

Representation by Cllr Cawley-Harrison (Crouch End ward)

Since the current operators took over Maxxi's Food and Wine (Topsfield Parade), I have received numerous complaints from local residents regarding actions from the premises which is detrimentally affecting their daily live, and others in the neighbourhood.

I wish to make representations as a ward councillor, and on behalf of residents who have corresponded with me over the last nine months or so regarding this shop and its activities. The reason some residents feel they have to make representations through myself is because they fear repercussions from the premises, following intimidatory behaviour towards them as a result of the premises' activities.

I am of the opinion that the operators have knowingly, clearly breached all four licensing objectives and for this reason should have their license revoked entirely.

I have received notice from residents that activities such as the inhaling of Nitrous Oxide (ballooning) has continued to take place outside and in close proximity to the shop late at night, as recently as the weekend of the **10-12 Mar 2023** – showing a clear disregard by the shop for the severity of this licensing review or their actions.

I am also aware that the owners/DPS/associates have at their other shops, already received licensing revocations, suspensions and goods confiscations, and so there is clearly a pattern of behaviour across multiple local authority areas, that displays an unwillingness to uphold the licensing objections, and that anything less than a revocation would mean a continuation of what is being experienced.

During one such hearing it was reported that the defence was that the family had been preoccupied with the birth of Aylin Yengin's daughter in September 2021 and the death of another family member and that a range of improvements had recently been made – however this cannot apply with a second, third or fourth establishment with enforcement cases against the owners dating back to 2023, 2022, 2020, 2017 and 2015.

To quote from one of these hearings in Enfield:

Esther Hughes, the council's head of service for consumer protection, told the committee that a "wide range of unlawful activity" had taken place under licence holder Aylin Yengin "despite advice to prevent such activity having been provided by the council".

I include with my representation, submissions I have received from residents as their ward councillor as part of my representation, and they are included after I go through the four licensing objectives.

The prevention of crime and disorder

This objective has clearly been breached. The sale of the goods identified by trading standards such as erectile dysfunction is a crime. There is no defence.

The shop has also contributed to significant ASB/disorder in the area since it opened under the current owners.

It should be noted that this premises previously traded as a newsagent/off license before the current operators without any issues. They closed in the evening, and as a ward councillor, I didn't receive any reports of trouble. We also did not receive reports of ASB related to Nitrous Oxide/ballooning in the area before the current operators took over, nor reports of the discarding canisters/bottles shown in this report.

It should also be noted that whilst the shop is on a high street – this is also a residential area, with all shops having 2-3 residential units directly above each unit on both sides of the road.

Since Maxxi's opened I have received numerous reports of customers visiting the shop late at night, and well in to the early hours of the morning 3-4am (their license allows the sale of licensable activities must cease much earlier than this, however the shop can remain open beyond then if they are not selling licensable products), often arriving in vehicles with loud music playing, shouting and swearing outside and inside the shop, with items being passed into vehicles. Often this would be alongside the noise of balloons being filled and inhaled (inside and outside of vehicles).

Since the owners took over the shop, ASB has also been present to the rear of Topsfield Parade, which is an alley that runs along the length of the parade offering access to the backs of the commercial units at ground flood, and is the single route of entry (accessible via only one end of the Parade which is near to Maxxi's rear door) for the vast majority of residential units above the shops.

Reports of ballooning in the alley have been significant, and a resident even reported intimidatory behaviour when they found someone sat on the entry steps to their flat who would not allow them to pass (see the attached reports).

Almost without fail when visiting the area around the shop, unless the street sweeping team has been recently, canisters of Nitrous Oxide will be found littered around (also considered ASB/disorder), and I include photos of these.

It is very clear that since the owners took over the unit, the shop has contributed to ASB in direct vicinity of the premises, including noise nuisances in the early hours from patrons and staff, as well as those taking Nitrous Oxide in proximity of the shop.

Many reports have been made both as crime reports to the Met Police, and as ASB/noise nuisance reports to Haringey Council.

I have also been made aware that Maxxi is operating as an Evri drop-off point, and have received reports that items left there have gone "missing" that are of significant value. Such reports have also been made to the police, are included in this report and are publicly accessible on the Google Reviews page for Maxxis, Crouch End, which I also link to in this representation.

The prevention of public nuisance

As has just been mentioned above, the premises have significantly contributed to public nuisance, which has been reported to multiple relevant authorities, including noise, intimidatory behaviour and littering.

