

Public Health

These are attached as Appendix 2

2 Recommendations

There is no recommendation, but in considering the representations received and what is appropriate for the promotion of the licensing objectives, the steps the Sub-Committee can take are:

- Grant the variation as requested
- Grant the variation whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
- Exclude any licensable activities to which the application relates
- Reject the whole or part of the application

2.1 Members of the licensing sub committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must be appropriate in order to promote the licensing objectives.

3. Background

3.1 During the consultation period representations were received from the Responsible Authorities. Officers have concerns over the ability of the operators to comply with the law in selling alcohol and or tobacco that has been duty paid from the premises. Mr I Erdogan is the director of the company and has been in this position since 2013. Mr Hasan Erdogan remains as an employee in the business. The premises were found to be selling illicit goods and this matter is now subject to court proceedings. The premises was also operating under a a lapsed licence since 2014 when the then licence holder had died. The legislation allows for 28 days following that death of a licence holder for any action to be taken to secure the licence from falling away. The Licensing Authority were not informed of this until recently. Mr Olmez has been brought in to facilitate the grant of a premises licence but he himself has no signed agreement or lease on the business.

4. Policy Implications

4.1 The decision should be made with regard to the Secretary of the State's guidance and the Council's Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs from either the Guidance or the Policy clear and cogent reasons must be given. Members should be aware that if such a departure is made the risk of appeal / challenge is increased.

4.2 Equalities impact

At the time of writing this report there were no implications for equality and diversity. Any decision taken by the Licensing Sub-Committee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003.

5. Other considerations

5.1 Human Rights

While all Convention Rights must be considered, those which are of particular relevance to the application are:

- o Article 8 – Right to respect for private and family life.

- Article 1 of the First Protocol – Protection of Property
- Article 6(1) – Right to a fair hearing.
- Article 10 – Freedom of Expression

6 Use of Appendices

Appendix 1- Application form

Appendix 2 – Copy of Representations

Background papers: Section 82 Guidance

Haringey Statement of Licensing policy

Appendix 1- Application form



Haringey
Application for a premises licence
Licensing Act 2003

HARINGEY COUNCIL
 LICENSING
 RECEIVED

- 1 SEP 2016

For help contact
licensing@haringey.gov.uk
 Telephone: 020 8489 8232

* required information

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently in Use

This is the unique reference for this application generated by the system.

Your reference

Firat Supermarket

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes

No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Ali

* Family name

Olmez

* E-mail

licensing@narts.org.uk

Main telephone number

Include country code.

Other telephone number

indicate here if the applicant would prefer not to be contacted by telephone

is the applicant:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number include country code.

Other telephone number

indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

* Is your business registered in the UK with Companies House? Yes No

* Registration number

* Business name if your business is registered, use its registered name.

* VAT number Put "none" if you are not registered for VAT.

* Legal status

* Your position in the business

Home country The country where the headquarters of your business is located.

Continued from previous page...

Agent Registered Address

Address registered with Companies House.

* Building number or name	53
* Street	Stoke Newington High Street
District	
* City or town	London
County or administrative area	
* Postcode	N16 8EL
* Country	United Kingdom

Section 2 of 19

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name	38
Street	Bounds Green Road
District	
City or town	London
County or administrative area	
Postcode	N11 2EU
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	9,700

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

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INDIVIDUAL APPLICANT DETAILS

Applicant Name

is the name the same as (or similar to) the details given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

All

Family name

Olmez

Is the applicant 18 years of age or older?

Yes

No

Continued from previous page...

Applicant Postal Address

is the address the same as (or similar to) the address given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

Add another applicant

Section 5 of 19

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

if you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

Supermarket

Continued from previous page...

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

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PROVISION OF PLAYS

Will you be providing plays?

Yes

No

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PROVISION OF FILMS

Will you be providing films?

Yes

No

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PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

Yes

No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

Yes

No

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PROVISION OF LIVE MUSIC

Will you be providing live music?

Yes

No

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PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes

No

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PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Yes

No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes

No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes

No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Give timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

if the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. if the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Mr Ali

Family name

Ozimez

Enter the contact's address

Building number or name

[REDACTED] e

Street

[REDACTED]

District

[REDACTED]

City or town

London

County or administrative area

[REDACTED]

Postcode

[REDACTED]

Country

United Kingdom

Personal Licence number
(if known)

LN000007864

Issuing licensing authority
(if known)

L. B of Haringey

Continued from previous page...

