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LICENSING SUB-COMMITTEE

Wednesday, 8 March 2017 at 10.00 am
Council Chamber, Civic Centre, Silver Street,
Enfield, EN1 3XA

Contact: Jane Creer
Committee Secretary
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Council website: www.enfield.gov.uk

Councillors : Derek Levy (Chair), Bambos Charalambous and Glynis Vince

AGENDA – PART 1

1. WELCOME AND APOLOGIES FOR ABSENCE

2. DECLARATION OF INTERESTS

Members are asked to declare any disclosable pecuniary, other pecuniary or non pecuniary interests relating to items on the agenda.

3. LEFKE SOCIAL CLUB, 281 HERTFORD ROAD, LONDON, N9 7ES (REPORT NO. 242) (Pages 1 - 52)

Application for review of a premises licence.

4. ORDNANCE SUPERMARKET, 115 ORDNANCE ROAD, ENFIELD, EN3 6AF (REPORT NO. 243) (Pages 53 - 112)

Application for review of a premises licence.

5. MINUTES OF PREVIOUS MEETING (Pages 113 - 120)

To receive and agree the minutes of the meeting held on Wednesday 7
December 2016.

6. EXCLUSION OF THE PRESS AND PUBLIC

If necessary, to consider passing a resolution under Section 100A(4) of the Local Government Act 1972 excluding the press and public from the meeting for any items of business moved to part 2 of the agenda on the grounds that they involve the likely disclosure of exempt information as defined in those paragraphs of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).
(There is no part 2 agenda)

MUNICIPAL YEAR 2016/17 REPORT NO. 242

COMMITTEE :
Licensing Sub Committee
8 March 2017

REPORT OF :
Principal Licensing Officer

LEGISLATION :
Licensing Act 2003

Agenda – Part1	Item
SUBJECT : Review Application PREMISES : Lefke Social Club, 281 Hertford Road, LONDON, N9 7ES. WARD : Jubilee	

1 LICENSING HISTORY & CURRENT POSITION:

- 1.1 A new premises licence was first granted at this premises on 24 May 2006, naming Mr Erol ARABACILAR as the Premises Licence Holder on premises licence (LN/200600140).
- 1.2 On 8 November 2012, the premises licence was transferred to Mr Sadi ESENDAG, the current premises licence holder.
- 1.3 A minor variation was granted on 20 July 2015 to amend the plan.
- 1.4 This is the first review application received for LN/200600140.
- 1.5 The current Premises Licence permits:

 Hours the premises are open to the public: 24 hours daily.

 Late Night Refreshment (Indoors only): 23:00 to 05:00 daily.
- 1.6 A copy of a location map of the premises is attached in Annex 1.
- 1.15 A copy of the current premises licence (LN/200700399) is attached in Annex 2.

2 THIS APPLICATION:

- 2.1 On 13 January 2017 an application was made by the Licensing Authority for the review of Premises Licence LN/200600140.
- 2.2 The review application relates to the prevention of crime and disorder licensing objective and is made because the premises have been found to be repeatedly making illegal gaming machines available for use on the premises.
- 2.3 The authority considers that it is now appropriate, for the promotion of the licensing objectives, to seek revocation of the licence.

- 2.4 A transfer application has been submitted for this licence but at the time of writing this report, has not been accepted as payment has not been completed.
- 2.5 Each of the Responsible Authorities were consulted in respect of the application.
- 2.6 A copy of the Licensing Authority's review application, Additional Information and Appendices is attached as Annex 03.
- 2.7 To date, no written information has been provided by Mr Sadi ESENDAG in response to the review application.

3 RELEVANT REPRESENTATIONS:

- 3.1 **Metropolitan Police:** Representations were received in support of this review application, based on the prevention of crime and disorder licensing objective.
- 3.2 A copy of the representation is attached as Annex 04.

4 RELEVANT LAW, GUIDANCE & POLICIES:

- 4.1 The paragraphs below are extracted from either:
 - 4.1.1 the Licensing Act 2003 ('Act'); or
 - 4.1.2 the Guidance issued by the Secretary of State to the Home Office of March 2015 ('Guid'); or
 - 4.1.3 the London Borough of Enfield's Licensing Policy Statement of January 2015 ('Pol').

General Principles:

- 4.2 The Licensing Sub-Committee must carry out its functions with a view to promoting the licensing objectives [Act s.4(1)].
- 4.3 The licensing objectives are :
 - 4.3.1 the prevention of crime and disorder;
 - 4.3.2 public safety;
 - 4.3.3 the prevention of public nuisance; &
 - 4.3.4 the protection of children from harm [Act s.4(2)].
- 4.4 In carrying out its functions, the Sub-Committee must also have regard to :
 - 4.4.1 the Council's licensing policy statement; &
 - 4.4.2 guidance issued by the Secretary of State [Act s.4(3)].

Review:

- 4.5 In reviewing a licence the Licensing Sub-Committee will consider, and take into account, the complaints history of the premises and all other relevant information [Pol s.10.3].
- 4.6 A number of reviews may arise in connection with crime that is not directly connected with licensable activities, for example unlawful gambling. The Sub-Committee does not have the power to judge the criminality or otherwise of any issue. The Sub-Committee's role is to ensure the promotion of the crime prevention objective [Guid s.11.24].
- 4.7 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These include the use of the premises for unlawful gambling [Guid s.11.27].
- 4.8 Where reviews arise in respect of these criminal activities and the Sub-Committee determines that the crime prevention objective is being undermined, it is expected that revocation of the licence – even in the first instance – should be seriously considered [Guid s.11.28].

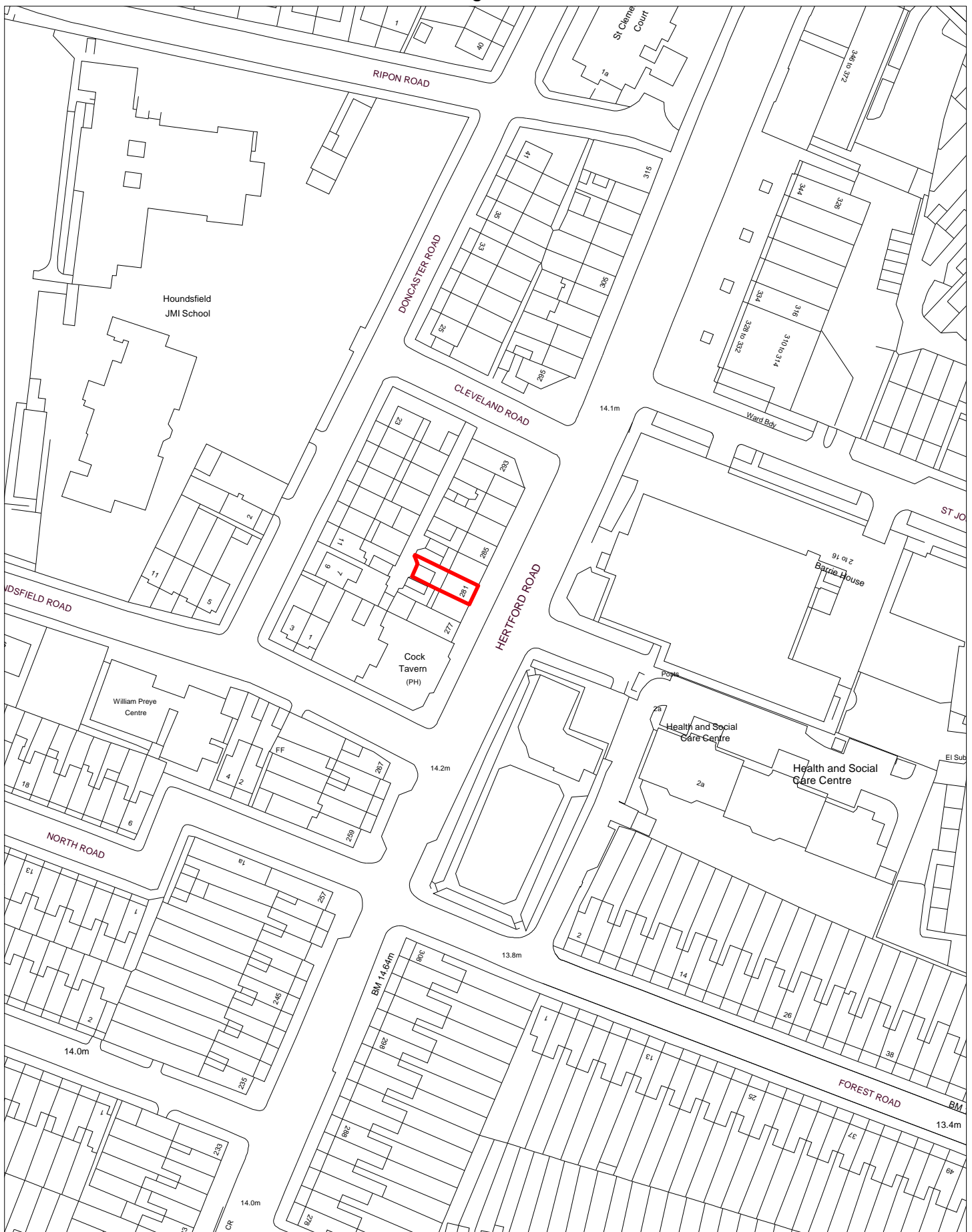
Decision:

- 4.9 Having heard all of the representations (from all parties) the Licensing Sub-Committee must take such steps as it considers appropriate for the promotion of the licensing objectives. The steps are :
 - 4.9.1 to modify the conditions of the licence;
 - 4.9.2 to exclude a licensable activity from the scope of the licence;
 - 4.9.3 to suspend the licence for a period not exceeding three months;
 - 4.9.4 to revoke the licence [Act s.52].
- 4.10 In deciding which of these powers to invoke, the Sub-Committee should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should generally be directed at those causes and should always be no more than an appropriate and proportionate response [Guid s.11.20].

Background Papers :
None other than any identified within the report.

Contact Officer :
Ellie Green on 020 8379 8543

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Lefke Social Club, 281 Hertford Road, LONDON, N9 7ES

LONDON BOROUGH OF ENFIELD
CIVIC CENTRE, SILVER STREET,
ENFIELD, EN1 3XE
www.enfield.gov.uk



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Date 17/02/17

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Licensing Act 2003**PART A – PREMISES LICENCE**

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number : LN/200600140

Part 1 – Premises Details

Postal address of premises :

Premises name : Lefke Social Club

Telephone number : Not provided

Address : 281 Hertford Road LONDON N9 7ES

Where the licence is time-limited, the dates : Not time limited

The opening hours of the premises, the licensable activities authorised by the licence and the times the licence authorises the carrying out of those activities :

(1) Open to the Public - Whole Premises

Sunday :	00:00 - 00:00
Monday :	00:00 - 00:00
Tuesday :	00:00 - 00:00
Wednesday :	00:00 - 00:00
Thursday :	00:00 - 00:00
Friday :	00:00 - 00:00
Saturday :	00:00 - 00:00

(2) Late Night Refreshment - Indoors

Sunday :	23:00 - 05:00
Monday :	23:00 - 05:00
Tuesday :	23:00 - 05:00
Wednesday :	23:00 - 05:00
Thursday :	23:00 - 05:00
Friday :	23:00 - 05:00
Saturday :	23:00 - 05:00

Part 2

Name and (registered) address of holder of premises licence :

Name : Mr Sadi Esendag

Telephone number : Not provided

e-mail : Not provided

Address : G8, Tower Point, 52 Sydney Road, ENFIELD, EN2 6SZ

Registered number of holder (where applicable) :

Not applicable

Name and (registered) address of second holder of premises licence (where applicable) :

Name : Not applicable

Telephone number :

Address :

Name and address of designated premises supervisor (where the licence authorises the supply of alcohol) :

Name : Not applicable

Telephone number :

e-mail : Not applicable

Address :

Personal licence number and issuing authority of personal licence held by designated premises supervisor (where the licence authorises the supply of alcohol) :

Personal Licence Number : Not applicable

Issuing Authority : Not applicable

Premises Licence LN/200600140 was first granted on 25 May 2006.

Signed :

for and on behalf of the

London Borough of Enfield

Licensing Unit, Civic Centre, Silver Street, Enfield EN1 3XH

Telephone : 020 8379 3578

Date : 20th July 2015



Annex 1 - Mandatory conditions

None

Annex 2 - Conditions consistent with the Operating Schedule

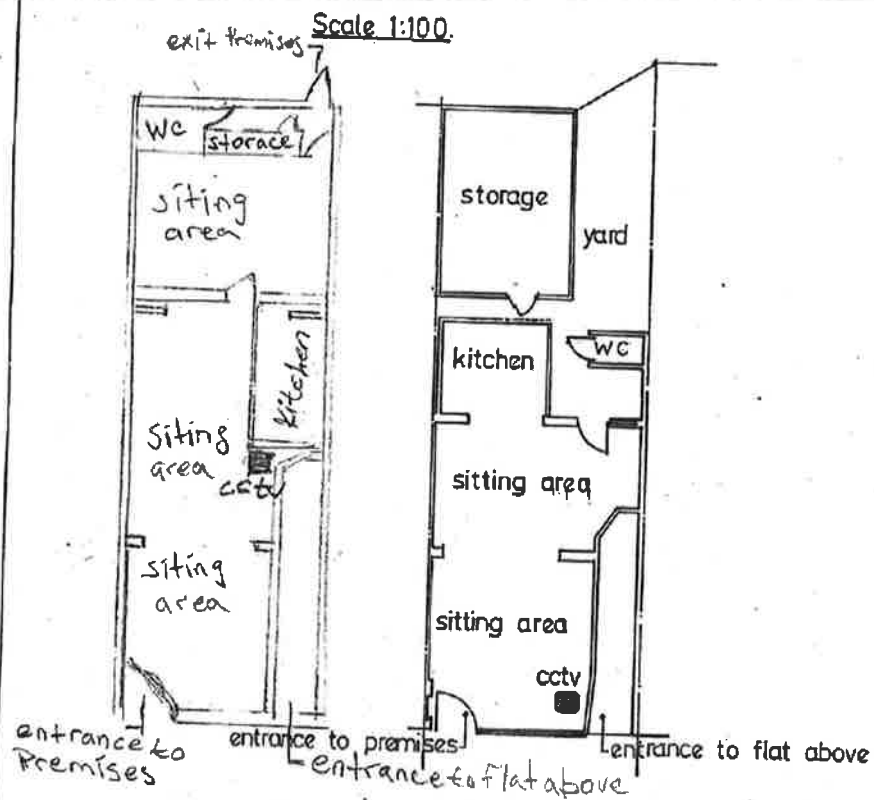
- 1. There shall be no adult entertainment or services, activities or matters ancillary to the use of the premises that may give rise to concern in respect of children.**
- 2. A CCTV system shall be installed, operated and maintained at the premises. This system shall conform to the Data Protection Act requirements. The system shall be either video or digital. The time and date shall be generated onto all recordings which shall be retained for a minimum of 31 days. The recorded images shall be of an acceptable quality for the Police. Signs shall be displayed informing customers and the passing public that recorded CCTV is in use at the premises.**
- 3. Signs shall be displayed prominently within the premises requesting that customers leave the premises and the area quietly.**
- 4. Children under 18 shall not be permitted to enter the premises during licensable activities.**

Annex 3 - Conditions attached after a hearing by the licensing authority

Not applicable

Annex 4 – Plans

EXISTING GROUND FLOOR PREMISES



LEFKE SOCIAL CLUB 281, HERTFORD ROAD,
LONDON, N9.
APPLICATION NUMBER 206001432.