The protection of children from harm

I have received worrying reports from neighbours, that have observed the taking of nitrous oxide / ballooning, to the rear of Maxxis/42 Topsfield Parade, in the alley, by those that appear to be of school age.

I have also myself reported discarded Nitrous Oxide canisters of the same brand (Fastgas) as those found around Maxxis shop, near the entrance to Highgate Wood School (Secondary School in Crouch End).

The products being made available via this premises are dangerous to Adults – but even more so to children.

Public Safety

The products identified by Trading Standards are being sold by the premises beyond what is allowed safely in the UK. Consumption of such items presents a significant public safety risk.

The taking of Nitrous Oxide also presents a public safety risk, of which I am directly aware, as my sister-in-law lost the use of the lower half of her body due to the damage inflicted by taking Nitrous Oxide recreationally on one occasion.

The items should not be dismissed as low-risk. They are evidenced to have caused significant and long-term damage to adults, and their sale presents a public safety risk.

Resident Statement

A local resident, fearful of making a representation directly themselves due to fear of intimidation/recourse, has made the following statement:

Re - The Premises under review - Tops Newsagents, T/A Maxxi Food & Wine. 42 Topsfield Parade, Tottenham Lane, London N8 8PT

The prevention of crime and disorder

The protection of children from harm

The Prevention of public nuisance

As a local resident, my neighbours and I have had our reasonable peace and enjoyment of our properties ruined ever since Maxxi Food & Wine, it's staff and their customers arrived on Topsfield Parade N8 8PT.

Their hours of operation, associated noise, irresponsible sales of NOS and Poppers, and the ASB of their owners/staff and the customers they encourage as a consequence of their hours and products, shows an utter disregard for residents and the laws by which they should be trading.

Ever since they took over the premises, they have personally caused me distress, sleep disturbance, anxiety and fear for my own safety.

The noisy ASB gatherings - loud parked cars, music blaring from open car windows, the shouting of groups of intimidating youths - and littering of the streets with NOS canisters and balloons has been unbearable.

There have been audible disputes inside and outside the premises that have made myself and local residents fearful.

There has been nothing but a blatant and irresponsible business of them selling NOS as a psychoactive substance, Poppers too, with cars worth of young 'customers' parking up, inhaling balloons directly in front of the shop and even behind the wheel of said vehicles - with frequent noise disturbance from 9PM through to 5.30AM.

It is unfathomable to myself and fellow Crouch End East neighbours that MAXXI FOOD & WINE of 42 Topsfield Parade, Crouch End N8 8PT can continue to trade.

Such is my anxiety of having my name and address known to them, due to fear of harassment and intimidation - I am regrettably only submitting this anonymously through my ward councillor representing me.

Reports

1 – 25/09/2022

Dear Councillor Cawley-Harrison,

I hope you're well.

On Saturday 24th September, I submitted 3 x online complaints to ASB Haringey Council relating to the antisocial behaviour (people noise) from MAXXI FOOD & WINE, 42 Topsfield Parade, Crouch End London N8 8PT - so that there is a documented trail to support the 3 x CAD crime reference numbers which I reported as the disturbances were taking place earlier this week:

CAD local police Refs submitted via Twitter Met Contact Centre:

CAD 636 20/09/22

CAD 681 - 22SEP22

CAD 789 23/09/2022

ASB Report Refs:

Tues 2am ref HC-17888569 (submitted 24/09/22)

Weds 3am ref HC-17888652 (submitted 24/09/22)

Fri 4.50am ref HC-17888900 (submitted 24/09/22 with a word doc detailing the disturbances)

It is unfathomable to myself and fellow Crouch End East neighbours that MAXXI FOOD & WINE of 42 Topsfield Parade, Crouch End N8 8PT has been granted a 24 hour license. There is near zero customer base footfall or passing vehicles along the road during 12AM - 6AM once the restaurants and pubs have closed.

The antisocial behaviour of their staff and friends this week has been appalling, and has impacted mine and my neighbours' quality of life, our quality of sleep and is utterly damaging to the peaceful enjoyment of our homes.

The noise became noticeably disruptive from Tuesday 20th September - as it's staff and their 3-4 pavement friends/associates have been spending from 12AM- 6AM each night/morning shouting, gathering, smoking outside LOUDLY. In so doing, disturbing the peace of residents living above - such that they have still been audible through silicone ear plugs and closed windows.

If it were warmer weather, we would not be able to have our bedroom windows open due to their noise and smoking 24/7.