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start End
Start End

SUNDAY

Start End
Start End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General - all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Please see Below

b) The prevention of crime and disorder

1) THE DPS, A PERSONAL LICENCE HOLDER OR TRAINED MEMBER OF STAFF NOMINATED IN WRITING BY THE DPS SHALL BE ON DUTY AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC.

2) A) A CCTV SYSTEM COVERING THE INTERIOR & EXTERIOR OF THE PREMISES WILL BE INSTALLED TO CURRENT METROPOLITAN POLICE / HOME OFFICE STANDARDS AND SHALL BE KEPT OPERATIONAL AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC.

B) IT SHALL BE CAPABLE OF TAKING A HEAD & SHOULDERS SHOT OF PERSONS ENTERING THE PREMISES, OF RECORDING IMAGES TO AN EVIDENTIAL STANDARD IN ANY LIGHT AND BE CAPABLE OF STORING IMAGES FOR A MINIMUM OF 31 DAYS.

C) ALL STAFF WHO MAY WORK FRONT OF HOUSE SHALL BE TRAINED TO OPERATE THE CCTV SYSTEM AND DOWNLOAD IMAGES.

Continued from previous page...

D) AT LEAST ONE MEMBER OF STAFF TRAINED TO OPERATE THE CCTV SYSTEM & DOWNLOAD IMAGES SHALL BE ON DUTY AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC. FOOTAGE SHALL BE SHOWN TO THE POLICE AND SCREENSHOTS PROVIDED TO THEM ON REQUEST. COPIES OF DOWNLOADED IMAGES SHALL BE PROVIDED TO THE POLICE ON A USB STICK, CD OR OTHER ACCEPTABLE MEANS AS SOON AS POSSIBLE AND IN ANY CASE WITHIN 24 HOURS OF THE REQUEST

3) CHALLENGE 25 SHALL BE OPERATED AS THE PROOF OF AGE POLICY.

4) ALL STAFF WHO WORK AT THE TILL WILL BE TRAINED FOR THEIR ROLE ON INDUCTION AND BE GIVEN REFRESHER TRAINING EVERY SIX MONTHS. WRITTEN TRAINING RECORDS WILL BE KEPT FOR EACH STAFF MEMBER AND BE PRODUCED TO POLICE & AUTHORISED COUNCIL OFFICERS ON REQUEST. TRAINING WILL INCLUDE IDENTIFYING PERSONS UNDER 25, MAKING A CHALLENGE, ACCEPTABLE PROOF OF AGE & CHECKING IT, MAKING & RECORDING A REFUSAL, AVOIDING CONFLICT & RESPONSIBLE ALCOHOL RETAILING.

5) AN INCIDENT BOOK SHALL BE KEPT AT THE PREMISES, AND MADE AVAILABLE TO THE POLICE OR AUTHORISED COUNCIL OFFICERS, WHICH WILL RECORD THE FOLLOWING:

- A) ALL CRIMES REPORTED,
- B) LOST PROPERTY,
- C) ALL EJECTIONS OF CUSTOMERS,
- D) ANY COMPLAINTS RECEIVED,
- E) ANY INCIDENTS OF DISORDER,
- F) ANY SEIZURE OF DRUGS OR OFFENSIVE WEAPONS,
- G) ANY FAULTS IN THE CCTV,
- H) ANY REFUSAL IN THE SALE OF ALCOHOL
- I) ANY VISIT BY A RELEVANT AUTHORITY OR EMERGENCY SERVICE

6) NOTICES WILL BE PROMINENTLY DISPLAYED BY THE ENTRY/ EXIT DOOR AND POINT OF SALE (AS APPROPRIATE) ADVISING CUSTOMERS:

- A) THAT CCTV & CHALLENGE 25 ARE IN OPERATION;
- B) ADVISING CUSTOMERS OF THE PROVISIONS OF THE LICENSING ACT REGARDING UNDERAGE & PROXY SALES;
- C) OF THE PERMITTED HOURS FOR LICENSABLE ACTIVITIES & THE OPENING TIMES OF THE PREMISES;
- D) NOT TO DRINK IN THE STREET;
- E) TO RESPECT RESIDENTS, LEAVE QUIETLY, NOT TO LOITER OUTSIDE THE PREMISES OR IN THE VICINITY AND TO DISPOSE OF LITTER LEGALLY.