**Application for the review of a premises licence or club premises certificate
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Charlotte Palmer Senior Licensing Enforcement Officer

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Lefke Social Club, 281 Hertford Road	
Post town Edmonton	Post code (if known) N9 7ES
Name of premises licence holder or club holding club premises certificate (if known) Mr Sadi Esendag	
Number of premises licence or club premises certificate (if known) LN/200600140	

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
 - a) a person living in the vicinity of the premises ☐
 - b) a body representing persons living in the vicinity of the premises ☐
 - c) a person involved in business in the vicinity of the premises ☐
 - d) a body representing persons involved in business in the vicinity of the premises ☐
- 2) a responsible authority (please complete (C) below) ☒
- 3) a member of the club to which this application relates (please complete (A)) ☐

below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

Charlotte Palmer
 Licensing Authority
 London Borough of Enfield
 PO Box 57
 Civic Centre
 Silver Street
 EN1 3XH

Telephone number: 020 8379 3965

E-mail address: charlotte.palmer@enfield.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

**Please state the ground(s) for review:** (please read guidance note 1)

Enfield Licensing Authority is seeking a review of this premises licence on the grounds that unlawful gambling has taken place at the premises in the form of illegal gaming machines repeatedly being found on the premises. Illegal gaming machines were seized from the premises in June 2016 and December 2016 despite the owner having been advising to remove all illegal machines.

This review is primarily based on the prevention of crime and disorder, licensing objective. **The review application is to revoke the premises licence.**

Background Information:

Please provide as much information as possible to support the application
 (please read guidance note 2)

Operation Bandit Background Information

It is an offence under Section 242 of the Gambling Act 2005 for a gaming machine to be illegally sited on any premises. It is also an offence under Section 243 of the Gambling Act 2005 to supply a gaming machine which does not comply with Section 241 of the Gambling Act 2005 and/or the supplier does not have the appropriate operating licence. Both offences carry an unlimited fine and/or 51 weeks imprisonment upon conviction.

There are some premises which are permitted gaming machines for example any premises that has an alcohol licence and a bar at which alcohol is served for consumption on the premises without the requirement that alcohol is served only with food. Such premises may provide up to two gaming machines of categories C or D by way of a notification procedure.

There are some gaming machines that are not permitted by anyone, even licensed premises. These include;

Joker Poker gaming machines – these may not all pay out cash but accrue credits which are redeemed in another way.

Black Horse machines are not authorised by the Gambling Commission here in the UK and cannot be legally sited on a premises.

There is no application process that will enable premises to have these machines.

Betting Terminals are only permitted in premises licensed under the Gambling Act 2005 such as licensed book makers.

In 2016 the Licensing Enforcement Team in partnership with HMRC, the Gambling Commission and Police Licensing Enforcement Officers conducted two separate days of visits to premises believed to have illegal gaming machines.

Letters were sent to premises prior to the visits advising businesses of what was and wasn't permitted and warning them of the consequences of having illegal machines on their premises. During the visits officers seized illegal machines.

Lefke Social Club

One of the premises visited at part of this project was Lefke Social Club now trading under the name of Gecitkale Social Club and Snooker.

The licence for this premises was granted on 24th May 2006. The licence permits the following:

Open:	24 hours a day everyday
Late Night Refreshment:	23:00 – 05:00 everyday

As this premises is not licensed to sell alcohol no gaming machines are permitted on the premises.

The current licence holder was first seen at the premises in 2011 but the licence was not transferred to him until **05/11/12**.

Detailed below is the history of the premises since 2015:

26/02/15 – Police Report - CRIS: 5204237/15, 02:30 hours. Assault/ABH. Victim was inside venue playing cards on a table and asked a group of males to quieten down on the next table. One of the males got up and punched the victim to the side of his head and on being ushered out of the club made threats to kill the victim. The Police Licensing Officer later spoke to a Ms Zehra AkbicaK who stated that she is a manager of the club regarding CCTV and was told that although a system is fitted, it is not currently recording as Police had taken the hard drive regarding another matter. Ms AkbicaK went on to say that she had booked an engineer to attend the club that day in order to fit a new hard drive but that he had cancelled at the last moment. The Officer informed Ms AkbicaK that the club should not be offering late night refreshment until such time that the CCTV system is back up and running as it would be in breach of the licence. Ms AkbicaK stated that she understood.

27/02/15 - 21:15 - Police visit - Manager - Zehra AkbicaK. There were 2 staff on duty. There were 2 males drinking whisky like alcohol, and on entering the premise there

was a heavy smell of smoke and smoke was visible in the air. The licence was not displayed.

09/03/15 – Advise letter sent to premises following police visit – **Appendix 1**

20/03/15 - 22:55-23:05 – Out of Hours Licensing Enforcement Officer visited the premises. On arrival there were two males smoking in the premises. They seemed to be customers and were playing some type of game. One got up and walked out, the other put the cigarette out. Officers attempted to speak to the female member of staff but during this time a male was shouting very loudly at the male who had put out his cigarette. The Officers felt that he was about to turn his attention on them so decide to leave for their own safety. They advised the member of staff that they would come back another time and left.

27/03/15 – 22:35 – 23:30 Out of Hours Licensing Enforcement Officers (CPX/EVG) entered the premises which smelt of tobacco smoke. Males in premises playing games. Three Joker Poker machines and one Black Horse machine were in the rear room. Officers advised that the Black Horse machine must be removed as it was an illegal machine. There was also what looked like a bookmakers betting terminal on the wall. However officers could not see where money would be inserted and the men claimed it was just to look up results. The plan attached to the licence needed updating, officers advised they would email an application to them. Advised that smoking cannot take place in the premises or the room towards the rear of the premises as both are more than 50% enclosed. Recommended they contact development.control@enfield.gov.uk as their planning permission is less than their licenced hours. CCTV did not appear to be stored for 31 days, seemed to just be 27 but they said there had been an incident and the police had needed footage so this could have been why. Given 14 days to comply. **See Appendix 2.**

02/04/15 – Minor variation application sent via email for the attention of Mr Esendag. **See Appendix 3.**

10/04/15 - 20:30 – 20:40 Out of Hours Licensing Enforcement Officers (EVG/CT) entered premises and met with Ms Zehra Akbica, the wife of the Premises Licence Holder, who was also present. Following outstanding conditions checked: C2 - CCTV now recording for 31 days. The Black Horse machine in rear room was still there but switched off and pulled away from the wall. The betting terminal screen on the wall opposite the counter was switched off. Advised that the plan is still not accurate, so a minor variation would need to be submitted. Discussed whether they actually needed a licence, they would like to continue to offer Late Night Refreshment so they do. Inspection report completed, copy signed by and issued to Ms Akbica. **See Appendix 4.**

08/06/15 – Letter sent to premises as minor variation not yet received. **See Appendix 5.**

23/06/15 – Minor variation and new plan submitted.

06/08/15 – A Licensing Enforcement Officer contacted the local Gambling Commission Compliance Officer for advice on the legality of Joker Poker machines. These machines often state 'For Amusement Only'.

The Gambling Commission Officer advised that:

1. As poker is a game of chance the machines displaying poker are gaming machines.

2. Gaming machines must be supplied by a Licensed (by the Gambling Commission) Gaming machine supplier.
3. Gaming machines must comply with the Commission's technical standards – joker poker machines have never been tested therefore would not comply with technical standards.
4. Gaming machines must meet the S240 Regulations i.e. display appropriate signage, Social Responsibility information, stakes and prizes, gaming machine category.

The Gambling Commission Officer also stated that if officers simply ask the premises owner to remove the machines, the machines would remain in circulation and be moved to another premises in the borough. They therefore recommended seizing the machines instead.

30/03/16 – Police received an allegation that drug taking and gambling takes place at the premises. CAD5877.

23/05/16 – Advice letter sent to premises prior to Operation Bandit stating what machines were not allowed and the consequences of having such machines on the premises. **See Appendix 6.**

06/06/16 – Operation Bandit Day 1 – 13:15 – 14:15. Premises were visited by Licensing Enforcement Officers (EVG/VPK), HMRC, Police Licensing Officers (MF) and Gambling Commission Officer (CK). Six illegal gaming machines were seized from this premises along with betting slips and a notebook. **See Appendix 7 for the Search Notice, Appendix 8 for the Disclaimer to Property form and Appendix 9 for photos of the machines.**

17.06.16 - 19:55 – Out of Hours Licensing Enforcement Officers (EVG/CPX) visited the premises. Met with Mr Sadi Esendag, who is licence holder and the owner's brother. Advised licence is suspended as annual fee had not been paid. Request to resend renewal letter. No machines on site, checked all back rooms, and outside, no evidence. Inspection report completed, signed by Mr Esendag and copy left. **See Appendix 10.** Saw customers smoking inside - apparently he was just visiting from Cyprus – verbally warned.

27/06/16 - Follow up letter sent to premises addressed to the owner of the illegal gaming machines asking them to make contact with the Licensing Enforcement Team by 04/07/16. No response was received and the machines were later destroyed. £150.20 was removed from the machines.. **See Appendix 11.**

16/09/16 – 20:55 – 21:10 - Out of Hours Licensing Enforcement Officers (VPK/CPX) visited the premises to see if there were any gaming machines. Two were seen in the premises, one £100 jackpot and one £75 jackpot. Advised that machines would not be permitted unless there was a current alcohol licence and correct notification given. Owner claimed he had an alcohol licence - there were Budweiser's in the fridge although he said they were for their own consumption and an annual fee letter on the wall - he kept pointing to the word alcohol on it - Officers explained several times that the letter said they have a licence for one or more licensable activity (i.e. alcohol, late night refreshment or regulated entertainment) and that he was only licensed for late night refreshment as shown on the licence which was also on display. He claimed that he had also paid for what sounded like a notification - officers explained that without alcohol on the licence he could not give notification.

He seemed convinced so officers said they would double check the system and get back to him. Inspection report left. **See Appendix 12.**

29/09/16 – Licensing Enforcement Officer (CPX) and Police Licensing Officer (KS) visited the premises. The two illegal machines were still on the premises. The Premises Licence Holder was not there but an inspection report was left on site for him advising that they must be removed as the premises was not licensed for the sale of alcohol so there was no legal way they could be there. **See Appendix 13.**

12/12/16 – Operation Bandit Day 2 - two Joker Poker gaming machines were seized. No one at the premises would sign the paperwork. **See Appendix 14 for the Search Notice, Appendix 15 for the Disclaimer to Property form and Appendix 16 for photos of the machines.** No one came forward to claim the machines and they too were destroyed. £6.10 was removed from the machines.

The premises licence holder has been written to and invited to attend a formal interview under caution as part of a potential prosecution.

Additional Information:

DCMS Guidance (11.27) states that there are certain criminal activities that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. The list includes unlawful gambling.

DCMS guidance (11.28) goes on to say that it is envisaged that responsible authorities will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

The Licensing Authority is of the opinion that the problems associated with the alleged crimes are affecting the promotion of the licensing objectives. The Licensing Authorities duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual licence holder.

Conclusion:

Enfield Licensing Authority is seeking a review of the premises licence on the grounds that the repeated siting of illegal gaming machines at this premises undermines the prevention of crime and disorder licensing objective and that this is detrimental to the wider community. The Licensing Authority have lost confidence in the premises licence holder as they have ignored repeated advice and have continued to replace the seized machines with other illegal machines.

The Licensing Authority reserve the right to add any additional information to support this review application.

Suspension of Licence:	N
Revocation of Licence:	Y
Recommended period of suspension (max 3 months):	

The Secretary of State believes that unlawful gambling should be treated particularly seriously and that where licence reviews are submitted and the licensing authority determines that the crime prevention objective is being undermined revocation of the licence, even in the first instance should be seriously considered.

Please tick yes

Have you made an application for review relating to this premises before Yes ☐

If yes please state the date of that application

Day Month Year

If you have made representations before relating to these premises please state what they were and when you made them.

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☐
- I understand that if I do not comply with the above requirements my application will be rejected ☐

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**



Signature:

Date: 13th January 2017

Capacity: Senior Licensing Enforcement Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

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LICENSING AUTHORITY REPRESENTATION

ADDITIONAL INFORMATION

Name and address of premises: Lefke Social Club
281 Hertford Road
London
N9 7ES

Type of Application: Review of Premises Licence

Detailed below is additional information not previously included in the review application submitted on 13/01/17:

13.01.17 – 22:15 – 22:17 - Out of Hours Noise Officer (CLB) hand delivered the review application to the premises. On entering the premises there was a strong smell of cigarettes smoke. The officer advised staff that smoking inside was not permitted. The premises licence holder was not on the premises and the staff advised that he was on holiday in Cyprus. A further copy of the PACE interview letter was also delivered as no response had been received. Staff did not know if the premises licence holder would be attending the interview. **See Appendix 17.**

17.01.17 – Left voicemail from Premises Licence Holder asking if he would be attending the interview on 20/01/17. Also sent email to last email address provided. No reply and no one attended interview – **See Appendix 18.**

20.01.17 – 22:15 - Out of Hours Licensing Enforcement Officers (CPX/VPK) visited the premises to see why the Premises Licence Holder did not attend interview. Premises closed.

31.01.17 – Licensing Enforcement Officer (CPX) phoned PLH and a male answered saying he was Mr Esendag. The Officer started to talk to him but he did not appear to understand and the phone was passed to a female. She said that the male was the PLH's brother and she was the brother's wife. She said it was her husband's phone and that the address given to the Principal Licensing Officer earlier that day was their address. She said that the PLH was in Cyprus and she was not sure if he would be returning. Second Interview invite letter sent to PLH.

10.02.17 - 20:45 - 20:52 – Licensing Enforcement Officer and Police Licensing Officer (CPX/MFX) visited premises which was open with three men playing cards at the back and 2 younger females and two younger males - early 20's eating takeaway food from somewhere else near the counter. No gaming machines on site. The PLH was not there and no one was in charge. Left a report asking Mr Esendag to contact Licensing Enforcement Officer.

Duly Authorised: Charlotte Palmer, Licensing Enforcement Officer

Contact: charlotte.palmer@enfield.gov.uk



Signed:

Date: 13/02/2017

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Mr Sadi Esendag
G8 Tower Point
52 Sydney Road
Enfield
EN2 6SZ

Please reply to: Charlotte Palmer
Licensing Enforcement Officer
Pollution Control, Planning and
Licensing Enforcement Team
Regulatory Services
Tel: 0208 379 3965
Fax: 0208 379 2190
Minicom:
Email: charlotte.palmer@enfield.gov.uk
My Ref: WK/214092584
Your Ref:
Date: 9th March 2015

Dear Mr Esendag

Lefke Social Club, 281 Hertford Road, London, N9 7ES

I write to you as the premises licence holder of the above premises.

The police visited the premises on Friday 27th February 2015 and noted that during their visit there were 2 males drinking what looked like whisky, that on entering the premises there was a heavy smell of smoke and smoke was visible in the air and that Part B of the premises licence was not on display.

Licensing Act 2003

Since the Licensing Act 2003 came into force on 24th November 2005 premises may only sell alcohol, provide regulated entertainment or sell hot food and / or hot drink between the hours of 11pm – 5am if they have the benefit of a premises licence. The sale of alcohol also requires a designated premises supervisor who must be a Personal Licence holder.

Your premises only has a premises licence for late night refreshment, therefore no alcohol can be sold or stored on the premises and no entertainment can be provided. Allowing any of these activities to take place is a criminal offence and each has a fine of up to £20,000 or six months imprisonment.

It is a legal requirement that Part B of the licence be displayed at the premises, please ensure that this is done.

Ian Davis
Director - Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY

Phone: 020 8379 1000
Website: www.enfield.gov.uk

CUSTOMER
SERVICE
EXCELLENCE



The Government Standard

Health Act 2006 - Smoke-Free Legislation

Since 1st July 2007 it has been illegal to smoke in enclosed and substantially enclosed public places.

Failure to comply with this legislation is a criminal offence and individuals can be fined a fixed penalty of £50 for smoking in a smoke-free premises (or £30 if paid within 15 days). They could also be prosecuted and face a fine of up to £200. If the management or person in control of any no smoking premises fails to prevent smoking, they could be prosecuted and face a fine up to £2,500.

