx in the cars having purchased from the premises. Reports of bags of possible drugs being passed through car windows. All callers felt intimidated and threatened by both dealing with the "customers" and staff in the premises.

The One call other than the 7 relates to a call from the premises stating they were being robbed at knifepoint.

February 2023: The blatant advertisement of the sale of Nitrous Oxide Canisters on the social website TIK TOK (with Tik Tok demographic being predominantly used by the age group 18-24 and younger) under the name of maxxi Food Wine with 4 maxxi premises addresses shown including "Crouch End N8 8PT" i.e. the address the subject of this review. The videos appear to have been filmed in licenced premises and the background popular music "This is how we do it" is clearly designed to appeal to a younger audience and promote the use of Nitrous Oxide for consumption other than its intended purpose i.e. used within the baking industry. Additionally this is coupled with vape advertisement.

Screen shot showing Advertisement videos (provided by LB Enfield)



Video Link is as follows : <https://www.tiktok.com/@maxxifoodwine>

Legislation

Psychoactive Substances Act 2016

The Act contains provision about psychoactive substances, Section 2 defines what is meant by a “psychoactive substance” and states thus

Any substance which—

“Is capable of producing a psychoactive effect in a person who consumes it, and is not an exempted substance”.

The act in section 2 goes on further to say:

“For the purposes of this Act a substance produces a psychoactive effect in a person if, by stimulating or depressing the person’s central nervous system, it affects the person’s mental functioning or emotional state; and references to a substance’s psychoactive effects are to be read accordingly.

(3)For the purposes of this Act a person consumes a substance if the person causes or allows the substance, or fumes given off by the substance, to enter the person’s body in any way”.

Offences

5. Supplying, or offering to supply, a psychoactive substance

(1)A person commits an offence if—

(a) the person intentionally supplies a substance to another person,

(b) the substance is a psychoactive substance,

(c)the person knows or suspects, or ought to know or suspect, that the substance is a psychoactive substance, and

(d)the person knows, or is reckless as to whether, the psychoactive substance is likely to be consumed by the person to whom it is supplied, or by some other person, for its psychoactive effects.

Summary

Part of the role of a designated supervisor is to have a good understanding of the social issues and potential problems associated with the sale of alcohol and other items from a premises.

The DPS must ensure that the business is run in accordance with the conditions of the premises licence and that the licensing objectives are properly promoted. These objectives include the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

It is therefore the view of the Metropolitan Police based upon the information shown that there has been a total disregard in respect of upholding the licensing objectives of:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety
- Protection of Children From Harm

In that clearly large groups of people including youths attending the premises to purchase NOx a Psychoactive Substance in the form of “fast gas” catering Gas who then consume the gas outside the shop and surrounding neighbourhood in full view of both the public, the Residents and the sales staff clearly to become intoxicated and obtain a “High” is not selling for the legitimate purpose of use in catering processes.

This promotes crime, this promotes public nuisance by attracting youths seeking a “legal high” who then by their presence cause Anti-social behaviour and harassment and threats to the residents.

The sales of which are reckless as to whether any harm will be caused to the individuals purchasing the canister’s thus causing a public safety concern.

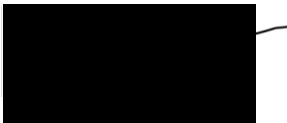
The sales are unregulated so that any age group including those under 18 years old can purchase essentially placing children in harm due to the risk associated with breathing such psychoactive substances.

Clearly the premises staff and DPS knows or suspects or ought to know or suspect this is a psychoactive substance (illustrated by the blatant advertisement on TIK TOK designed to attract custom to a demographic that are essentially young in years) and they know and are reckless to the fact it is being supplied for the purpose of achieving a psychoactive effect upon the purchaser.

It is therefore our submission that the DPS Aylin Yengin has failed in her role wholeheartedly as she has done in other premises she has been DPS .She has shown a total disregard in upholding the licensing objectives and has created around the environs of the premises areas of Anti-social behaviour by not upholding these objectives and failing to run the premises in a diligent manner this conduct should not be tolerated **and it is our submission that the premises licence should be revoked** in order to prevent the “Broken windows effect” created by this irresponsibility further impacting the residents and community ,this in our submission is in the public interest .The police have no faith in Aylin Yengin acting In the capacity of DPS.

I reserve the right to provide additional evidence .

Respectfully submitted for due
Consideration,

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PC Derek Ewart 1277NA –Police Licensing Officer, Enfield and Haringey

Metropolitan Police Service, North Area BCU (*Enfield & Haringey*)

Edmonton Police Station, 462 Fore Street, N9 0PW