c) Public safety

A FIRE RISK ASSESSMENT AND EMERGENCY PLAN WILL BE PREPARED AND REGULARLY REVIEWED. ALL STAFF WILL RECEIVE APPROPRIATE FIRE SAFETY TRAINING AND REFRESHER TRAINING.

d) The prevention of public nuisance

- 1) THE FRONT OF THE PREMISES SHALL BE KEPT TIDY AT ALL TIMES AND BE SWEEPED AT CLOSE.
- 2) RELEVANT NOTICES WILL BE PROMINENTLY DISPLAYED BY THE ENTRY/ EXIT DOOR AND POINT OF SALE (AS APPROPRIATE)
- 3) NO DELIVERIES WILL BE RECEIVED OR RUBBISH REMOVED FROM THE PREMISES BETWEEN 21.00 & 07.00.
- 4) ANY MUSIC PLAYED WILL ONLY BE PLAYED AT BACKGROUND LEVEL.
- 5) AN INCIDENT BOOK SHALL BE KEPT AT THE PREMISES AND MADE AVAILABLE TO THE POLICE OR AUTHORISED COUNCIL OFFICERS --SEE BOX B CONDITION 5 FOR FULL DETAILS OF THE INFORMATION TO BE RECORDED.
- 6) A PHONE NUMBER FOR THE PREMISES SHALL BE MADE AVAILABLE IF REQUIRED UPON REQUEST TO THE POLICE, ANY OTHER RESPONSIBLE AUTHORITY OR ANY LOCAL RESIDENT TO EXPRESS ANY CONCERNS CAUSED BY THE OPERATION OF

Continued from previous page...

THE PREMISES. ANY COMPLAINTS AND THE OUTCOME WILL BE RECORDED IN THE INCIDENT BOOK.

e) The protection of children from harm

1) CHALLENGE 25 SHALL BE OPERATED AS THE PROOF OF AGE POLICY AND ONLY A VALID PASSPORT, PHOTO DRIVING LICENCE, HM FORCES PHOTOGRAPHIC ID CARD OR PROOF OF AGE CARD WITH THE PASS LOGO OR HOLOGRAM ON IT MAY BE ACCEPTED AS PROOF OF AGE.

2) ALL REFUSALS OF THE SALE OF ALCOHOL SHALL BE RECORDED IN THE REFUSALS SECTION OF THE INCIDENT BOOK. THE INCIDENT BOOK SHALL BE KEPT AND PRODUCED TO POLICE & AUTHORISED COUNCIL OFFICERS ON REQUEST -SEE SECTION B CONDITION 5 FOR FULL DETAILS.

3) RELEVANT NOTICES WILL BE PROMINENTLY DISPLAYED BY THE ENTRY/ EXIT DOOR AND POINT OF SALE AS APPROPRIATE- SEE SECTION B CONDITION 6 FOR FULL DETAILS.

4) ALL STAFF WHO WORK FRONT OF HOUSE WILL BE TRAINED FOR THEIR ROLE ON INDUCTION AND BE GIVEN REFRESHER TRAINING EVERY SIX MONTHS. WRITTEN TRAINING RECORDS WILL BE KEPT FOR EACH STAFF MEMBER AND BE PRODUCED TO POLICE & AUTHORISED COUNCIL OFFICERS ON REQUEST. TRAINING WILL INCLUDE IDENTIFYING PERSONS UNDER 25, MAKING A CHALLENGE, ACCEPTABLE PROOF OF AGE & CHECKING IT, MAKING & RECORDING A REFUSAL, AVOIDING CONFLICT & RESPONSIBLE ALCOHOL RETAILING.

5) WRITTEN TRAINING RECORDS WILL BE KEPT FOR ALL STAFF MEMBERS AND MADE AVAILABLE TO POLICE OR AUTHORISED COUNCIL OFFICERS ON REQUEST.

6) UNLESS AN EPOS SYSTEM WITH AN AUTOMATIC PROOF OF AGE CHECK REMINDER INCORPORATED IN IT IS IN USE A MANUAL PROMPT WILL BE DISPLAYED BY THE TILL(S) TO REMIND STAFF TO CHECK PROOF OF AGE WHERE APPROPRIATE.

Section 19 of 19

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

Continued from previous page...

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

The following credit or debit cards are accepted in Haringey:

Maestro - Mastercard Debit - Mastercard Credit - Solo - Visa Credit - Visa Debit (formerly Delta) and Visa Electron

We cannot accept liability if payment is refused or declined by the card supplier.