Please ensure that no one smokes inside the above premises and remind any smokers that if they stand outside the premises smoking they should do so in a quiet manner to avoid creating a noise disturbance to local residents. They should also be advised not to throw their cigarette butts on the floor as the penalty littering can be an £80 fixed penalty notice (or £50 if paid within 10 days) and failure to pay the fine can lead to prosecution and a fine of up to £2,500. If litter becomes a regular problem outside your premises, your business may be served with a street litter control notice obliging you to keep the area clear.

Officers shall carry out further observations and may visit your premises again.

Yours sincerely

Charlotte Palmer
Licensing Enforcement Officer

cc: Mr Esendag Lefke Social Club, 281 Hertford Road, London, N9 7ES

REF: WK/2140 92584

LICN_1

LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	Leffe Becithale social club & snooker		
Premises Address	281 Herford Road, London, N9 7ES		
Time of Visit:	Start: 22-35	Finish: 23-30	

During an inspection of your premises onFriday 27th March 2015....., the following was checked:

Part B of Premises Licence displayed?

Yes ☐No ☒

Address & tel no. of PLH & DPS on licence correct?

Yes ☒No ☐

(If incorrect, insert new details below)

Conditions of licence checked?

Yes ☒No ☐

No. of condition not in compliance	Evidence/Advice
1	The plan attached to the premises licence needs updating. Charlotte Palmer will email a minor variation application to esliakbre@hotmail.com
2	Advised that smoking can not take place inside the building or the room at the back as both are more than 50% enclosed.
3	Advised to remove black horse machine as illegal. Photos taken or betting terminal further advice will follow.
Any other matter(s) that need addressing: I recommend you contact development control @enfield.gov.uk as the premises only has planning permission to open until 1am but the licence is 24 hour opening and the premises does remain open after 1am. Please ensure CCTV footage is stored for 31 days.	

You are required to have the above matters attended to within 14 days of this notice. Failure to rectify the above breaches may constitute a criminal offence and result in legal proceedings being brought against you.

LICENSING ENFORCEMENT	RECIPIENT OF NOTICE
Signature of Officer on visit: <i>Palmer</i>	Signature: <i>Sadi Esendag</i>
Print Name: Charlotte Palmer @enfield.gov.uk CHARLOTTE PALMER 0208 379 3965	Print Name & Position: <i>Sadi Esendag</i>

Licensing Enforcement, Civic Centre, Silver Street, Enfield, EN1 3XH, Tel: 020 8379 1767
Police Licensing Officer, Civic Centre, Silver Street, Enfield, EN1 3XH Tel: 0208 379 6112

For queries relating to new applications, variations, vary DPS, Temporary Event Notices, address changes etc, please contact the Licensing Team on 0208 379 3578 or licensing@enfield.gov.uk.

Download the appropriate application forms at http://www.enfield.gov.uk/info/200007/licensing_and_registration.

Material such as leave quietly signs, training guidance and refusals book is available to download and print at http://www.enfield.gov.uk/downloads/download/2316/compliance_documents

Appendix 3 .

From: Charlotte Palmer

Sent: 02 April 2015 10:39

To: 'esliakbie@hotmail.com'

Subject: Gecitkale Social Club and Snooker [SEC=PROTECT:INVESTIGATION]

Classification: PROTECT - INVESTIGATION

Hi,

Please find attached a minor variation application form as promised. If Mr Esendag decides that he want to keep the premises licence which allows him to sell hot food and hot drink after 23:00 then he must submit an application along with an accurate, up-to-date plan. The plan forms part of the licence and a criminal offence occurs if the licence is used whilst the plan is not accurate.

Please submit the application within the next 14 days.

Should Mr Esendag decide that he no longer wants to sell hot food or hot drink after 23:00 then the licence can be surrendered. This must be done in writing and the licence must be returned to the Licensing Team.

Regards

Charlotte Palmer

Licensing Enforcement Officer

Pollution Control, Planning and Licensing Enforcement

Planning, Highways & Transportation, Regeneration & Environment Department

Enfield Council

Silver Street

Enfield

EN1 3XH

Email: charlotte.palmer@enfield.gov.uk

Classification: PROTECT – INVESTIGATION

From: Charlotte Palmer

Sent: 02 April 2015 10:41

FORGOT TO ATTACH, FURTHER EMAIL SENT

To: esliakbie@hotmail.com

Subject: FW: Gecitkale Social Club and Snooker [SEC=PROTECT:INVESTIGATION]

Classification: PROTECT - INVESTIGATION

Apologies, please find the forms attached to this email.

Appendix 4
LICN_1

REF: WK/

214092584 LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	Lefne Social Club	
Premises Address	281 Hatford Rd N9 7ES	
Time of Visit:	Start: 20:30	Finish: 20:40

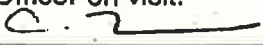
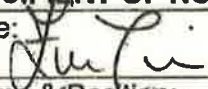
During an inspection of your premises on 10/4/2015, the following was checked:

Part B of Premises Licence displayed?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Address & tel no. of PLH & DPS on licence correct?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	(If incorrect, insert new details below)
Conditions of licence checked?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

No. of condition not in compliance	Evidence/Advice
	To submit minor variation for updated plans

Any other matter(s) that need addressing:

You are required to have the above matters attended to within 7 days of this notice. Failure to rectify the above breaches may constitute a criminal offence and result in legal proceedings being brought against you.

LICENSING ENFORCEMENT	RECIPIENT OF NOTICE
Signature of Officer on visit: 	Signature: 
Print Name: C. TOMASO	Print Name & Position: JEHRA HRAICAK

Licensing Enforcement, Civic Centre, Silver Street, Enfield, EN1 3XH, Tel: 020 8379 1767
Police Licensing Officer, Civic Centre, Silver Street, Enfield, EN1 3XH Tel: 0208 379 6112

For queries relating to new applications, variations, vary DPS, Temporary Event Notices, address changes etc, please contact the Licensing Team on 0208 379 3578 or licensing@enfield.gov.uk.

Download the appropriate application forms at http://www.enfield.gov.uk/info/200007/licensing_and_registration.

Material such as leave quietly signs, training guidance and refusals book is available to download and print at http://www.enfield.gov.uk/downloads/download/2316/compliance_documents

ENFIELD
Council



Appendix 85

Mr Sadi Esendag
Lefke Social Club
281 Hertford Road
London
N9 7ES

Please reply to: Charlotte Palmer
Licensing Enforcement Officer
Pollution Control, Planning and
Licensing Enforcement Team
Regulatory Services
Tel: 0208 379 3965
Fax: 0208 379 2190
Minicom:
Email: charlotte.palmer@enfield.gov.uk
My Ref: WK/214092584
Your Ref:
Date: 8th June 2015

Dear Mr Esendag

Lefke Social Club, 281 Hertford Road, London, N9 7ES

I write to you as the premises licence holder of the above premises.

Licensing Enforcement Officers visited the premises on 27/03/15 and advised you that the plan attached to the premises licence is not accurate so a minor variation must be submitted to update the plans. Officers visited again on 10/4/15 and again advised Ms Akbica that the plan attached to the premises licence needs to be updated. **To date the Council still has not received a minor variation application to address this matter.**

As the plans form part of the premises licence they must be accurate otherwise those responsible for the premises will be guilty of carrying on or attempting to carry on licensable activities otherwise than under and in accordance with an authorisation (ie. the premises licence). **This is an offence under s.136 of the Licensing Act 2003 and carries a fine of up to £20,000 or six months imprisonment.**

I have enclosed another minor variation application form for you to use. Please submit the application and new accurate plans by **Monday 22nd June 2015.**

Yours sincerely

Charlotte Palmer
Licensing Enforcement Officer

cc: Mr Sadi Esendag, G8 Tower Point, 52 Sydney Road, Enfield, EN2 6SZ

Ian Davis
Director - Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY

Phone: 020 8379 1000
Website: www.enfield.gov.uk

CUSTOMER
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The Government Stands



Lefke Social Club,
281 Hertford Road,
LONDON,
N9 7ES.

Please reply to: Ellie Green
Principal Licensing Officer

Licensing Team, B Block North
Civic Centre, Silver Street
Enfield

E-mail : Ellie.green@enfield.gov.uk

My Ref : May 2016 Illegal Gaming Machines

Your Ref : May 2016 Illegal Gaming Machines

Date : 23 May 2016

Dear Premises Owner,

GAMBLING ACT 2005 – GAMING / FRUIT MACHINES

The Licensing Authority is writing to inform clubs, minicab/taxi firms, social clubs and take away premises operating in the Enfield Council area of the increasing amount of illegal gaming machines that are being found within these establishments across the borough.

You are advised that the following machines are not permitted:

- Joker Poker gaming machines – these may not all pay out cash but accrue credits which are redeemed in another way.
- Black Horse gaming machines.
- Betting Terminals.

Black Horse machines and betting terminals are not authorised by the Gambling Commission here in the UK and cannot be legally sited on your premises. There is not an application process that will enable you to be able to have these machines on your premises.

The joker poker machines are gambling machines and the continued playing of these machines whereby points are converted into cash is a criminal offence for which you will be liable for prosecution, again there is not an application process that will enable you to have these machines on your premises.

It is an offence under Section 242 of the Gambling Act 2005 for you to allow a gaming machine to be illegally sited on your premises and carries an unlimited fine and / or 51 weeks imprisonment upon conviction.

Ian Davis
Director of Regeneration
and Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY



Website: www.enfield.gov.uk

Any premises that has an alcohol licence, and which have a bar at which alcohol is served for consumption on the premises without requirement that alcohol is served only with food. Such premises may provide up to two gaming machines of categories C or D by way of a simple notification procedure.

The Licensing Act 2003 and the Gambling Act 2005 restricts the gaming machines that can be operated on an alcohol licensed premises to categories C and D. The level of stakes and prizes define the category of a machine.

Category of Machine	Maximum stake	Maximum prize
C	£1	£70
D	10p or 30p when non-monetary prize	£5 cash or £8 non-monetary prize

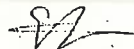
These machines must be distributed by a supplier that is registered with the Gambling Commission and the machine must comply with the Code of Practice in terms of the no under 18's signage, show the amount of stakes and prizes and have a visible serial number.

It is in your own interest to ensure that any and all illegal machines are removed from your premises immediately. No further warning will be issued and this Authority will carry out enforcement visits, and any illegal machines found in your premises will be seized and potentially destroyed. **Failure to remove the machines will also put you at risk of prosecution by Enfield Council.**

In writing to you at this moment, I will also remind you that if you have gaming machines on the premises you must also ensure that you have registered with Her Majesty Revenue and Customs for Gaming Machine Duty to be paid. This is a separate requirement to ensuring you have a permit from the Licensing Authority.

If any of the above is unclear or you require further clarification please contact me on 0208 379 8543.

Yours sincerely,



Ellie Green
Principal Licensing Officer

IMPORTANT – Register for an Enfield Connected account today, it will make it easier for you to access services online – www.enfield.gov.uk/connected

Appendix 7

L.B. ENFIELD TRADING STANDARDS INFORMATION TO THE OCCUPIER

Notice of the powers to search premises and the rights of occupiers Police and Criminal
Evidence Act 1984 Code of Practice

Address of Premises <u>Leffe Social Club, 281 Hertford Rd, N9 7ES</u>	
Type of Premises <u>Social club</u>	Occupier _____
POWER UNDER WHICH SEARCH MADE (TICK WHICH APPLIES)	
WARRANT (Officers powers are summarised overleaf)	
<input type="checkbox"/> under _____ Act _____	Date granted _____ By _____
STATUTORY POWER (These powers are summarised overleaf)	
<input checked="" type="checkbox"/> Statutory powers under: Gambling Act 2005/Police and Criminal Evidence Act 1984	
WRITTEN CONSENT (TICK THOSE WHICH APPLY AND OBTAIN A SIGNATURE)	
With the written consent of a person entitled to grant entry (only applicable if not under warrant or statutory powers)	
<input type="checkbox"/> I HEREBY CONSENT TO OFFICERS OF THE L.B. ENFIELD TRADING STANDARDS SEARCHING THE ABOVE NAMED PREMISES. I UNDERSTAND THAT ANYTHING FOUND MAY BE USED IN COURT PROCEEDINGS.	
<input type="checkbox"/> I HEREBY CONSENT TO THE OFFICER MAKING USE OF EQUIPMENT ON THESE PREMISES, NAMELY A TILL SCANNER OR OTHER SIMILAR EQUIPMENT FOR THE PURPOSE OF CHECKING PRICES ON THESE PREMISES. I UNDERSTAND THAT ANY INFORMATION PRODUCED MAY BE USED IN COURT PROCEEDINGS.	
Signature: <u>[Signature]</u>	Name (Capitals) <u>Stefra Vasileva</u>
Status relative to premises <u>waitress</u>	<u>[Redacted]</u>
Premises Searched Record	
OFFICER IN CHARGE OF SEARCH	
Name: <u>Ellie Green</u>	Date <u>6/6/16</u>
Position: <u>Principal Licensing Officer</u>	Time Start <u>1.15pm</u> Finish <u>2.15pm</u>
OFFICERS PRESENT AT SEARCH (Show Name & Organisation)	
<u>Victor Utrakis - LBE</u>	
<u>PC Mortyn Fisher</u>	
<u>Chander Kala - Gambling Commission</u>	
Entry Forced: YES/NO - If yes state reasons: _____	
Damage - caused on entry or during search and circumstances: _____	
Arrangements to Secure Premises: _____	
Extent of Search: <u>Premises, back rooms, under counter</u>	
Search Register No: _____	

L.B. ENFIELD TRADING STANDARDS INFORMATION TO THE OCCUPIER

Notice of the powers to search premises and the rights of occupiers Police and Criminal
Evidence Act 1984 Code of Practice

SUMMARY OF POWERS OF SEARCH

THE OCCUPIER SHOULD KEEP THIS COMPLETED FORM IN A SAFE PLACE IN CASE IT IS NEEDED FOR FUTURE REFERENCE.

THE STATUTORY POWERS TO SEARCH PREMISES AND THE RIGHTS OF OCCUPIERS VARY DEPENDING UPON THE STATUTE BEING ENFORCED. THE FOLLOWING IS A SUMMARY OF THE GENERAL POWERS, BUT FULL DETAILS OF SPECIFIC POWERS WILL BE SUPPLIED ON REQUEST.

- An officer may for the purpose of ascertaining whether an offence has been committed, enter premises (other than those used solely as a dwelling) and inspect goods.
- If there is reasonable cause to suspect that an offence has been committed, an Officer may require the production of books or documents relating to the trade or business and may take copies of, or an entry in, any such document.
- If there is reasonable cause to believe an offence has been committed, an Officer may seize and detain any goods for the purpose of ascertaining whether an offence has been committed.
- An Officer may seize and detain any goods or documents that there is reason to believe may be required as evidence in proceedings for an offence.
- In certain circumstances an Officer may require any person with authority to do so to break any container or vending machine and if that person does not comply, the Officer may do so.
- An Officer may seize and detain weighing or measuring equipment if s(he) has reasonable cause to believe it may be liable to be forfeited.
- For the purpose of ascertaining whether there has been any contravention of a safety provision, an Officer may examine any procedure (including testing arrangements) connected with the production of the goods.

SEIZE AND SIFT

- An Officer may remove material from premises so that they can examine it elsewhere where it is not possible to examine it properly on the premises due to constraints of time or technology.
- An Officer may also retain material which would not otherwise be seizable, but which is "inextricably linked" (such information held on a computer) to other material they do have grounds to seize.

IT IS A SEPARATE OFFENCE TO OBSTRUCT AN OFFICER IN EXERCISING THEIR STATUTORY POWERS.