It is inconsiderate, disrespectful and must surely be in breach of their license if disturbing the local residents above a commercial property?

Even when confronted at 3AM Wednesday 21st September morning about their noise disturbance, they continued to gather, smoke, shout, loiter with zero consideration. If they ever (rarely) do go inside the shop, they are leaving the door wide open so the noise disturbance persists - talking at shouting levels constantly.

At 4.50AM Saturday 24th September - I overheard a fellow neighbour shout "please be quiet, we are trying to sleep" - one of the group said "sorry, sorry" - and then they carried on regardless.

It would appear to be nothing other than a social club / drop in centre for them and their friends, since obtaining this 24 hour license.

Please can Haringey Council provide a copy of their 24 hour license as a public record to review?

The Queens pub - for example - and other responsible evening license establishments beneath / beside residential properties - ensure that people come inside from gardens after a certain time out of respect for residents, and as much as they can do, encourage patrons to leave quietly / not gather outside etc.

Surely this MAXXI FOOD & WINE should have to follow the same code of conduct as terms of their license?

Since I posted a Nextdoor App public grievance about their behaviour on Saturday 24th September - with very clear notification of involving the council and authorities - they were "miraculously" quieter last night.

*However, this does **not** erase their utter disregard and disruptive behaviour impacting on the quality of our lives and enjoyment of properties earlier this week, and is in no way indicative*

or reassuring that they will maintain any respectful level of 24 hour commercial business operating standards beneath residential properties.

Please issue them with a warning, and remind them of the neighbourhood peace and rights of residents.

Thank you for your help with this issue.

2 – 28/09/2022

Hi Daliah / Jennifer,

Since my email I have had two further reports from residents related to this shop selling nitros canisters, including to school children and ASB.

One report was from a local resident woken at 3am on Sunday or Monday night this week to loud voices outside the shop and a car engine on of a car parked outside the front of the shop. People then got in the car after leaving the shop, and the resident could hear the unmistakable sound of the canisters being used to fill balloons and them being used before the car drove off.

Another report directly pasted below:

I reported back in July regarding the anti social behaviour of noisy nitrous-oxide / helium balloon inhaling youths, who only started appearing regularly once this commercial property became under new management

The police report reference number given was CAD 7819 - 19JUL22

Hopefully you and the police can investigate this in addition to operating without a license, and operating 24 hours.

I shall chase planning for an update on the unlawful shop front.

Best wishes,

Luke Cawley-Harrison

Councillor Crouch End Ward

3 – 05/10/2022

Dear Councillor Cawley-Harrison,

Hope you are well.

I have an additional crime reference number - please see below:

CAD 503/05OCT22

Weds 5th October, 02.05-02.15 AM

Car(s), gathering, loud music, sound of animated loud talking AND helium balloon inhaling outside / in vicinity of MAXXI FOOD & WINE.

I did not go down to confront them for fear of my own safety, as I was not able to ascertain how many people were outside as not directly visible from the angle of my bedroom window. "Get what you want" was overheard which must have been in relation to using the off license whilst disturbing the peace of neighbours above.

Video attached.

4 – 06/10/2022

Hi Councillor Cawley-Harrison,

Maxxis are now making a "selling point" display of their Nitrous Oxide products which are only used by those anti social friends and customers they encourage.

Photos attached from this morning. I personally witnessed them unloading a van full of this product around 8.30pm last night.

This is not acceptable to my neighbours or myself, knowing the intended clientele and then the associated noise disturbance (music, gathering, littering) that accompanies it's sale.





5 – 07/11/2022

I'm writing to you regarding a parcel that has gone missing.

This is my second attempt at contacting EVRI, as my first attempt was on 26/10/2022, and never heard back from them.

On 08/10/2022 at around 8:55 to 9:35 am I returned a parcel using the service called Evri at:
Maxxi Food & Wine
42 Topsfield Parade
N8 8PT

I am including the address of the store I used to return the parcel as the owner refused to give me an email address.

Once I handed the parcel over I was given a receipt.

On 26/10/2022 I contacted the retailer Secret Sales where I had made the purchase to get an update on the refund, as I had not received it.

I also forwarded them my receipt.

The retailer got back to me saying that the number on my receipt(tracking number) was not working, would come up as invalid, and the Evri return label was not used.

At this point, I went to the store where I had returned the item to shed more light on the situation. On two different occasions, I was told the owner/ manager is away in Turkey and there is nothing they could do. On my third visit after some resistance from the person working there, I was given the Owners/manager's phone number.