Due to end of day processing, this service will not be available between 10pm and 11pm every weekday evening (Mon- Fri).

Users should note that any payments in process after the 10pm deadline need to be completed by 10.05pm

* Fee amount (£)

190.00

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 15B of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

Miss YukseI Uyran

* Capacity

Licensing Consultant

* Date

01 / 09 / 2016
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/haringey/apply-1> to upload this file and continue with your application.

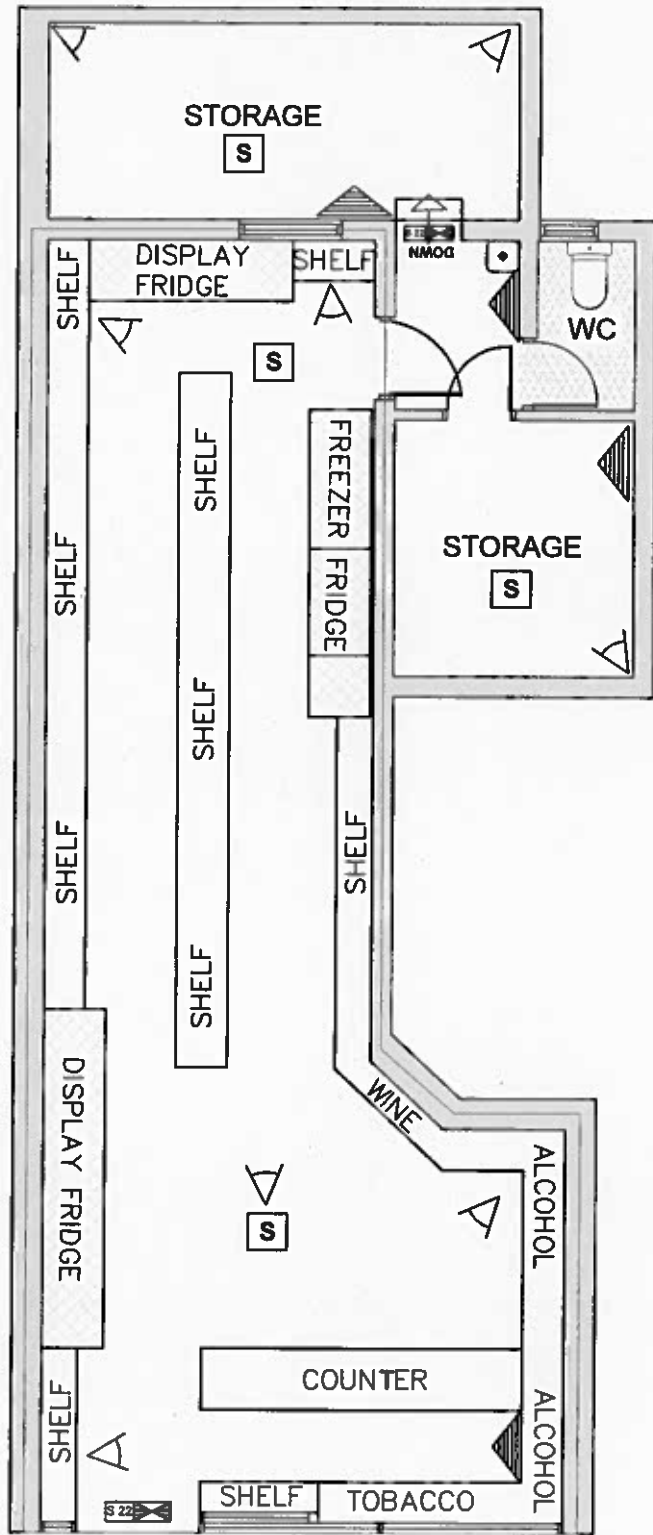
Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 15B OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

OFFICE USE ONLY

Applicant reference number	<input type="text" value="Firat Supermarket"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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- LEGEND**
- WC AREA
 - FRIDGES
 - AMBIT OF LICENSED PREMISES
 - SAFETY LIGHTS
 - SMOKE DETECTOR
 - CCTV
 - FIRE ESCAPE KEEP CLEAR
 - INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
 - CARBON DIOXIDE FIRE EXTINGUISHER
 - 9 LIT. WATER FIRE EXTINGUISHER
 - FAN