RIGHTS OF THE OCCUPIER

- The occupier has the right to demand the production of the officers credentials.
- All information relating to manufacturing process or trade secrets will be treated as confidential.
- No item may be seized which is subject to legal privilege unless it is inextricably linked to material seized under 'seize and sift' powers. No item will be retained if a copy of a photograph will suffice.
- The person who has custody of control of the goods immediately prior to seizure will be provided on request a list or description of the property within a reasonable time.
- If goods or documents are seized the Officer shall inform the person from whom they were seized. That person or a representative will be allowed supervised access to the property to examine it, photograph or photocopy it, unless the Officer in charge has reasonable grounds for believing that this would prejudice the investigation of any offence.
- Compensation may be payable in appropriate cases for damage caused in entering or searching premises. In certain circumstances compensation may also be paid for losses incurred by virtue of seizure, loss, damage or deterioration of goods. Any claim should be made in writing and sent to the address below:
- L.B. Enfield Trading Standards Service,
- P.O.Box 57, Silver Street, Enfield, EN1 3XH
- If you have any complaint concerning the conduct of Officers on this visit then details of the Enfield Council Public Complaints Procedure are available. Please contact the Group Manager, Environmental Services at the address above or telephone 020-8379 1767.

POLICE AND CRIMINAL EVIDENCE ACT 1984 CODES OF PRACTICE

A copy of the 'Code of Practice for the searching of Premises' -

Code B, is available for you to consult at the offices of the Trading Standards Service and in main public libraries. It is also available for you to view online at www.opsi.gov.uk. This notice is a summary only of the provisions of the Code which should be consulted if you require further details.

TRANSLATIONS You can obtain a free translation of this notice by sending a copy of it to the above address and stating which language you would like it translating into.

REF: WK/

Appendix 8

LICENSING ENFORCEMENT DISCLAIMER TO PROPERTY – ILLEGAL GAMING MACHINES

Premises Name	Refuge & Qecitvale Social Club & Snacks	
Premises Address	281 Hartford Rd, N9 7ES	
Date of Visit:	6/6/2016	
Time of Visit:	Start: 1.15pm	Finish:

I, (name in CAPITAL LETTERS) Mr Inan Kaygisi
 Of (Address) 10 Dark Lane, Cheshunt, EN7 5EB
07734484827

Please tick the appropriate box: I am the owner of the machine(s) Yes ☐ No ☒

I hereby disclaim all rights of possession and ownership of the following items of property:

No. of items in words and figures	Items of Property (full description of machine including model number)
3(three)	Royal Flush 500 (Joker Poker) machines
1(one)	Cyber View machine
1(one)	Impulse connect-share-play terminal
1(one)	_____
1(one)	Multigame Amusement Only
1(one)	The Global Draw betting slip
1(one)	Notebook
11(eleven)	betting slips 10(ten) betting slip

The person disclaiming must sign immediately after the last item, insert the date and draw a diagonal line through any unused space.

You are required to notify the owner of the above property about the seizure. The owner must contact Licensing on 0208 379 3965 or licensing@enfield.gov.uk WITHIN 28 DAYS OF THIS NOTICE. Failure to come forwards will result in the destruction of the machine(s). Money from the machine(s) will be retained by the Local Authority and donated to charity. The owner of the machine(s) is at risk of committing criminal offences under the Gambling Act 2005 and legal proceedings may be instigated.

WITNESSED BY:	RECIPIENT OF DISCLAIMER
Signature of Officer on visit: <u>EUG.</u>	Signature: <u>[Signature]</u>
Print Name: <u>Ellie Green</u>	Print Name & Position: <u>Mr Inan Kaygisi</u> <u>Friend</u>
Position: <u>Principal Licensing Officer</u>	Email/Tel: <u>As above</u>

Mr Mustafa Ahmed named on several items of past addressed to premises.
 Mr Sadi Esendag, on licence display
 Owner is Cetin 07404590020.



Appendix 9









Appendix 10

REF: WK/ 216019195

LICN_1

LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	Leffe Social Club	
Premises Address	281 Hartford Rd, N9 7ES.	
Time of Visit:	Start: 19.55	Finish: 20.15

During an inspection of your premises on17..... June..... 20.16....., the following was checked:

Part B of Premises Licence displayed?

Yes ☒No ☐

Address & tel no. of PLH & DPS on licence correct?

Yes ☒No ☐

(If incorrect, insert new details below)

Conditions of licence checked?

Yes ☐No ☒

No. of condition not in compliance	Evidence/Advice
	Licence is suspended as the annual fee for the premises licence has not been paid. Until the renewal fee has been paid, no hot food or drink may be served/sold between 11pm and 5am.

Any other matter(s) that need addressing: Please refer to renewal letter on how to make payment.

You are required to have the above matters attended to withindays of this notice. Failure to rectify the above breaches may constitute a criminal offence and result in legal proceedings being brought against you.

LICENSING ENFORCEMENT	RECIPIENT OF NOTICE
Signature of Officer on visit: EUG	Signature: 
Print Name: Ellie Green.	Print Name & Position: Mr Sadi Esendağ
Email/Tel: ellie.green@enfield.gov.uk	Email/Tel: 07404590020

Application forms can be downloaded at <https://new.enfield.gov.uk/services/business-and-licensing/>.

*request to resend renewal letter





To:
Owner of illegal gaming machine(s)
Lefke Social Club,
281 Hertford Road,
N9 7ES

Please reply to: Ellie Green
Principal Licensing Officer
Licensing Team, B Block North
Civic Centre, Silver Street
Enfield
E-mail : Ellie.green@enfield.gov.uk
My Ref : June 2016 Illegal Gaming Machines
Your Ref : June 2016 Illegal Gaming Machines
Date : 27 June 2016

Dear Sir/Madam,

GAMBLING ACT 2005 – ILLEGAL GAMING MACHINES / POLICE AND CRIMINAL EVIDENCE ACT 1984

On 6 June 2016, the Licensing Authority seized illegal gaming machine(s) from the following premises, namely: 3 x Royal Flush Joker Poker Gaming Machines, 1 x Red Unnamed machine, 1 x Impulse machine - connect share play and 1 x Multi Game Amusement Only machine.

It is an offence under Section 242 of the Gambling Act 2005 for a gaming machine to be illegally sited on any premises. It is also an offence under Section 243 of the Gambling Act 2005 to supply a gaming machine which does not comply with Section 241 of the Gambling Act 2005 and/or the supplier does not have the appropriate operating licence. Both offences carry an unlimited fine and / or 51 weeks imprisonment upon conviction.

In May 2016, the Local Authority wrote to this premises to advise that machines, such as those seized, are not permitted and all illegal machines must be removed from the premises immediately.

As the owner of the machines, you must contact me on 0208 379 9543 or ellie.green@enfield.gov.uk **BY 4 JULY 2016**. You will be invited for an interview under caution, which will also be attended by the Gambling Commission. Legal proceedings may be instigated.

Failure to come forwards by this date letter will result in the destruction of the machine(s). Money from the machine(s) will be retained by the Local Authority and donated to charity.

Yours sincerely,

Ellie Green
Principal Licensing Officer

IMPORTANT – Register for an Enfield Connected account today, it will make it easier for you to access services online – www.enfield.gov.uk/connected

Ian Davis
Director of Regeneration
and Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY



Website: www.enfield.gov.uk

? If you need this document in another language or format call Customer Services on 020 8379 1000, or email enfield.council@enfield.gov.uk

REF: WK/ 216019195.

Appendix 12
LICN_1

LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	Leffe Social Club	
Premises Address	281 Herford Rd	
Time of Visit:	Start: 20.55	Finish: 21.10

During an inspection of your premises on 16th September 2016, the following was checked:Part B of Premises Licence displayed? Yes ☐ No ☐Address & tel no. of PLH & DPS on licence correct? Yes ☐ No ☐ (If incorrect, insert new details below)Conditions of licence checked? Yes ☐ No ☐

No. of condition not in compliance	Evidence/Advice
	Visit to check if any gaming machines on premises. 2 machines (gaming) one with £100 and one with £5 jackpot.
	Advised that machines would not be permitted unless there was a current alcohol licence and correct notification given.

Any other matter(s) that need addressing: 07405838634 Mustafa
officer to check status of licence and inform owner of findings and will advise.

You are required to have the above matters attended to withindays of this notice. Failure to rectify the above breaches may constitute a criminal offence and result in legal proceedings being brought against you.

LICENSING ENFORCEMENT	RECIPIENT OF NOTICE
Signature of Officer on visit: 	Signature: <u>MUSTAFA</u>
Print Name: VICTOR KTORAKIS	Print Name & Position: <u>M. J. K.</u>
Email/Tel: <u>02083793602</u> <u>victor.ktorakis@enfield.gov.uk</u>	Email/Tel:

Application forms can be downloaded at <https://new.enfield.gov.uk/services/business-and-licensing/>.licensing@enfield.gov.uk

Appendix 13

REF: WK/ 216035352

LICN_1

LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	Lepke social club	
Premises Address	281 Hertford Road, London, N9 7ES	
Time of Visit:	Start: 13.05	Finish: 13.10

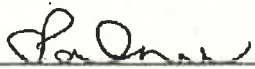

During an inspection of your premises on 29th September 2016, the following was checked:

Part B of Premises Licence displayed? Yes ☐ No ☒
 Address & tel no. of PLH & DPS on licence correct? Yes ☐ No ☒ (If incorrect, insert new details below)
 Conditions of licence checked? Yes ☐ No ☒

No. of condition not in compliance	Evidence/Advice
1	Unit regarding gaming machines. Two on premises. The premises does not have a licence to sell alcohol therefore no machines are permitted & they must be removed. Please provide officers with information regarding who supplied the machines so that we can advise them on the law.

Any other matter(s) that need addressing: _____

You are required to have the above matters attended to within 7 days of this notice. Failure to rectify the above breaches may constitute a criminal offence and result in legal proceedings being brought against you.

LICENSING ENFORCEMENT	RECIPIENT OF NOTICE
Signature of Officer on visit: 	Signature: 
Print Name: CHARLOTTE PALMER	Print Name & Position: VARDINA
Email/Tel: Charlotte.palmer@enfield.gov.uk 0208 363793965	Email/Tel:

Application forms can be downloaded at <https://new.enfield.gov.uk/services/business-and-licensing/>.

Appendix 14

L.B. ENFIELD TRADING STANDARDS INFORMATION TO THE OCCUPIER

Notice of the powers to search premises and the rights of occupiers Police and Criminal
Evidence Act 1984 Code of Practice

Address of Premises <u>Leffe Social Club, 281 Holford Rd, N9 7ES</u>	
Type of Premises <u>Social Club</u>	Occupier <u>Mr Sadi Esenderog</u>

POWER UNDER WHICH SEARCH MADE (TICK WHICH APPLIES)

WARRANT (Officers powers are summarised overleaf)

☐ under _____ Act _____ Date granted _____ By _____

STATUTORY POWER (These powers are summarised overleaf)

☒ Statutory powers under: Gambling Act 2005/Police and Criminal Evidence Act 1984

WRITTEN CONSENT (TICK THOSE WHICH APPLY AND OBTAIN A SIGNATURE)

With the written consent of a person entitled to grant entry (only applicable if not under warrant or statutory powers)

☒ I HEREBY CONSENT TO OFFICERS OF THE L.B. ENFIELD TRADING STANDARDS SEARCHING THE ABOVE NAMED PREMISES. I UNDERSTAND THAT ANYTHING FOUND MAY BE USED IN COURT PROCEEDINGS.

☐ I HEREBY CONSENT TO THE OFFICER MAKING USE OF EQUIPMENT ON THESE PREMISES, NAMELY A TILL SCANNER OR OTHER SIMILAR EQUIPMENT FOR THE PURPOSE OF CHECKING PRICES ON THESE PREMISES. I UNDERSTAND THAT ANY INFORMATION PRODUCED MAY BE USED IN COURT PROCEEDINGS.

Signature NOT Name (Capitals) _____

Status relative to premises GIVEN

OFFICER IN CHARGE OF SEARCH	
Name: <u>Ellie Green</u>	Date <u>6/6/16</u> <u>12/12/16</u>
Position: <u>Principal Licensing Officer</u>	Time Start <u>13.50</u> Finish <u>14.15</u>

Premises Searched Record

OFFICERS PRESENT AT SEARCH (Show Name & Organisation)	
<u>Pc Martin Fisher - Met Police</u>	
<u>Andy Isaac - Gambling Commission</u>	
Entry Forced: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> If yes state reasons: _____	
Damage – caused on entry or during search and circumstances: _____	
Arrangements to Secure Premises: _____	
Extent of Search: <u>Premises / bar</u>	
Search Register No: _____	

REF: WK/

Appendix 15

LICENSING ENFORCEMENT DISCLAIMER TO PROPERTY – ILLEGAL GAMING MACHINES

Premises Name	Lefko Social Club	
Premises Address	281 Hertford Rd, N9 7ES	
Date of Visit:	12 December 2016	
Time of Visit:	Start: 13.50.	Finish: 14.15.

I, (name in CAPITAL LETTERS)
 Of (Address)

Please tick the appropriate box: I am the owner of the machine(s) Yes ☐ No ☒

I hereby disclaim all rights of possession and ownership of the following items of property:

No. of items in words and figures	Items of Property (full description of machine including model number)
2(two)	Joker Poker machines seized.
	EWG/1 - 002597
	EWG/2 - 002596.
	Mr Mustafa Yusuf named on several letters.

The person disclaiming must sign immediately after the last item, insert the date and draw a diagonal line through any unused space.

You are required to notify the owner of the above property about the seizure. The owner must contact Licensing on 0208 379 3965 or licensing@enfield.gov.uk WITHIN 28 DAYS OF THIS NOTICE. Failure to come forwards will result in the destruction of the machine(s). Money from the machine(s) will be retained by the Local Authority and donated to charity. The owner of the machine(s) is at risk of committing criminal offences under the Gambling Act 2005 and legal proceedings may be instigated.

WITNESSED BY:	RECIPIENT OF DISCLAIMER
Signature of Officer on visit: EWG	Signature: Refused to sign/give details
Print Name: Ellie Green	Print Name & Position:
Position: 0208 379 8543 ellie.green@enfield.gov.uk	Email/Tel:





REF: WK/ 216035352

LICN_1

LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	Lefke social club T/A	
Premises Address	281 Hertford Road, London, W9 7ES	
Time of Visit:	Start: 22-15	Finish: 22-17

During an inspection of your premises on FRIDAY 13TH JAN 2017, the following was checked:

Part B of Premises Licence displayed?

Yes ☐No ☒

Address & tel no. of PLH & DPS on licence correct?

Yes ☐No ☐

(If incorrect, insert new details below)

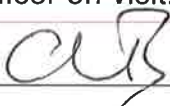
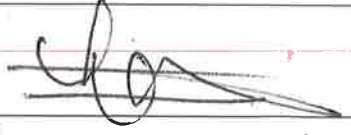
Conditions of licence checked?

Yes ☐No ☐

No. of condition not in compliance	Evidence/Advice
Visit to hand deliver licence review application and to find out whether the premises licence holder will be attending the interview on 20th Jan 2017 - additional interview letter left at premises.	
Left Licence review letter for Sadi. Tuesday	
Left letter for interview for Sadi. Tuesday	

Any other matter(s) that need addressing:

You are required to have the above matters attended to withindays of this notice. Failure to rectify the above breaches may constitute a criminal offence and result in legal proceedings being brought against you.

LICENSING ENFORCEMENT	RECIPIENT OF NOTICE
Signature of Officer on visit: 	Signature: 
Print Name: CHARLES COBURN	Print Name & Position: osman veli
Email/Tel: 0208 379 3688	Email/Tel:

Application forms can be downloaded at <https://new.enfield.gov.uk/services/business-and-licensing/>.