I started a What's App conversation with the owner regarding what situation I was in. He requested proof of receipt and what item was in the

Parcel. I also own CCTV at home so I provided him with the time frame that I returned the parcel.

I never heard back from the Owner, so I contacted him for an update 1 week later, and his reply was that he was waiting for a response from Evri.

I also requested a CCTV image of me dropping the parcel, which he hasn't shared with me.

Meanwhile, I asked Secret Sales to start an investigation on their part to see what happened with the parcel. They have been in contact with me with updates about the situation.

On 31/10/2022 Secret Sales contacted me saying that the tracking number shows the item as delivered, but not to them. On 28/10/2022 there was an update on the tracking number, the number on my receipt shows that 2 items have been delivered, when in fact in my receipt there is only 1 item clearly marked as returned. Massive error from Evri, confirming that a grave mistake has happened here. None of the items listed on the tracking number show that they have gone back to the address on the return label, which would have been the Secret Sales address, I don't know what 2 items have been delivered, and what addresses. There is clearly only 1 item returned on my receipt.

The latest update from the retailer is that the label that Secret Sales provided me with, in order to return the item has never been used(I would like to know how is this possible) and Secret Sales can't pursue it.

The item that has gone missing/ stolen costs £351.55, you can see it's a considerable amount of money, my money that I work hard for, which I'm not going to let disappear. I need

answers and a refund. Why is the tracking number showing completely different items to that of the one I returned? Why all of a sudden after I raised the case with the Maxxi Food and Wine the item shows delivered, 2 items, wrong address when my receipt says that 1 item was returned.

I have reported the case to the police and the crime reference number is: 2827640/22

I'm including the Full name and the address where my parcel was returned:

Kemal Altun
Maxxi Food & Wine
42 Topsfield Parade
N8 8PT

reported to the police: crime reference number: 2827640/22

6- 24/12/2022

Hi Councillor Cawley-Harrison,

I hope you're well and wish you and your family a Merry Christmas.

I wanted to share a new crime reference number with you regarding Maxxi Food and Wine and to share a cut/paste the message that I sent the police on MetCC Twitter regarding 2-4am this morning disturbance and of others that I've simply been too exhausted to report.

Reference CAD 2415/24DEC22

Message to police:

Hi, please can local Crouch End police monitor the suspicious activities and ASB outside and within MAXXI FOOD & WINE Topsfield Parade N8 8PT? Between 2am-4am this morning multiple noisy youths were congregating and inhaling balloons, disturbing the peace outside the establishment and engaging with its staff.

Use CCTV to review this. Multiple times over recent weeks there have been some kind of money or "food" disputes inside and outside the establishment. On one occasion it sounded like someone was thrown against a car. It doesn't take a genius to know that food = drugs. A suspicious white van is regularly parked outside the shop, along with numerous loud music-blaring cars and the shop workers seem to hand-deliver them suspicious items in black carrier bags direct through their car windows.

My neighbours and I are concerned this is drugs and of the threatening and anti-social associates and customers they encourage. They freely sell nitrous oxide and poppers. It is a disgrace.

They should not have a 24hr license. They need to be monitored - can they not be placed under observation from a property on the other side of Topsfield Parade (the side of the Queens pub)?

My upstairs neighbour noted that there was some kind of arrest there of someone in a van last month / 8 weeks ago and that a few days directly after that people turned up to threaten the aiding workers (they are clearly involved) not to speak. It needs to be stopped.

There is criminal activity and I am fearful of my own front doorstep. It will only get worse again in summer months / lighter evenings. They need to be apprehended now.

End of message to police.

7 – 25/12/2022 (4.11am)

24/12/22

Online Haringey Noise Complaint filed **HC-18516513** detailing the aforementioned ASB and noise disturbance in email and police online report - originating from Maxxis

25/12/22

Online Haringey Noise Complaint filed HC-18516270
2-3AM repeat of the aforementioned ASB and noise disturbance detailed in email and police online report - originating from Maxxis

8 – 14/01/2022

Hi Councillor Cawley-Harrison,

Please can I double check that there license is no longer 24 hour then - but is now midnight?

If so, then between 4.30am and 5.30am this morning they had at least 3 cars worth of “customers” arrive enter and then exit (likely purchasing nitrous oxide and goodness knows what else) during this time and return to their cars after shouting across the street to the staff “**yo bruv, got any strawberries?**”.