RevNo	Revision note	Date	Itemref	Quantity	Title/Name, designation, material, dimension etc	Reference
01	Site Survey	30/07/2016	ABD	MHR	38 Bounds Green Rd, N11 2EU	38BGR
			Checked by		Approved by - date	Date
			MHR		01/08/2016	01/08/2016
			Designed by		Scale	
			ABD		1:50 @ A3	
			FIRAT SUPERMARKET		Total Area	Sheet
					66sqm	1/1

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Voice of Turkish & Kurdish Food Industry in Britain

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London N16 8EL
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020 7241 3636
07940 414 890

Appendix 2 – Copy of Representations

Barrett Daliah

From: Barrett Daliah
Sent: 23 September 2016 12:55
To: 'Yuksel Uyan'; 'mahir.kilic@narts.org.uk'
Subject: FW: FIRAT 1 38 BOUNDS GREEN ROAD N11

Dear Sirs,

The Licensing Authority is making representation in regard to the application for a new Premises Licence for Firat 1 Supermarket, 38 Bounds Green Road London N11. The Licensing Authority has serious concerns over the management practices put in place at the premises in the past. Whilst we note that the current applicant has put himself forward in order to assist Mr Erdogan in obtaining a Premises Licence to offer alcohol sales our concerns still exist as to the management practices that will be used at the premises which is still owned by The Erdogan family. We are aware that the director of the company under which the supermarket operates is Mr Irfan Erdogan. Mr Irfan Erdogan was appointed as sole director of the company in October 2013 and remains in this position. He was also interviewed by the Trading Standards Officer in May 2016 following the disclosure of the systematic practice of obtaining smuggled cigarettes and alcohol for sale within the premises. A copy of the officers statement is attached.

We believe that this is an attempt to circumvent the process to approve a licence to Firat 1 Supermarket under Mr Olmezs' name when in fact the Erdogans will still be the people in control and operating the business.

We know that Mr Irfan Erdogan has been in control at all times and that he has shown a disregard to the law and the Licensing Authority. When found committing offences and the livelihood is put at risk they then choose to find others willing to act for them as licence holders/DPS's. The goods were hidden away showing an attempt to deceive the authorities and acknowledging the crime committed in doing so. The potential is there for the same practices to continue at the premises.

There are no assurances within the application that Mr Irfan Erdogan or Mr Haydar Erdogan will not be part of the day to day operation and management of the premises. When officers visited the premises on 9th September 2016 Mr Haydar Erdogan was the sole person on site managing the shop.

The Licensing Authority needs to ensure that it is satisfied with the ability of the premises licence holder and the designated premises supervisor in operating in a manner that will uphold and promote the licensing objectives.

Licensing Authority
Community Safety & Regulatory Services

Haringey Council
6th Floor, 10 Station Road, London, N22 7TR

T. 020 8489 8232

Licensing@haringey.gov.uk

www.haringey.gov.uk

[twitter@haringeycouncil](https://twitter.com/haringeycouncil)

facebook.com/haringeycouncil

Please consider the environment before printing this email.

From: Mark.L.Greaves@met.pnn.police.uk
Sent: 28 September 2016 14:23
To: Barrett Daliah
Subject: Application for a New Premises Licence - Firat Supermarket, 38 Bounds Green Road, Wood Green, London, N11 2EU
Attachments: Signed Firat MG11.pdf

Dear Mrs Barrett

Please see my objection below relating to Mr Haydar Erdogan the original applicant for a Premises Licence at Firat1 Supermarket, 38 Bounds Green Road N11 2EU. That application was withdrawn and a new one submitted for the venue by Mr Ali Olmez. I met Mr Olmez on Wednesday 28th September 2016 at 1010 hours at Alexandra House, 10 Western Road N22. He was accompanied by Miss Yuksel Uyran from Narts Licensing Consultants.

I asked if Mr Olmez was aware of the history of the venue with relating to the Premises Licence lapsing. He seemed unsure so myself and Yuksel explained. We discussed his application for about 15 minutes and during that time Yuksel translated for us. I expressed concern on a couple of occasions that Mr Olmez was relying on Yuksel to translate my words and his response. With regard the application it appears Mr Olmez owned a similar business in Stroud Green Road N4 which he recently sold and was looking for work in an Off Licence. Haydar Erdogan comes from the same village as him and contacted him about taking over the Premises Licence at Firat 1. Mr Olmez informed me that he was a responsible retailer who wished to continue in the Off Licence business and is concerned about his reputation and would never allow any activity that would damage that reputation which he wishes to preserve for further business ventures. He stated he has told Haydar he would leave the venue if he discovered any illegal activity.