REQUEST FOR 90H LICENSING OBSERVATIONS / VISIT

Page 48

Work sheet Number:

WK/WK/216035352

Date & Time to
Observe/Visit:

Premises:

Lefke Social Club, 281 Hertford Road, LONDON, N9 7ES

Details of Task

INSTRUCTION:

- Please deliver the attached licence review ✓
- Please also deliver the attached interview letter which was sent on 29th Dec. Ask them to confirm if the Premises Licence Holder will be attending the interview, what language he speaks and whether he will be bringing a legal advisor.
- Get them to sign the attached inspection report to confirm receipt of the documents

BACKGROUND HISTORY:

LICENSING OBSERVATIONS

Date of Observations:

Location of Observations:

Time of Observations (start)

(finish)

Names of Officers:

Result of Obs.

Sade is on holiday in Cyprus
Not known if he will attend to interview on 20th
January 2017

Officer Signature

Date

Officer Signature

Date

From: Charlotte Palmer
To: ["esliakbie@hotmail.com"](mailto:esliakbie@hotmail.com)
Subject: Sadi Esendag [SEC=OFFICIAL]
Date: 17 January 2017 12:29:00

Classification: OFFICIAL

Hello,

I have previously been given this email address as a way of contacting Mr Sadi Esendag.

Please can you let me know if that is still the case.

I am trying to find out if he will be attending an interview I have arranged for Friday 20th Jan at 11am.

I wrote to him about this on 29th December 2016 but have not heard back from him.

Many Thanks

Charlotte Palmer
Senior Licensing Enforcement Officer
Environment & Regeneration
Enfield Council
Silver Street
Enfield
EN1 3XY

Tel: 0208 379 3965

Email: charlotte.palmer@enfield.gov.uk

Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities.

Classification: OFFICIAL

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POLICE REPRESENTATION

Name and address of premises: **Lefke Social Club**
 281 Hertford Road
 Edmonton
 N9 7ES

Type of Application: **Review (Licensing Authority)**

Worksheet number: **WK/216070998**

The Application

I certify that I have considered this review and **I wish to make representations** supporting the review application as activities at the premises are detrimental to the Licensing Objectives for the following reasons:

History

The Licence for this premises was granted in May 2006 and permitted late night refreshment only.

In February 2014 Police attended the venue and found card gambling and smoking occurring on the premises and words of advice were given.

In February 2015 an assault occurred at the venue whilst card games were being played. During the investigation CCTV could not be retrieved as the system was not working. During another visit in the same month, males were found drinking alcohol and a strong smell of smoke was apparent. Again advice was given regarding the sale and supply of alcohol.

In March 2016, during an inspection, illegal gaming machines were seen on the premises and the Licence holder was advised that these were not permitted under his licence and needed to be removed. A full explanation was given. A further visit showed that the machines had been removed. However, between June and September 2016 visits were made by both the Licensing Authority and the Police and illegal gaming machines were found along with customers smoking and alcohol on display in the fridge. All of these activities are illegal. The Licence holder was advised that all of the actions were not permitted and the machines needed to be removed but on two different occasions illegal gaming machines had to be seized from the premises, despite warning letters being sent. It is apparent that the Licence holder has no regard for his licence and no intention of promoting the licence objectives. In fact he is undermining the prevention of crime and disorder licensing objective by repeatedly sighting illegal gaming machines.

In summary I wish to make representation on the following:

- Prevention of crime & disorder

The Police have no confidence in the current Premises Licence Holder as a result of the repeated breaches of his licence and offences witnessed by the Licensing Authority and the Police and therefore support the Licensing Authority review to revoke the licence.

Officer: Karen Staff

Tel: 0208 379 3915

Karen.staff@met.pnn.police.uk

Date: 23rd January 2017

MUNICIPAL YEAR 2016/17 REPORT NO. 243

COMMITTEE :
Licensing Sub-Committee
8 March 2017

REPORT OF :
Principal Licensing Officer

LEGISLATION :
Licensing Act 2003

Agenda – Part1	Item
SUBJECT : Review Application	
PREMISES : Ordnance Supermarket, 115 Ordnance Road, ENFIELD, EN3 6AF.	
WARD : Enfield Lock	

1 LICENSING HISTORY & CURRENT POSITION:

- 1.1 A premises licence was first granted following a conversion on 18 July 2005, naming Mr Baris SALMAN and Mr Ibrahim KORKMAZ as the Premises Licence Holders on premises licence (LN/200500760). Mr SALMAN was also named as the Designated Premises Supervisor.
- 1.2 On 24 October 2014, the Licensing Authority submitted a review based on the illicit goods being supplied from the premises.
- 1.3 On 21 January 2015, the Licensing Sub-Committee heard the review application and revoked the licence. Mr SALMAN and Mr KORKMAZ subsequently appealed this decision.
- 1.4 In September 2015, the appeal hearing was not required as agreement had been made between the two parties, resulting in a consent order stating that the licence would be suspended for 3 months, and for all LBE costs to be paid.
- 1.5 On 26 January 2016, the premises licence was transferred to Mr Mehmet KOLO, the current premises licence holder, who also varied the licence to be the named Designated Premises Supervisor from 13 January 2016.
- 1.6 On 21 November 2016, a minor variation was submitted to add on conditions, namely to prevent the supply of illicit goods, at the request of the Licensing Authority.
- 1.7 On 7 December 2016, the licence was issued following the minor variation application.
- 1.8 The current Premises Licence permits:

Hours the premises are open to the public: 24 hours daily.

Supply of alcohol (off supplies only): Monday to Saturday: 08:00 to 23:00, Sunday: 10:00 to 22:30.
- 1.9 A copy of a location map of the premises is attached in Annex 1.
- 1.10 A copy of the current premises licence (LN/200500760) is attached in Annex 2.

2 THIS APPLICATION:

- 2.1 On 13 January 2017 an application was made by the Licensing Authority for the review of Premises Licence LN/200500760.
- 2.2 The review application relates to the prevention of crime and disorder licensing objective and is made because the premises have been found to be supplying illicit goods.
- 2.3 The authority considers that it is now appropriate, for the promotion of the licensing objectives, to revoke the licence.
- 2.4 The review application was advertised in accordance with the requirements of the Licensing Act 2003.
- 2.5 Each of the Responsible Authorities were consulted in respect of the application.
- 2.6 The Licensing Authority's review application, Additional Information and Appendices are attached as Annex 03.

3 RELEVANT REPRESENTATIONS:

- 3.1 **Metropolitan Police:** Representations were received in support of this review application, based on the prevention of crime and disorder licensing objective.
- 3.2 A copy of the representation is attached as Annex 04.

4 PREMISES LICENCE HOLDER RESPONSE:

- 4.1 Mr KOLO has provided a statement in response to the review application and is attached as Annex 05.

5 RELEVANT LAW, GUIDANCE & POLICIES:

- 5.1 The paragraphs below are extracted from either:
 - 5.1.1 the Licensing Act 2003 ('Act'); or
 - 5.1.2 the Guidance issued by the Secretary of State to the Home Office of March 2015 ('Guid'); or
 - 5.1.3 the London Borough of Enfield's Licensing Policy Statement of January 2015 ('Pol').

General Principles:

- 5.2 The Licensing Sub-Committee must carry out its functions with a view to promoting the licensing objectives [Act s.4(1)].
- 5.3 The licensing objectives are :
 - 5.3.1 the prevention of crime and disorder;
 - 5.3.2 public safety;
 - 5.3.3 the prevention of public nuisance; &
 - 5.3.4 the protection of children from harm [Act s.4(2)].
- 5.4 In carrying out its functions, the Sub-Committee must also have regard to :
 - 5.4.1 the Council's licensing policy statement; &
 - 5.4.2 guidance issued by the Secretary of State [Act s.4(3)].

Review:

- 5.5 In reviewing a licence the Licensing Sub-Committee will consider, and take into account, the complaints history of the premises and all other relevant information [Pol s.10.3].
- 5.6 A number of reviews may arise in connection with crime that is not directly connected with licensable activities, for example the sale of contraband goods. The Sub-Committee does not have the power to judge the criminality or otherwise of any issue. The Sub-Committee's role is to ensure the promotion of the crime prevention objective [Guid s.11.24].
- 5.7 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These include the use of the premises for the sale or storage of smuggled tobacco and alcohol [Guid s.11.27].
- 5.8 Where reviews arise in respect of these criminal activities and the Sub-Committee determines that the crime prevention objective is being undermined, it is expected that revocation of the licence – even in the first instance – should be seriously considered [Guid s.11.28].

Decision:

Having heard all of the representations (from all parties) the Licensing Sub-Committee must take such steps as it considers appropriate for the promotion of the licensing objectives. The steps are:

- 5.8.1 to modify the conditions of the licence;
 - 5.8.2 to exclude a licensable activity from the scope of the licence;
 - 5.8.3 to remove the designated premises supervisor
 - 5.8.4 to suspend the licence for a period not exceeding three months;
 - 5.8.5 to revoke the licence [Act s.52].
- 5.9 In deciding which of these powers to invoke, the Sub-Committee should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should generally be directed at those causes and should always be no more than an appropriate and proportionate response [Guid s.11.20].

Background Papers :
None other than any identified within the report.

Contact Officer :
Ellie Green on 020 8379 8543



Ordnance Supermarket, 115 Ordance Road, ENFIELD, EN3 6AF

LONDON BOROUGH OF ENFIELD
CIVIC CENTRE, SILVER STREET,
ENFIELD, EN1 3XE
www.enfield.gov.uk



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Ordnance Survey Licence no.100019820

Drg.No. 6900P

Scale 1:1250

Date 17/02/17

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Licensing Act 2003

PART A – PREMISES LICENCE

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number : LN/200500760

Part 1 – Premises Details

Postal address of premises :

Premises name : Ordnance Supermarket

Telephone number : 01992 65 2716

Address : 115 Ordnance Road ENFIELD EN3 6AF

Where the licence is time-limited, the dates :

Not time limited

The opening hours of the premises, the licensable activities authorised by the licence and the times the licence authorises the carrying out of those activities :

(1) Open to the Public - Whole Premises

Sunday :	00:00 - 00:00
Monday :	00:00 - 00:00
Tuesday :	00:00 - 00:00
Wednesday :	00:00 - 00:00
Thursday :	00:00 - 00:00
Friday :	00:00 - 00:00
Saturday :	00:00 - 00:00

(2) Supply of Alcohol - Off Supplies

Sunday :	10:00 - 22:30
Monday :	08:00 - 23:00
Tuesday :	08:00 - 23:00
Wednesday :	08:00 - 23:00
Thursday :	08:00 - 23:00
Friday :	08:00 - 23:00
Saturday :	08:00 - 23:00
Good Friday : 08:00 - 22:30	
Christmas Day : 12:00 - 15:00 & 19:00 - 22:30	

Part 2**Name and (registered) address of holder of premises licence :**

Name :	Mr Mehmet Kolo
Telephone number :	Not provided
e-mail :	Not provided
Address :	56 Chestnut Road, ENFIELD, EN3 6SY

Registered number of holder (where applicable) :

Not applicable

Name and (registered) address of second holder of premises licence (where applicable) :

Name :	Not applicable
Telephone number :	
Address :	

Name and address of designated premises supervisor (where the licence authorises the supply of alcohol) :

Name :	Mr Mehmet Kolo
Telephone number :	Not provided
e-mail :	Not provided
Address :	56 Chestnut Road, ENFIELD, EN3 6SY

Personal licence number and issuing authority of personal licence held by designated premises supervisor (where the licence authorises the supply of alcohol) :

Personal Licence Number :	LN/201500536
Issuing Authority :	London Borough of Enfield

Premises Licence LN/200500760 was first granted on 23 July 2005.**Signed :**

Date : 7th December 2016

for and on behalf of the
 London Borough of Enfield
 Licensing Unit, Civic Centre, Silver Street, Enfield EN1 3XH
 Telephone : 020 8379 3578



Annex 1 - Mandatory Conditions

The Mandatory Conditions are attached and form part of the Operating Schedule of your licence/certificate. You must ensure that the operation of the licensed premises complies with the attached Mandatory Conditions as well as the Conditions in Annex 2 and Annex 3 (if applicable). Failure to do this can lead to prosecution or review of the licence.

Annex 2 - Conditions consistent with the Operating Schedule

- 1. There shall be no adult entertainment or services, activities or matters ancillary to the use of the premises that may give rise to concern in respect of children.**
- 2. Alcohol shall not be sold in an open container or be consumed in the licensed premises.**
- 3. The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers.**
- 4. The premises licence holder shall ensure that all receipts for goods bought are kept together in a file or folder as evidence that they have been brought into the UK through legal channels. Receipts shall show the following details: (1) Seller's name and address; (2) Seller's company details, if applicable; (3) Seller's VAT details, if applicable. Copies of these documents shall be retained for no less than 12 months and shall be made available to police or authorised officers of the council on request within five working days of the request. The most recent three months' worth of receipts shall be kept on the premises and made available to the police or authorised officers of the council on request.**
- 6. An ultra violet light will be used at the store to check the authenticity of all stock purchased which bears a customs stamp.**
- 7. A personal licence holder is to be present on the premises and supervise the sale of alcohol, throughout the permitted hours for the sale of alcohol.**
- 8. All staff shall receive induction and refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of this premises licence.**
- 9. All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.**
- 10. The premises must operate the Local Authority or similar proof of age scheme and display the relevant material. Only passport, photographic driving licences or ID with the P.A.S.S. logo (Proof of Age Standards Scheme) shall be accepted.**

11. A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.

12. Children under the age of 14 shall not be permitted on the premises after 21:00 unless accompanied by an adult.

13. Prominent, clear and legible notices shall be displayed at all public exits from the premises requesting customers respect the needs of local residents and leave the premises and area quietly. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.

14. Only the Premises Licence Holder or Designated Premises Supervisor shall purchase alcohol and / or tobacco stock.

15. Alcohol and tobacco stock shall only be purchased from registered wholesalers.

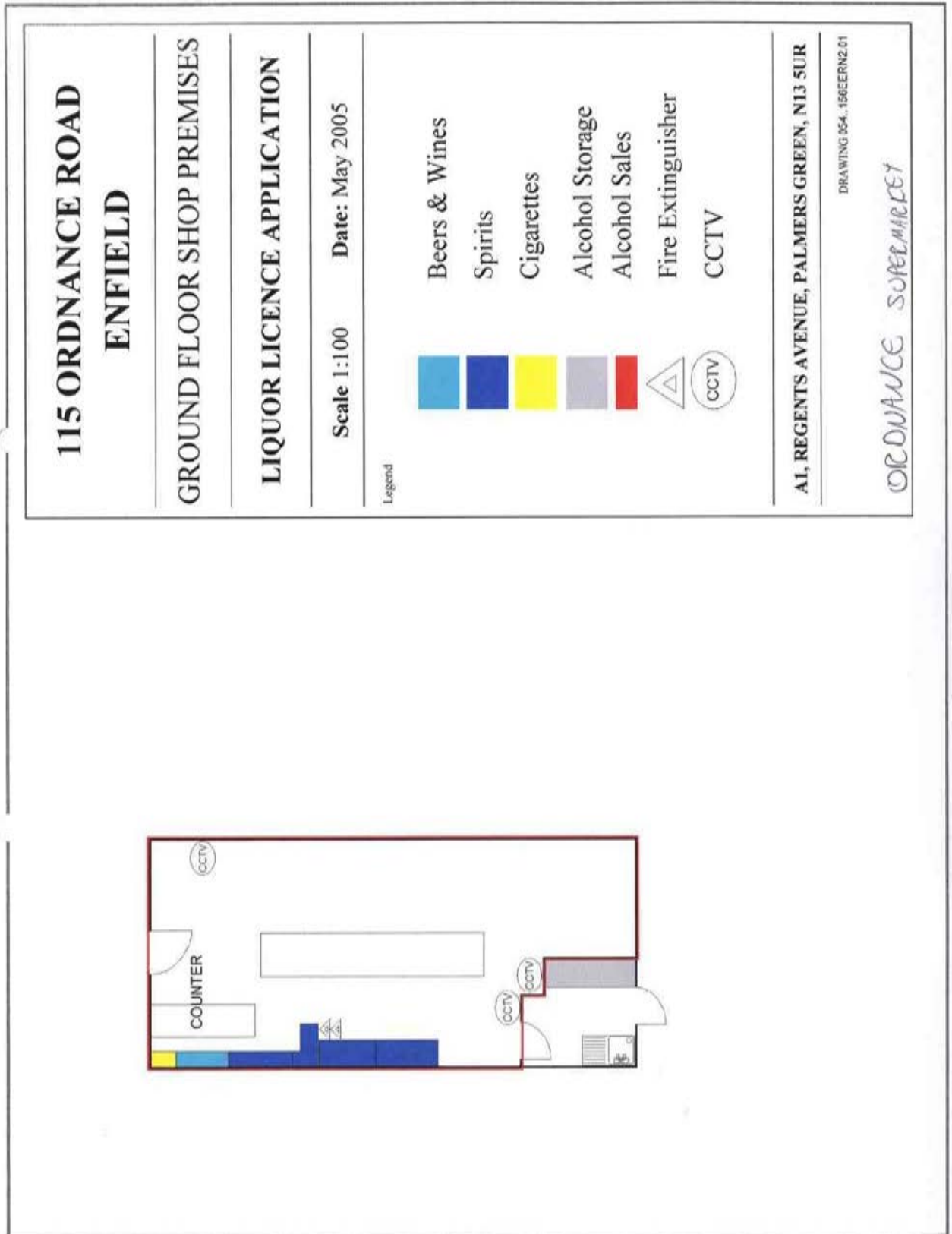
16. All tobacco products which are not on the tobacco display shall be stored in a container clearly marked 'Tobacco Stock'. This container shall be kept within the store room or behind the sales counter.