A couple of ASB men were standing over by the charity shop beside Queens talking loudly.

I have some videos and photos. I will report online and have a crime ref number.

I’m fearful of my own safety and do not know if I was spotted taking these pics or whether the shop have just told people in general that a woman neighbour has complained about noise etc - even though I am not the only one - and to my distress I heard someone - a female - shout out loud at about 5.30am this morning “**bye bye bitch, wakey wakey mother f@cker**”. I find this to be both threatening and upsetting. I was not standing at the window at this time.

Please excuse the language but it is necessary to document it. This was after I had sent an online MetCC police report.

I will file the online ASB complaint today referencing the selling out of hours especially and the offensive language and loitering.

9 – 16/01/2022

I must admit, I feel utterly despairing of them having secured an alcohol license and of their ability to continue trading after previous reports at their other establishments.

The ASB of the staff and their vile customers has reached the point where I am seriously considering asking my landlord to re-home me.

10 – 03/02/2023

Please find a link to Maxxis TikTok where they are shamelessly promoting the sale of nos canisters (clearly not to catering industry):

<https://www.tiktok.com/@maxxifoodwine>

Photo also attached in case deleted. Could this be added to the file as evidence.

Please also find a further resident report below of ASB at the rear of the premises (outside the back of 42). This is made by xxxxxx. The stairs referred to are the stairs the tenant uses to exit their property (onto the rear alley) and is there only means of access/exit. Intimidating behaviour like this is ASB.

Hey xxxxx, I thought I'd let you know about an issue that's been happening in the alleyway outside the flat for a bit. We get teenagers grouping there taking laughing gas balloons semi regularly, often quite late. It was worse in summer - maybe every week or so, now less frequently. They often sit directly on the stairwell to our flat. Today there was a guy there (on the stairs, at about 4.30) doing gas who wouldn't let me past for a bit - I think he was trying to be funny, but also trying to intimidate me.

This issue has mostly just been annoying more than anything else so far, but I spoke to xxxx and she suggested we mention to you. I think she's going to message tomorrow. Also, someone stopping me from entering is an escalation that makes me think this might be a problem we have to respond to at one point. Not necessary asking you to do anything about it at this stage - just thought I'd say something now so you know, and so I've already said something in case we do have to do something like get security installed/talk to the police at one point.

Oh and ill add that usually these groups leave behind a fair amount of litter - broken bottles, balloons, NOX canisters etc. The guy today left a carrier bag of it on the stairs... so yes thats a bit annoying too

Can this also be logged to the file. I believe a police and asb report has also been made.

11 – 10/02/2023

Hi Jennifer / Daliah / Lucia,

Please find attached an audio recording from this morning of another resident complaint regarding the use of balloons at the rear of the shop and associated ASB and intimidating behaviour.

Like the previous one I passed along, this one also evidences the fact that the gas is being sold to youths/teenagers, which is against the law. I believe there has also been other recent council or police reports sent directly too.

I have also copied in our new ward sergeant Chris Adamou for awareness.

Can you please add this to the file and provide a further update on the case regarding Maxxi.

Regards,

Luke Cawley-Harrison

News articles / links

<https://www.enfield.gov.uk/news-and-events/2022/11/off-licence-owner-sees-7,200-go-up-in-smoke>

<https://governance.enfield.gov.uk/ielIssueDetails.aspx?Ild=56365&Opt=3>

<https://enfielddispatch.co.uk/southgate-shops-licence-revoked-over-illegal-sales/>

<https://www.guardian-series.co.uk/news/15057734.shopkeeper-in-st-james-street-walthamstow-who-illegally-sold-erectile-dysfunction-medication-loses-licence/>

<https://www.enfieldindependent.co.uk/news/13484106.judge-upholds-revoking-of-supermarkets-alcohol-licence/>

<https://www.t-vine.com/turkish-supermarket-slapped-with-record-fine-for-fly-tipping-in-epping-forest/>

<https://www.google.com/search?client=firefox-b-d&q=maxxi+crouch+end#lrd=0x48761bc118a16a39:0xa4aec730a2c50fd8,1,,,,>

<https://ratings.food.gov.uk/business/en-GB/1535582/Organic-Foods-Garden-Barnet>

<https://ratings.food.gov.uk/business/en-GB/1415065/Maxi-Food-%26-Wine-Enfield>

Images from around the shop


















Screenshot from TikTok



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