I asked if Haydar's brother Irfan Erdogan was still the director for the business and he confirmed he was but is out of the country at the moment. I asked if Mr Olmez had purchased the company / venue and was told he had not and was an employee. I asked about Mr Olmez's terms of employment at the venue particularly if he had a contract. He told me had a verbal contract. I asked about the hours he would be at the venue and he said mostly the early shift from 0800 to 1700 / 1800. I asked if Haydar would be working at the venue and was told he would but not serving customers but would be helping out at the venue as he owns it.

I explained to Mr Olmez that whilst I had no reason to doubt his sincerity I was concerned that he was an employee at the venue with only a verbal contract and that Haydar and his brother were still in charge and he was not in a position to control their activities. He reasserted he would leave the venue if there were any illegal activities. I pointed out he would only be at the venue until 1700 / 1800 and could not control activities after those hours. I expressed concern that whilst the Premises Licence and DPS would be in his name the venue would still be owned and controlled by Haydar and Mr Olmez could be dismissed at any time. I have previously expressed concern about the way Haydar had controlled the premises and do not consider this applicant can control activities at the venue until 0100 hours Friday and Saturday and 0000 the rest of the week. I urge the Committee to refuse this application as I consider Haydar and Irfan Erdogan would still be in total control of the venue as previously.

Regards

Mark Greaves

**Mark Greaves PC 164YR
Licensing / CPDA / Crime Prevention
Haringey Borough Police**

Tel: 020 3276 0150

From: Greaves Mark L - YR
Sent: 24 August 2016 09:36
To: Licensing <Licensing.Licensing@haringey.gov.uk>
Cc: Daliah.Barrett@haringey.gov.uk
Subject: RE: Application for a New Premises Licence - Firat Supermarket, 38 Bounds Green Road, Wood Green, London, N11 2EU (WK/360271)

Dear Mrs Barrett

The Metropolitan Police are making a representation in regard the application for a New Premises Licence for Firat 1 Supermarket, 38 Bounds Green Road N11 under Crime & Disorder. Whilst my dealings with this venue have been limited, see attached statement, I have noted the actions of Trading Standards with regards recent seizures of large amounts of illegal tobacco that was hidden at the venue. I note on the 10th May 2016 visit where illegal tobacco was found behind the counter that Mr Haydar Erdogan, venues DPS, denied all knowledge and blamed the staff member behind the counter. Other recent seizures support my view that Haydar Erdogan is either involved in the large scale sale of illegal goods from his venue and not answering Trading Standards officers question honestly or he is grossly incompetent in ensuring the venue is operating in a legal manner. The fact that different members of staff are behind the counter when seizures are made suggests that either most / all his staff are involved in the illegal activities and he is still unaware or that he is fully aware of these activities. Either way he does not appear a competent person to hold a Premises Licence or be a DPS.

When I liaised with Haydar Erdogan on Friday 29th July 2016 he assured me that he was the Premises Licence holder and made reference to a Premises Licence dated 2006 which had been produced to me to support this. Evidence from Haringey Council Licensing makes it obvious this Premises Licence had been succeeded by a new one in 2012 removing Haydar as Licence holder and replacing him with his brother who had been deceased for some time. This version of the Premises Licence was not produced at the venue and Haydar denied all knowledge of it. I consider the production of the 2006 version of the Premises Licence an attempt to convince any visiting Police / Council Officers that Haydar was still the Premises Licence holder. I also note Haydar did not inform the Council of the Premises Licence Holders death which made the premises Licence void after 28 days so venue had been trading without a Premises Licence authorising alcohol sales.

Sale of alcohol and tobacco are a great responsibility and should be conducted under the authorisation of a person who is honest and competent and with a good knowledge of Licensing laws and practises. I consider Haydar Erdogan to be totally unsuitable to hold a Premises Licence or be a DPS at an Off Licence. I urge the Committee to refuse this application submitted by Mr Erdogan.

Regards

Mark Greaves

**Mark Greaves PC 164YR
Licensing / CPDA / Crime Prevention
Haringey Borough Police**

Tel: 020 3276 0150

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **Mark Greaves**..... URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Staff P175744**.....

This statement (consisting of: **2**..... pages each 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 anything in it which I know to be false, or do not believe to be true.