17. Tobacco products shall only be taken from the tobacco display behind the sales counter in order to make a sale.

Annex 3 - Conditions attached after a hearing by the Licensing Authority

Not applicable

Annex 4 – Plans



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**Application for the review of a premises licence or club premises certificate
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Charlotte Palmer Senior Licensing Enforcement Officer

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
115 Ordnance Road	
Post town	Post code (if known)
Enfield	EN3 6AF
Name of premises licence holder or club holding club premises certificate (if known)	
Mr Mehmet Kolo	
Number of premises licence or club premises certificate (if known)	
LN/200500760	

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
 - a) a person living in the vicinity of the premises ☐
 - b) a body representing persons living in the vicinity of the premises ☐
 - c) a person involved in business in the vicinity of the premises ☐
 - d) a body representing persons involved in business in the vicinity of the premises ☐
- 2) a responsible authority (please complete (C) below) ☒
- 3) a member of the club to which this application relates (please complete (A)) ☐

below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)**Please tick**

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

First names

I am 18 years old or over**Please tick yes**
☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

Charlotte Palmer
 Licensing Authority
 London Borough of Enfield
 PO Box 57
 Civic Centre
 Silver Street
 EN1 3XH

Telephone number: 020 8379 3965

E-mail address: charlotte.palmer@enfield.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

**Please state the ground(s) for review:** (please read guidance note 1)

Enfield Licensing Authority is seeking a review of the premises licence on the grounds that non-duty paid cigarettes and hand rolling tobacco has been found at the premises.

This review is primarily based on the prevention of crime and disorder, licensing objective. **The review application is to revoke the premises licence.**

Background Information:

Please provide as much information as possible to support the application
 (please read guidance note 2)

Complaint and Visit History of Premises

The licence for this premises was converted into a premises licence in 2005 and a minor variation to strength the conditions was granted in October 2011 following the discovery of counterfeit alcohol.

At that time the licence was held by Mr Baris Salman and Mr Ibrahim Korkmaz.

A review was submitted in October 2014 on the grounds that the premises had been found to be selling non-duty paid and counterfeit alcohol and the licence was revoked on 21st January 2015. The decision was appealed.

Transfer and vary DPS applications were submitted by Mr Mehmet Kolo during the appeal period but objections were submitted by the police as he has family connections with Mr Ibrahim Korkmaz and the police wanted written confirmation from the application that neither of the premises licence holders would be employed to work at the premises. These were not formally provided by the applicant although the applicant's solicitor did email the police to say he did not intend to employ them

(Appendix 1). The applicant later withdrew the application. The pending appeal and objections raised to the transfer mean that the applicant would have been aware that selling none duty paid goods was a serious matter which could lead to the revocation of a licence.

On the day of the appeal both sides came to an agreement and the revocation was changed to a 3 month suspension with the licence holders agreeing to pay the council's costs of £8500.

26/01/16 - Transfer and vary DPS applications were again submitted by Mr Mehmet Kolo and were issued without objection.

Detailed below is the history of the premises since the licence was transferred.

18/03/16 – Police Licensing Officer requested council officers check the premises for none duty paid goods as they had received information from police officers that whilst visiting the premises a number of customers came in asking for the cheap cigarettes.

24/03/16 – Warning letter sent to premises. The letter included the following warning:

'I must remind you that Trading Standards operate a zero tolerance policy that includes prosecution, application for review recommending revocation of the licence and other enforcement disposals against any individual or any premises found to have counterfeit/illicit alcohol, tobacco or any other product belonging to a registered brand holder on the premise, associated buildings/vehicles or on your person'.

See Appendix 2.

29/03/16 – An officer (SML) visited the premises and advised the Premises Licence Holder / Designated Premises Supervisor of the duty diverted sale allegation and conducted a licence inspection. The person who appeared in charge was Ibrahim Korkmaz and he did all the talking. The DPS, Mehmet Kolo was serving but relied on Ibrahim Korkmaz to interpret. The officer asked the DPS if he was competent in English to challenge underage sales, but Ibrahim Korkmaz said that the DPS was never on his own. There were 3 personal licence holders, including himself, the DPS and Okes Karakil who was working at the premises. The officer checked under the counter and the outer store rooms for duty diverted products and came across Polish and Turkish larger. Some of the foreign larger was on sale. The officer asked for receipts and Ibrahim Korkmaz found them in an folder. The officer advised Ibrahim Korkmaz that the products had to be labelled in English. A full licence inspection was carried out and the premises was found to be compliant. **See Appendix 3.**

21/09/16 – 14:05 - A non-duty paid tobacco test purchase was attempted at the premises by a plain clothes police officer and a packet of non-duty paid Marlboro Light cigarettes was sold for £5.50. The officer stated that the cigarettes were on the tobacco display behind the normal cigarettes and were sold by a Turkish male, aged around 40, with a round face, stubbly beard and short dark brown hair.

23/09/16 – Licensing Enforcement Officers and HMRC Officers searched the premises for counterfeit and non-duty paid alcohol and tobacco. Nothing was found on this occasion despite the result of the test purchase. Officers noted that the price of some of the cans of beer on display appeared to be very cheap. If the correct duty had been paid it appeared that the premises may have been selling products at a loss. The following mandatory condition is attached to all premises licences where alcohol is one of the licensable activities.

- 8 (i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- (ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -
- $$P = D + (D \times V)$$
- Where -
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- (iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

During the visit officers also noticed that some products were not labelled in English. Under European legislation, incorporated into UK Law, it is a legal requirement that food labelling should be "in a language easily understood by the consumers of the member states where a food is marketed." In the UK, this is accepted as being in English and is therefore an offence for retailers to supply food without English labelling. Food includes drink.

14/10/16 – 20:35 – 21:15 - Out of Hours Licensing Enforcement Officers (EVG/CPX) visited the premises and carried out a full licence inspection. Condition 8, 9 - Training was due on 30/08/16 but had not been done. Officers requested that evidence that it has been done be sent to them. Condition 13 – Advised 'leave quietly' notice be moved to doorway so customers can read it on exit - moved at time of visit. Officers checked for non-duty paid tobacco – none found. Advised of failed test purchase and that they would be written to about this. Given 7 days to comply. **See Appendix 4 for Part B Notice and Appendix 5 for Inspection Report.**

20/10/16 – A minor variation application with a covering letter and a list of conditions was sent to the premise licence holder. The letter explained that following the recent non-duty paid test purchase he was being given the opportunity to submit a minor variation to strengthen his licence conditions voluntarily rather than facing a licence

review. In the minor variation letter advice was given in relation to the minimum pricing and the labelling issues. The letter also included the following warning: 'Please consider this letter to be a warning as to your future conduct. Should further similar offences be committed at the premises, the Licensing Authority shall take immediate action in order to have the premises licence permanently revoked and or to prosecute you'.

See Appendix 6a-b.

02/11/16 – Premises Licence Holder phoned the officer and advised he would submit the minor variation but will need to speak to a solicitor to help him as he doesn't speak much English. He asked for extra time to submit the application and was given an extra 2 weeks.

21/11/16 – Minor variation submitted along with price list and evidence that English labelling had been acquired. Licence granted 07/12/16.

02/12/16 - A non-duty paid tobacco test purchase was attempted at the premises. No sale was made.

06/12/16 - The premises was searched for counterfeit and non-duty paid alcohol and tobacco by council officers, HMRC officers and sniffer dogs. On arrival officers were advised by the dog handler that he had witnessed staff throwing boxes over the wall and that they had been put into a car outside. Staff at the premises denied having a key for the vehicle so officers were unable to check it despite it being registered to someone whose address was the same as the premises address. A box in the storage area was identified by the sniffer dog and was found to contain empty tobacco wrappers. The premises licence holder was asked to empty his pockets by the HMRC officers and the following goods were discovered 450g Hand Rolling Tobacco (Golden Virginia, Cutter Choice and Amber Leaf) and 17 packets of cigarettes (Marlboro Red and Marlboro Gold). The officers requested that the CCTV footage be provided for both outside cameras from 14:50 – 15:50 within the next 7 days. **See Appendix 7 for inspection report.**

13/12/16 – CCTV footage provided on a USB stick.

19/12/16 – Licensing Enforcement Officers visited the premises to check the refusal book and training records to see if there was any evidence that the previous licence holders were still connected to the business. The male serving behind the counter when they entered the premises was one of the previous licence holders – Mr Ibrahim Korkmaz. The officers asked him what his connection with the business was and he said that he had been named on the licence previously by mistake and that he had only ever been an employee. He said that he was still only an employee of the business.

See Appendix 8 for signed inspection report and Appendix 9 for photos of refusal book and training records.

06/01/16 – Officer (CPX) viewed CCTV footage. Two camera angles were on the USB stick. Camera 6 from 14:49:58 – 15:35:44 and camera 13 from 15:40:57 – 15:46:48. Nothing could be seen being thrown over the wall on camera 6 but the footage from camera 13 was only from after the time the officer witnessed things being thrown over the wall. The footage provided neither proves or disproves anything. **See Appendix 10 for screen print of footage on UBS stick.** Officer emailed Premises Licence Holder to request footage, no response received. **See Appendix 11.**

13/01/16 – Officer checked council records and the addresses listed for both Mr Mehmet Kolo and Mr Ibrahim Korkmaz on the council's personal licence database are the same.

If the Licensing Sub Committee is not minded to revoke the premises licence the Licensing Authority recommends that the Designated Premises Supervisor be removed from the licence, the conditions be strengthened as detailed below and the licence be suspended until a new DPS is in place and compliance with all of the licence conditions has been demonstrated.

Add the following condition in relation to CCTV:

- Cameras must be sited to observe the entrance and exit doors both inside and outside, the alcohol displays, and floor areas.
- Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
- Cameras overlooking floor areas should be wide angled to give an overview of the premises.
- Provide a linked record of the date, time, and place of any image.
- Provide good quality images.
- Operate under existing light levels within and outside the premises.
- Have the recording device located in a secure area or locked cabinet.
- Have a monitor to review images and recorded picture quality.
- Be regularly maintained to ensure continuous quality of image capture and retention.
- Have signage displayed in the customer area to advise that CCTV is in operation.
- Digital images must be kept for 31 days.
- Police or authorised local authority employees will have access to images at any reasonable time.
- All staff engaged in the sale/supply of alcohol shall be trained to operate the CCTV system and download images/footage upon request by Police or authorised local authority employees.
- The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Immediate copies must be made available to Police or authorised local authority employees on request.

Additional Information:

DCMS Guidance (11.27) states that there are certain criminal activities that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. The list includes the sale of smuggled tobacco and alcohol (i.e. non duty paid products).

DCMS guidance (11.28) goes on to say that it is envisaged that responsible authorities will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Conclusion:

Enfield Licensing Authority is seeking a review of the premises licence on the grounds that the premises have been found to be selling non-duty paid cigarettes/tobacco. The current Premises Licence Holder had been warned more than once of the consequences of doing this and had already submitted a minor variation following a sale in September 2016.

The Licensing Authority reserve the right to add any additional information to support this review application.

Suspension of Licence:	N
Revocation of Licence:	Y
Recommended period of suspension (max 3 months):	
<p>The Secretary of State believes that the sale of smuggled goods should be treated particularly seriously and that where licence reviews are submitted and the licensing authority determines that the crime prevention objective is being undermined revocation of the licence, even in the first instance should be seriously considered.</p>	

Have you made an application for review relating to this premises before **Yes**

If yes please state the date of that application

24/10/14

If you have made representations before relating to these premises please state what they were and when you made them.

Review submitted on 24/10/14 on the grounds that the premises had been found to be selling non-duty paid and counterfeit alcohol. Licence revoked. Appealed and Council agreed to amend the revocation to a suspension as a transfer and vary DPS was to be submitted. Premises Licence Holder agreed to pay Council's costs.

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate x ☐
- I understand that if I do not comply with the above requirements my application will be rejected x ☐

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent
(See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**



Signature:

Date: 13th January 2017

Capacity: Licensing Enforcement Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

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LICENSING AUTHORITY REPRESENTATION

ADDITIONAL INFORMATION

Name and address of premises: Ordnance Supermarket
115 Ordnance Road
Enfield
EN3 6AF

Type of Application: Review of Premises Licence

Detailed below is additional information not previously included in the review application submitted on 13/01/17:

13.01.17 – 21.55 – 22:00 - Out of Hours Noise Officer (CLB) hand delivered the review application to the premises. He asked the Premises Licence Holder why he had not replied to the email regarding the missing CCTV and he said he had not received it. However he confirmed that the email address was correct. The officer asked him to provide the footage. **See Appendix 12.**

21.02.17 – Officer (CPX) provided with copy of Mr Kolo's statement. In response the following comments are made:

02.12.16 - A plain clothes police officer attempted a tobacco test purchase. No sale was made and no further visit was made to the premises that day by Trading Standards or HMRC Officers as stated in his statement.

06.12.16 – Officers (CPX) can confirm that there was a van in a side street and that the keys to that were provided. It was searched and found to be empty. The car in question was registered to Mr Okkes Karakil whose name appears in the training record book but is not listed in Mr Kolo's statement as one of his staff. The dog handler also saw a member of staff come out of the premises and put some torn up papers into a bin on the public highway. He told one of the Officers (CPX) and the papers were taken out of the bin and handed to the Officer. They were hand written notes and various tobacco brands where listed so they were sealed in an evidence bag and given to the lead HMRC officer to look at later in case they were significant. To date no further information has been received in relation to these paper from HMRC.

Duly Authorised: Charlotte Palmer, Licensing Enforcement Officer

Contact: charlotte.palmer@enfield.gov.uk

Signed: 

Date: 27/02/2017

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Appendix 1

Email from Solicitors

From: info@gulsen.co.uk [mailto:info@gulsen.co.uk]

Sent: 07 September 2015 15:13

To: Martyn Fisher

Cc: Ellie Green

Subject: RE: Our Client: Mr Mehmet Kolo - Ordnance Supermarket, 115 Ordnance Road, ENFIELD, EN3 6AF.

Importance: High

Dear Sirs

We write in reference to the above and further to your letter dated 3rd September 2015 which has been passed on to us by Ms Ellie Green of Enfield Council.

We have taken our clients instructions in relation to the contents of your objection letter and as you will note from our clients initial application covering letter dated 24th April 2015 which was sent to the Home Office, you will note that the client is merely stating that his intending to run his business with two existing supporting staff namely, Ibrahim Korkmaz and Okkes Karakil. However, as you have objected to Ibrahim Kormaz to be employed our client is willing to employ Duran Haligul of [REDACTED] Enfield, [REDACTED] with National Insurance [REDACTED]. We understand that Mr Haligul has experience in this field and he his willing to attend an interview if the police finds it necessary.

Furthermore, we understand that the Trading Standards and the Police made an unannounced inspection to the premises last week and found out that it was only our client and his employee Mr Okkes Karakil was running the business.

In relation to our clients residential address, our client confirms with us that is now currently residing with Mr Huseyin Bulbul at [REDACTED]

As you will note our client has fully dealt with your objections and we therefore kindly request you to reconsider and withdraw from your objection. However, if you do not withdraw your decision our

client intends to go to the subcommittee hearing since our client genuinely wishes to run his business with his employees and as such Mr Ibrahim Korkmaz will have no involvement in the business whatsoever. Our client further confirms that the police may make further unannounced visits to the business at any time and will see that Mr Ibrahim Korkmaz has no connection or involvement with the business.

We look forward to hearing from you.

With Regards

GULSEN & CO SOLICITORS

Gulsen & Co Solicitors is the trading name of Canbolat Limited.

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----- Original Message -----

Subject: 1st Email to Agent: Ordnance Supermarket, 115 Ordnance Road,
ENFIELD, EN3 6AF.

From: Ellie Green <Ellie.Green@Enfield.gov.uk>

Date: Fri, September 04, 2015 2:15 pm

To: "info@gulsen.co.uk" <info@gulsen.co.uk>

Dear Sir/Madam

I refer to your client's application to transfer the licence for the above premises.

The Metropolitan Police have objected to this application - the full response is attached.

I am aware that the appeal hearing of the premises licence for Ordnance Supermarket is due to be heard next week. Following the outcome of this hearing, arrangements will be made for the hearing of the transfer application.

Kind regards

Ellie Green

Principal Licensing Officer

Licensing Team

London Borough of Enfield

020 8379 8543 (Tel)

020 8379 8506 (Fax)

ellie.green@Enfield.Gov.uk

Protect The Environment - Think Before You Print

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it in error you must not copy, distribute or use the communication in any other way. All traffic handled by the Government Connect Secure Extranet may be subject to recording/and or monitoring in accordance with relevant legislation.

This email has been scanned for viruses but we cannot guarantee that it will be free of viruses or malware. The recipient should perform their own virus checks.

Appendix 2.

Mr Mehmet Kolo
Ordnance Supermarket
115 Ordnance Road
ENFIELD
EN3 6AF

Please reply to: Sheila Lahey
Consumer Protection
PO Box 57, Civic Centre
Silver Street, Enfield, Middx. EN1 3XH
Tel: 020 8379 8527
Fax:
Textphone:: 020 8379 4419
Email: sheila.lahey@enfield.gov.uk
My Ref: PI/000091076 / WK/215089687
Your Ref:
Date: 24th March 2016

Dear Mr Kolo

Licencing Act 2003
Trade Marks Act 1994
Tobacco Products (Manufacture, Presentation and Sale) (Safety) Regulations 2007

We have received a complaint that your business is dealing in illicit tobacco and/or alcohol.

Businesses are warned that they must buy tobacco, alcohol and any product that belongs to a registered brand (trade mark) holder from a reputable supplier.

Furthermore, these products must be evidenced by documentation/receipts and available for inspection to Trading Standards, HMRC and the Police upon request.

I must remind you that Trading Standards operate a zero tolerance policy that includes prosecution, application for review recommending revocation of the licence and other enforcement disposals against any individual or any premises found to have counterfeit/illicit alcohol, tobacco or any other product belonging to a registered brand holder on the premise, associated buildings/vehicles or on your person.

A visit will be made and if non-compliance is found, I will have no option but to report the matter to my senior officers and Legal Services.

Trading Standards may also consider test purchasing from your premises in the future.

Any further complaints or enquiries received will be referenced back to this letter and our previous dealings with you. Further action will be considered, if it is felt the matters raised, should have prevented the commission of any offence.

I would be please to receive your comments, should you wish to make any.

We will reconsider enforcement action if we see a demonstrable commitment to good management practice, to avoid the commission of any offences due to the act or default

Ian Davis
Director – Regeneration & Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY



Website: www.enfield.gov.uk

of other persons. If you are a licence holder, additional voluntary conditions can help you achieve this. If you would like to consider a minor variation to add additional conditions to your licence, I recommend you contact the Licensing Team.

Please be advised only the Courts can interpret legislation with any authority, the opinions and advice contained in this letter are subject to change dependent upon legislative changes, new information or evidence.

Yours sincerely

Sheila Lahey
Fair Trading Officer

REF: WK/

LICN_1

LICENSING ENFORCEMENT INSPECTION REPORT

Appendix 3

Premises Name	Ordnance Rd	
Premises Address	115 Ordnance Rd ENS 6AF	
Time of Visit:	Start: 12.25	Finish: 13.15

During an inspection of your premises on Tue 29th March 2016, the following was checked:

Part B of Premises Licence displayed?

Yes ☒

No ☐

Address & tel no. of PLH & DPS on licence correct?

Yes ☒

No ☐

(If incorrect, insert new details below)

Conditions of licence checked?

Yes ☒

No ☐

No. of condition not in compliance	Evidence/Advice
3	members staff hold personal licences Ibrahim Korkmaz Mehmet Kolo (DPS owner) AOKes Karakil
	Polish larger & Turkish found. Receipts provided - advised Ibrahim Korkmaz that they must be labelled in English if on sale. DPS - English poor but was informal that there was always another person who could speak English

Any other matter(s) that need addressing:

Took photos ultra violet bank note checker

You are required to have the above matters attended to withindays of this notice. Failure to rectify the above breaches may constitute a criminal offence and result in legal proceedings being brought against you.

LICENSING ENFORCEMENT	RECIPIENT OF NOTICE
Signature of Officer on visit: <i>Sheila Lahey</i>	Signature: <i>M. Kolo</i>
Print Name: SHEILA LAHEY	Print Name & Position: DPS. OWNER <i>Mehmet Kolo</i>

Licensing Enforcement, Civic Centre, Silver Street, Enfield, EN1 3XH, Tel: 020 8379 1767
Police Licensing Officer, Civic Centre, Silver Street, Enfield, EN1 3XH Tel: 0208 379 6112

For queries relating to new applications, variations, vary DPS, Temporary Event Notices, address changes etc, please contact the Licensing Team on 0208 379 3578 or licensing@enfield.gov.uk.

Download the appropriate application forms at http://www.enfield.gov.uk/info/200007/licensing_and_registration.

Material such as leave quietly signs, training guidance and refusals book is available to download and print at http://www.enfield.gov.uk/downloads/download/2316/compliance_documents

I. Korkmaz@live.co.uk

07984417509

Appendix 4.

L.B. ENFIELD TRADING STANDARDS INFORMATION TO THE OCCUPIER

Notice of the powers to search premises and the rights of occupiers Police and Criminal
Evidence Act 1984 Code of Practice

Address of Premises <u>Ordnance Supermarket, 115 Ordnance Rd, EN3 6AF</u>	
Type of Premises <u>Retail</u>	Occupier <u>Mehmet Kolo</u>
POWER UNDER WHICH SEARCH MADE (TICK WHICH APPLIES)	
WARRANT (Officers powers are summarised overleaf)	
<input type="checkbox"/> under _____ Act _____ Date granted _____ By _____	
STATUTORY POWER (These powers are summarised overleaf)	
<input checked="" type="checkbox"/> Statutory powers under: Trade Description Act 1968 / Consumer Rights Act 2015.	
WRITTEN CONSENT (TICK THOSE WHICH APPLY AND OBTAIN A SIGNATURE)	
With the written consent of a person entitled to grant entry (only applicable if not under warrant or statutory powers)	
<input type="checkbox"/> I HEREBY CONSENT TO OFFICERS OF THE L.B. ENFIELD TRADING STANDARDS SEARCHING THE ABOVE NAMED PREMISES. I UNDERSTAND THAT ANYTHING FOUND MAY BE USED IN COURT PROCEEDINGS.	
<input type="checkbox"/> I HEREBY CONSENT TO THE OFFICER MAKING USE OF EQUIPMENT ON THESE PREMISES, NAMELY A TILL SCANNER OR OTHER SIMILAR EQUIPMENT FOR THE PURPOSE OF CHECKING PRICES ON THESE PREMISES. I UNDERSTAND THAT ANY INFORMATION PRODUCED MAY BE USED IN COURT PROCEEDINGS.	
Signature <u>M. Kolo</u>	Name (Capitals) <u>MEHMET KOLO</u>
Status relative to premises <u>OWNER / PLH / DPS</u>	
Premises Searched Record	
OFFICER IN CHARGE OF SEARCH	
Name: <u>Charlotte Palmer</u>	Date: <u>22/04/16 14/10/16</u>
Position: <u>Senior LEO</u>	Time Start <u>20:50</u> Finish <u>21:15</u>

OFFICERS PRESENT AT SEARCH (Show Name & Organisation)	
<u>Ellie Green, LBE</u>	
Entry Forced: YES / <u>NO</u> If yes state reasons:	
Damage — caused on entry or during search and circumstances: <u>n/a.</u>	
Arrangements to Secure Premises: <u>n/a</u>	
Extent of Search: <u>Under / behind counter</u>	
<u>Storage containers / toilet</u>	Search Register No:

REF: WK/ 216049923

Appendix 5
LICN_1

LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	Ordinance Supermarket	
Premises Address	115 Ordinance Rd, EN3 6AF	
Time of Visit:	Start: 20.35	Finish: 21.15

During an inspection of your premises on 14 October 2016, the following was checked:

Part B of Premises Licence displayed?

Yes ☒

No ☐

Address & tel no. of PLH & DPS on licence correct?

Yes ☒

No ☐

(If incorrect, insert new details below)

Conditions of licence checked?

Yes ☒

No ☐

No. of condition not in compliance	Evidence/Advice
8+9	Training was due on 30/08/16 - please send evidence that it has been done to
	charlotte.palmer@enfield.gov.uk
C.13	leave quietly notice needs to be moved to doorway so customers can read on exit.
✓	- moved at time of visit

Any other matter(s) that need addressing: Part B Search Notice issued. No issues with tobacco found. Advised of test purchase. Advice letter to follow.

You are required to have the above matters attended to within 7 days of this notice. Failure to rectify the above breaches may constitute a criminal offence and result in legal proceedings being brought against you.

LICENSING ENFORCEMENT	RECIPIENT OF NOTICE
Signature of Officer on visit: 	Signature: 
Print Name: CHARLOTTE PALMER	Print Name & Position: Mr Mehmet Kolo DPS/PLH
Email/Tel: charlotte.palmer@enfield.gov.uk 0208 379 3965	Email/Tel: 077 29662888

Application forms can be downloaded at <https://new.enfield.gov.uk/services/business-and-licensing/>.

Material such as leave quietly signs, training guidance and refusals book is available to download and print at http://www.enfield.gov.uk/downloads/download/2316/compliance_documents

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Mr Mehmet Kolo
Premises Licence Holder
Ordnance Supermarket
115 Ordnance Road
Enfield
EN3 6AF

Please reply to: Charlotte Palmer
Senior Licensing Enforcement
Officer
Licensing Team, B Block North
Civic Centre, Silver Street
Enfield
E-mail : charlotte.palmer@enfield.gov.uk
My Ref :
Your Ref : LN/200500760
Date : 20th October 2016

Dear Mr Kolo

Ordnance Supermarket, 115 Ordnance Road, Enfield, EN3 6AF - LN/200500760

I write to you as the current premises licence holder and designated premises supervisor of the above named business. On 21st September 2016 a non-duty paid tobacco test purchase was attempted at your premises and a packet of non-duty paid Marlboro cigarettes was sold.

On 23rd September and Friday 14th October 2016 your premises was searched for counterfeit and non-duty paid alcohol and tobacco. Nothing was found on these occasions despite the result of the test purchase.

On 23rd September 2016 – officers noted that the price of some of the cans of beer on display appeared to be very cheap. If the correct duty has been paid it appears that you may be selling products at a loss. Please ensure that you can demonstrate where all goods were purchased and that the necessary duty has been paid.

I would like to take this opportunity to remind you of the following mandatory condition which is attached to all premises licences where alcohol is one of the licensable activities.

8 (i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(ii) For the purposes of the condition set out in paragraph 8(i) above -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

I have worked out the current figures for a 440ml can of beer depending on strength (AVB):

5% – 49p per can

5.5% - 54p per can

6% - 59p per can

6.5% - 64p per can

7% - 69p per can

7.5% - 95p per can (anything over 7.5% is classified as super strength)

8% - £1.01 per can

8.5% - £1.08 per can

9% - £1.14 per can

The following document explains further how to work out these figures:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/415522/HO_Guidance_on_BBCS.pdf

Please provide me with a copy of the premises pricing lists for beer and review your prices to ensure they are in line with the requirements of the condition.

Failing to comply with any condition attached to a licence is a criminal offence, which on conviction is punishable by an unlimited maximum fine, up to six months imprisonment or both.

During the visits officers also noticed that some products were not labelled in English. Under European legislation, incorporated into UK Law, it is a legal requirement that food labelling should be "in a language easily understood by the consumers of the member states where a food is marketed." In the UK, this is accepted as being in English and is therefore an offence for retailers to supply food without English labelling. Food includes drink.

Failure to comply with this may result in an improvement notice being issued, requiring compliance to be achieved. If the improvement notice is not complied with, then an offence is committed under The Food Safety Act 1990. The maximum penalty for a conviction under this legislation is an unlimited fine and/or 2 years imprisonment. There is also further offences under The Food Information Regulations 2014 if allergen information does not comply. The maximum penalty on conviction is an unlimited fine.

For more information on food labelling in the UK, please visit the website below:
<https://www.businesscompanion.info/en/quick-guides/food-and-drink/food-labelled-in-a-foreign-language>

If you purchase your products from a wholesaler in the UK, then they should have access to English labelling which you can overlay on the products you expose for sale. Should you be the first importer into the UK of this product, then it is your responsibility to ensure this requirement is complied with. Many manufacturers within the EU will offer a service where they translate the label onto a sticker which can be attached to the product at its final location. You may wish to speak with your supplier to see whether you can enter into a similar agreement.

As a result of the test purchase the Licensing Authority is considering reviewing the premises licence. The Licensing Authority believes that additional conditions need to be added to the premises licence to strengthen the licensing objectives.

As an alternative to having your licence reviewed, the Licensing Authority are prepared to offer you the opportunity to apply for a minor variation to voluntarily add conditions to the premises licence and / or to improve some of the current conditions. Enclosed is a document showing suggested amendments to the conditions.

If you agree to apply for the minor variation please do so by Wednesday 2nd November 2016. A minor variation application form is enclosed.

If you do not agree to submit the minor variation, it will leave the Licensing Authority with no choice but to pursue a review of the premises licence. You will then run the risk of having the licensing committee impose stricter restrictions on the premises licence and possibly even suspension or revocation of the licence.

Please consider this letter to be a warning as to your future conduct. Should further similar offences be committed at the premises, the Licensing Authority shall take

immediate action in order to have the premises licence permanently revoked and or to prosecute you.