Signature:  Date: **29th JULY 2016**

Tick if witness evidence is visually recorded (supply witness details on rear)

On Friday 29th July 2016 at 1240 I attended Firat 1 Supermarket, 38 Bounds Green Road N11 2EU. I was accompanied by Daliah Barrett, Haringey Council Licensing and Martin Hickey, Haringey Trading Standards. There was a Turkish male, Ozer serving behind the counter. I saw 2 males enter and purchase cans of beer before we liaised with him. The reason for the visit was to establish the current position with the venues Premises Licence holder Mr Hasan Erdogan. It is believed Mr Erdogan committed suicide in April 2014, we know he attempted it and we wished to confirm his situation. Ms Barrett liaised with Ozer asking where Hasan and Haydar Erdogan were. He told her he did not know a Hasan Erdogan but Haydar was at a wedding in Turkey and he was acting as DPS. Ms Barrett asked if Haydar had left written authorisation nominating him as acting DPS but no letter could be found only a Premises Licence dated 2007 which he produced. He phoned Haydar Erdogan the DPS and brother of Hasan. After Ozer had spoken in Turkish for a few minutes to Haydar I asked to speak with him and was handed the phone. I informed him who I was and confirmed he was Haydar Erdogan the DPS of venue. I told him I regretted asking him for some information but I had no choice in the circumstances and I asked him if his brother Hasan Erdogan had committed suicide in 2014. Haydar told me he had. I apologized for the unpleasant conversation and pointed out that as Hasan was deceased the Premises Licence should have been transferred to someone else and after over 2 years was no longer active. He told me he had been paying the licence fee of £180 for the last few years so he considered the licence to still be active. I asked who the licence fee request was addressed to and he said 'H Erdogan'. I pointed out both him and his deceased brother was 'H Erdogan'. He told me he had a Personal Licence and was running the venue. I explained the venue was not licensed to sell alcohol and hadn't been for 2 years. He told me Hasan was not the Premises Licence holder it was him. I told him the Premises Licence in the venue stating he was Premises Licence Holder was an old one dated 2007 and a new Licence was issued in November 2012 changing Hasan to the Premises Licence Holder. Haydar

Signature:  Signature witnessed by:

Continuation of Statement of **Mark Greaves**

said he knew nothing about that and I said he must have signed the application to transfer the licence. He did not reply. I told him that the Premises Licence has been void since 2014 and the Council could seize all the alcohol offered for sale in the venue for unauthorized sale under the Licensing Act 2003 but would accept the alcohol being removed from the shelves and no further sales. Haydar told me he understood and would tell his member of staff to comply. I handed the phone back to Ozer. After he hung up I asked Ozer if he understood the situation and he told me he did. I told him any more alcohol sales would lead to him being prosecuted and he told me his father was a Off Licence owner and he knew the situation and would close the shop whilst he moved the alcohol into a rear store room and there would be no further sales. I confirmed the old Premises Licence was the only one he could find and he agreed. We left the venue.

Signature:



Signature witnessed by:

From: Barrett Daliah on behalf of Licensing
Sent: 28 September 2016 12:38
To: 'Yuksel Uyan'
Subject: FW: Firat Supermarket - Premises Licence Representation

Hi Yuksel

A further representation is below.

Daliah Barrett
Licensing Team Leader



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Please consider the environment before printing this email.

From: Whitehouse Rebecca
Sent: 28 September 2016 10:53
To: Licensing
Cc: Millward Deborah
Subject: Firat Supermarket - Premises Licence Representation

Dear Licensing team

CEH/TS REPRESENTATION

I have concerns about granting this license for the following reasons:

1. The person currently in control of the premises and named as the Registered Food Business Operator is Haydar Erdogan. He has been registered as the Food Business Operator since at least 2008.
2. Haydar Erdogan has a poor record of regulatory compliance. Most recently in July 2016 he was found to be operating a licensable activity without a current licence. The license was held in his (deceased) brother's name Hassan Erdogan.
3. Haydar Erdogan then applied for the License at this premises but his application was rejected as he is currently under investigation by the Trading Standards Team in relation to the following offences identified in May and July 2016:
 - " The Licensing Act 20013 - carrying on an unauthorised licensable activity and The Sale or Possession of Smuggled tobacco
 - " Tobacco Labelling and Related Products Regs 2016 - possession on the premises of foreign labelled tobacco products which did not indicate that UK duty had been paid, did not bare any of the warning pictures may be counterfeit.
4. Haydar Erdogan has been subject to previous action by the Trading Standards Team - 2 x simple cautions - 2011 counterfeit alcohol - Trades Marks Act 1994 and 2014 underage sale of cigarettes to a person under 18yrs - Children and Young Persons Protection from Tobacco Act 1991

5. Haydar Erdogan is still the Registered Food Business Operator - there has been no application for a change in ownership or management at this food business. It is therefore my belief that Haydar Erdogan will remain in control of the licensable activities despite the application for Mr Ali Olmez to become the Premises Supervisor and that Haydar Erdogan has demonstrated that he is not a responsible person and is unlikely to uphold the Licensing objectives.

Rebecca Whitehouse
Commercial Environmental Health and Trading Standards Manager



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Please note my workdays are Wednesday - Friday

Responsible Authority	Haringey Public Health, London Borough of Haringey
DATE:	29 th September 2016
Name	Deborah Millward, Healthy Public Policy Officer Marion Morris, Head of Health Improvement
CONTACT	Deborah.Millward@Haringey.gov.uk Marion.Morris@Haringey.gov.uk

Public Health representation relation to: Firat Supermarket, 38 Bounds Green Road, London N11 2EU

Haringey Public Health acts as the responsible authority under the Licensing Act 2003 and would like to make a representation against the application from Mr Ali Olmez.

The representation is made under the following licensing objectives

- Crime and Disorder
- Protecting Children From Harm
- Public Safety

The premises have not adequately demonstrated their commitment to uphold the licensing objectives, particularly relating to the prevention of crime and disorder, public safety and protecting children from harm.

Background :

Haydar Erdogan is still the registered Food Business Operator, who has a poor record of regulatory compliance. Haydar Erdogan is currently under investigation in relation to the Licensing Act 2003 for the sale or possession of smuggled tobacco and the Tobacco Labelling and Related Products Regulations 2016 for possession of foreign labelled tobacco products which do not indicate that UK duty has been paid. Furthermore Haydar Redogan also received cautions in 2011 for Counterfeit alcohol and in 2014 for the underage sale of cigarettes.

The Licensing Authorities approach to the supply of illicit goods is set out in the Haringey Statement of Licensing Policy at paragraph 58. It states that where illicit goods have been found it is considered as poor management and has the potential to undermine the licensing objectives.

Crime and disorder:

The findings above are of significant concern from a public health perspective in terms of the prevention of crime and disorder. The sale of non-duty paid tobacco, non-duty paid and counterfeit alcohol constitute illegal activity, in direct contradiction to a commitment to the prevention of crime and disorder.

The area surrounding the premise is also the 5th highest of 69 roads for Public Order offences with 4 reported between August 2015 and July 2016. To put this into context, 52 of the 69 roads had 2 Public Order offences during the same period (Police UK, 2016).

From January 2016 to September 2016, there were 90 ambulance attendances to night time violence in the Bounds Green ward in which the premise is located. This is compared to a Haringey ward average of 45 ambulance attendances to night time violence. During the same period, there were 136 recorded domestic abuse offences in the Bounds Green ward in which the premise is located. This is compared to a Haringey ward average of 121 domestic abuse offences. Alcohol is known to exacerbate the likelihood of night time violence and domestic abuse offences (GLA datastore, 2016).

Public Safety

From a public safety perspective the findings are of significant concern. Legally produced and certified alcoholic drinks are made with ethanol – alcohol which is safe to drink in moderation. Counterfeit alcoholic drinks can be produced using cheaper types of alcohol which can have serious adverse health effects. Commonly used substitutes for ethanol include chemicals used in cleaning fluids, nail polish remover and automobile screen wash, as well as methanol and isopropanol which are used in antifreeze and some fuels. Drinking alcohol containing these chemicals can cause nausea and vomiting, abdominal pain, drowsiness and dizziness. This can also lead to kidney or liver problems and even coma. Methanol, the substance which has been found in fake vodka can cause permanent blindness.

Protecting Children from Harm

There are 5 schools within 500m of the premise, including an infant's school, primary school and children's centre within 150m of the premise. Beyond contributing to the normalisation of alcohol for school children visiting the premise, the applicant's previous history of illicit alcohol and tobacco supply flags up issues of safeguarding regarding sales to underage children.

Recommendation:

Haydar Erdogan is still the registered Food Business Operator. As there has been no change in management or ownership of Firat Supermarket Public Health recommends that the application for the supply of alcohol by Mr Ali Olmez is refused as it is likely Haydar Erdogan will remain in control of licensed activities and is unlikely to uphold the licensing objectives in relation to Crime and Disorder, Public Safety and Protecting Children from Harm.