You must buy tobacco, alcohol and any other branded product from a reputable seller. These products must be evidenced by receipts which must be available for inspection upon request.

If you have any queries about the enclosed list of conditions or are unable to apply for a minor variation within the time frame given please contact me via email:

charlotte.palmer@enfield.gov.uk

HMRC are aware of the premises, so you may receive further visits/checks from them in future.

Yours sincerely

Charlotte Palmer
Senior Licensing Enforcement Officer

cc: Mr Mehmet Kolo, 56 Chestnut Road, Enfield, EN3 6SY

IMPORTANT – Register for an Enfield Connected account today, it will make it easier for you to access services online – www.enfield.gov.uk/connected

Appendix 6b.

Ordnance Supermarket, 115 Ordnance Road, Enfield, EN3 6AF

LN/200500760

Current conditions:

1. There shall be no adult entertainment or services, activities or matters ancillary to the use of the premises that may give rise to concern in respect of children.
2. Alcohol shall not be sold in an open container or be consumed in the licensed premises.
3. The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers.
4. The premises licence holder shall ensure that all receipts for goods bought are kept together in a file or folder as evidence that they have been brought into the UK through legal channels. Receipts shall show the following details: (1) Seller's name and address; (2) Seller's company details, if applicable; (3) Seller's VAT details, if applicable.
5. Copies of these documents shall be retained on the premises for no less than 12 months and shall be made available to police or authorised officers of the council on request within five working days of the request.

Replace C4 and C5 with:

- The premises licence holder shall ensure that all receipts for goods bought are kept together in a file or folder as evidence that they have been brought into the UK through legal channels. Receipts shall show the following details: (1) Seller's name and address; (2) Seller's company details, if applicable; (3) Seller's VAT details, if applicable. Copies of these documents shall be retained for no less than 12 months and shall be made available to police or authorised officers of the council on request within five working days of the request. The most recent three months' worth of receipts shall be kept on the premises and made available to the police or authorised officers of the council on request.
6. An ultra violet light will be used at the store to check the authenticity of all stock purchased which bears a customs stamp.
 7. A personal licence holder is to be present on the premises and supervise the sale of alcohol, throughout the permitted hours for the sale of alcohol.
 8. All staff shall receive induction and refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of this premises licence.
 9. All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.

10. The premises must operate the Local Authority or similar proof of age scheme and display the relevant material. Only passport, photographic driving licences or ID with the P.A.S.S. logo (Proof of Age Standards Scheme) shall be accepted.

11. A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.

12. Children under the age of 14 shall not be permitted on the premises after 21:00 unless accompanied by an adult.

13. Prominent, clear and legible notices shall be displayed at all public exits from the premises requesting customers respect the needs of local residents and leave the premises and area quietly. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.

Add the following conditions:

- Only the Premises Licence Holder or Designated Premises Supervisor shall purchase alcohol and / or tobacco stock.
- Alcohol and tobacco stock shall only be purchased from registered wholesalers.
- All tobacco products which are not on the tobacco display shall be stored in a container clearly marked 'Tobacco Stock'. This container shall be kept within the store room or behind the sales counter.
- Tobacco products shall only be taken from the tobacco display behind the sales counter in order to make a sale.

REF: WK/

LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	Orchance Supermarket.	
Premises Address	115 Orchard Road, Enfield, EN3 6AF	
Time of Visit:	Start: 15.05.	Finish: 15.56.

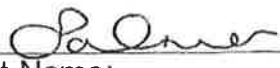

During an inspection of your premises on Tues 6th Dec 2016, the following was checked:

Part B of Premises Licence displayed? Yes ☐ No ☐
 Address & tel no. of PLH & DPS on licence correct? Yes ☐ No ☐ (If incorrect, insert new details below)
 Conditions of licence checked? Yes ☐ No ☐

No. of condition not in compliance	Evidence/Advice
	Please provide me with a copy of the CCTV for the outside rear area from 14.50-15.50 within the next 7 days - both camera angles.

Any other matter(s) that need addressing:

You are required to have the above matters attended to within 7 days of this notice. Failure to rectify the above breaches may constitute a criminal offence and result in legal proceedings being brought against you.

LICENSING ENFORCEMENT	RECIPIENT OF NOTICE
Signature of Officer on visit: 	Signature: 
Print Name: CHARLOTTE PALMER	Print Name & Position: Mehmet Kolo
Email/Tel: charlotte.palmer@enfield.gov.uk 0208 379 3965	Email/Tel: 0044 798 441 75 09

Application forms can be downloaded at <https://new.enfield.gov.uk/services/business-and-licensing/>.

REF: WK/

LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	Orchance Supermarket		
Premises Address	115 Orchard Road, Enfield		
Time of Visit:	Start: 9.45	Finish: 10.53	

During an inspection of your premises on Monday 10th Dec 2016, the following was checked:

Part B of Premises Licence displayed? Yes ☐ No ☐
 Address & tel no. of PLH & DPS on licence correct? Yes ☐ No ☐ (If incorrect, insert new details below)
 Conditions of licence checked? Yes ☒ No ☐

No. of condition not in compliance	Evidence/Advice

Any other matter(s) that need addressing: Don't to check refusals book and training book and to check labelling - labels on shelves and put on cans individually when sold. Photos taken of refusals book and training records. Staff in shop at time of visit - Mr Ibrahim Korkmaz - advised he only works there - does not own the shop. He worked for the previous PLH but was not in partnership with him and did not own the shop then either.
 You are required to have the above matters attended to withindays of this notice. Failure to rectify the above breaches may constitute a criminal offence and result in legal proceedings being brought against you.

LICENSING ENFORCEMENT	RECIPIENT OF NOTICE
Signature of Officer on visit: 	Signature: 
Print Name: CHARLOTTE PALMER	Print Name & Position: ibrahim KORKMAZ staff
Email/Tel: charlotte.palmer@enfield.gov.uk 0208 379 3965	Email/Tel:

Application forms can be downloaded at <https://new.enfield.gov.uk/services/business-and-licensing/>.

Appendix 9

REFUSAL TO REGISTER - NO I.B. NO SALE

Ordnance Supply Limited,
Ordnance Road, Enfield, EN3 6AS

Date	Time	Product attempted	Name of person or description	Why sale refused?	Sale refused?
12/10/16	12:40	Chargaffle	Chargaffle	NO ID	NO
12/10/16	12:00	Chargaffle	M Kolo	NO ID	NO
23/10/16	16:00	Tobacco	Queen Hall Street	NO ID	Disorder
15/10/16	18:15	Chargaffle	M Kolo	NO ID	NO
16/10/16	18:15	Chargaffle	Chargaffle	NO ID	Price
18/10/16	18:15	Chargaffle	M Kolo	NO ID	M Kolo
18/10/16	19:00	Chargaffle	M Kolo	NO ID	M Kolo
18/10/16	19:00	Chargaffle	M Kolo	NO ID	M Kolo
18/10/16	21:00	Chargaffle	M Kolo	NO ID	M Kolo

Key: M / F - Male or Female

U/A - Underage

D/D - drunk or disorderly

Dr – drunk or disorderly Dr – under the influence of drugs

DATE: 30 Jan 2016

MANAGER'S MONTHLY SIGNATURE _____

REFUSALS REGISTER - NO. 10, 110, 504

Ordinance Enforcement
112 Ordinance Road, Fairfield 143 6A8

[illegible]

Key: M / F - Male or Female

U/A - Underage

AID - drunk or disorderly Or - under the influence of drugs

MANAGER'S MONTHLY SIGNATURE

DATE _____

REFUSAL'S REGISTER - NO I.D. NO SALV

Ordananco Department,
2nd, Eridani 2342 334

Date	Time	Product attempted	Names of person of description	Why sale refused?	Notes
05 FEB 2016	15:58	Cocaine	Obtained XGLD	NO ID 1166 Under 25	✓ XGLD
06 FEB 2016		Tobacco	Obtained XGLD	NO ID	✓ XGLD
02 APRIL 2016	11:53	Cocaine	Obtained XGLD	NO ID	✓ XGLD
02 APRIL 2016	12:23	Cocaine	Obtained XGLD	NO ID	✓ XGLD
02 APRIL 2016	11:47	Cocaine	Obtained XGLD	NO ID	✓ XGLD
02 APRIL 2016	14:12	Tobacco	Obtained XGLD	NO ID	✓ XGLD
04 APRIL 2016	17:35	Prescription Mark	Person in US Military looking for		
05 APRIL 2016		Solvents	Obtained XGLD	NO ID	✓ XGLD
18 MAY 2016	12:43	Tobacco	Obtained XGLD	NO ID	✓ XGLD

Key: M / F - Male or Female

U/A - Underage

D/D - drunk or disorderly

Under the influence of drugs

DATE: 3/1/2016

DATE: 31/05/2016

1010

DATE: 31/05/2016

[illegible][illegible]

Hide Help

Test Results

Export List

Index	Channel	Type	Start Time
1	Channel5	Video	2015-12-06 14:40:59
2	Channel5	Video	2015-12-06 14:54:54
3	Channel5	Video	2015-12-06 15:01:02
4	Channel5	Video	2015-12-06 15:02:20
5	Channel5	Video	2015-12-06 15:04:28
6	Channel5	Video	2015-12-06 15:05:59
7	Channel5	Video	2015-12-06 15:07:29
8	Channel5	Video	2015-12-06 15:08:53
9	Channel5	Video	2015-12-06 15:12:55
10	Channel5	Video	2015-12-06 15:19:00
11	Channel5	Video	2015-12-06 15:25:44
12	Channel5	Video	2015-12-06 15:40:57
13	Channel5	Video	2015-12-06 15:43:58
14	Channel5	Video	2015-12-06 15:44:56
15	Channel5	Video	2015-12-06 15:45:48

Size

60.561 KB
90.520 KB
17.947 KB
9.403

Supplies

P

Appendix
10

Charlotte Palmer

From: Charlotte Palmer
Sent: 06 January 2017 12:16
To: 'mehmetkolo46@hotmail.com'
Subject: Ordnance Supermarket [SEC=OFFICIAL]

Classification: OFFICIAL

Dear Mr Kolo,

Thank you for providing the USB stick. I have viewed the footage. There are two cameras angels on there but camera 13 is only from 15:40:57 – 15:46:48 rather than for the full hour as requested.

Please can you provide me with the footage from this camera angle from 14:50 – 15:50.

Regards

Charlotte Palmer
Senior Licensing Enforcement Officer
Environment & Regeneration
Enfield Council
Silver Street
Enfield
EN1 3XY

Tel: 0208 379 3965

Email: charlotte.palmer@enfield.gov.uk

Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities.

Classification: OFFICIAL

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REF: WK/

LICN_1

LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	Orchance Supermarket	
Premises Address	115 Orchard Road, Enfield, EN3 6AF	
Time of Visit:	Start: 21.55	Finish: 22.00



During an inspection of your premises on 13th Jan 20.17....., the following was checked:

Part B of Premises Licence displayed? Yes ☐ No ☐
 Address & tel no. of PLH & DPS on licence correct? Yes ☐ No ☐ (If incorrect, insert new details below)
 Conditions of licence checked? Yes ☐ No ☐

No. of condition not in compliance	Evidence/Advice
Visit to	hard deliver licence review application.
and to	see if the PLH received the email
in relation to the missing CCTV.	
Hard delivered to licence review pack to Mr Kob.	

Any other matter(s) that need addressing:
 Email address is correct. However he says he did not receive email from
 Charlotte dated 6 January 2017.
 Please provide camera B3 footage for 14.50 - 15.50.

You are required to have the above matters attended to withindays of this notice. Failure to rectify the above breaches may constitute a criminal offence and result in legal proceedings being brought against you.

LICENSING ENFORCEMENT	RECIPIENT OF NOTICE
Signature of Officer on visit: 	Signature: 
Print Name: CHARLES LEBESQUE	Print Name & Position: Mr Mehmet Kolo
Email/Tel: 0208 379 3688	Email/Tel:

Application forms can be downloaded at <https://new.enfield.gov.uk/services/business-and-licensing/>.

Annex 04



POLICE REPRESENTATION

Name and address of premises: **Ordnance Supermarket**
115 Ordnance Road
Enfield
EN3 6AF

Type of Application: **Review (Licensing Authority)**

Worksheet number: **WK/216071025**

The Application

I certify that I have considered this review and **I wish to make representations** supporting the review application as activities at the premises are detrimental to the Licensing Objectives for the following reasons:

History

This premises licence was transferred to the current licence holder in January 2016. Prior to that the previous licence holder had been found to be selling non duty paid goods over the counter and the licence was revoked. However, during the appeal process the current licence holder requested a transfer to himself which, subsequently, did not take place but he would have knowledge of the reasons behind the revocation. An agreement was made between the two sides at that time which lead to a suspension rather than a revocation.

Since the current licence holder has been in position Police have witnessed non duty paid goods being on offer and have, indeed, been sold non duty paid goods, this is despite warning letters being sent to the licence holder about this.

The Licensing Authority have carried out inspections and found breaches to the conditions.

When a further inspection was made by the Licensing Authority to search for non duty paid goods there was suspicious activity by the staff and when CCTV was requested to either prove or disprove the action, the licence holder was unable to provide the relevant footage, which in itself is a breach of the conditions.

It is apparent that the Licence holder has no regard for his licence and no intention of promoting the licence objectives.

In summary I wish to make representation on the following:

- Prevention of crime & disorder

The Police have no confidence in the current Premises Licence Holder as a result of the breaches of his licence and offences witnessed by the Licensing Authority and the Police and therefore support the Licensing Authority review to revoke the licence.

Officer: Karen Staff

Tel: 0208 379 3915

Karen.staff@met.pnn.police.uk

Date: 2nd February 2017

STATEMENT OF MR MEHMET KOLO

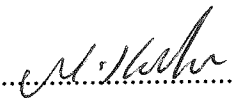
I, Mehmet Kolo of 56 Chestnut Road, Enfield, Middlesex EN3 6SY make this statement believing its contents to be true to the best of my knowledge and belief.

1. I make this statement in respect of the application to review the Premises Licence which will be heard by Licensing Sub-Committee on Wednesday, 8th March 2017 at the Council Chamber, Enfield Civic Centre.
2. I am a Turkish National and my date of birth is 11th December 1987. I entered the UK on 9th March 2015. I made an application to the Home Office on 24th April 2015, under the provision of the European Community Association Agreement (ECAA) with Turkey as a Turkish Businessperson to purchase the business known as Ordnance Supermarket of 115 Ordnance Road, Enfield Middlesex EN3 6AF.
3. On 7th August 2015, I was granted 12 months leave to remain under the provision of the ECAA with Turkey to purchase and operate by business. In November 2015, I agreed and purchased the lease interest of the business. On 12th January 2016 and 13th January 2016, I transferred the purchase money for the sum of £25,000.00 to the seller Baris Salman. The transaction was formally completed on 30th March 2016. A copy of official copy of register of title is enclosed.
4. I have been operating the business with the assistance of four part time members of staff namely Durhan Haligur, Ibrahim Korkmaz, Aysel Bulbul and Sehriban Atila.
5. On 13th January 2017, Enfield Licensing Enforcement Officers made an application to review Premises Licence. My comments on the review application as follows:

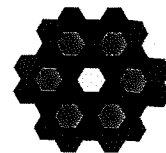
6. As mentioned above, following my purchase of the lease interest and the business I submitted a transfer and variation of DPS application on 26th January 2016 to the council. I was issued with the premises licence without any objection.
7. On 23rd March 2016, Trading Standards, sent a warning letter to the premises in relation to a complaint they received about selling illicit tobacco and/or alcohol in the premises. I took this warning very seriously and had a round the table meeting with my staff. I informed the staff that all stock including tobacco and alcohol will be purchased from a reputable supplier.
8. Following this warning Trading Standards and the Licensing Officers carried out an unannounced inspection on 29th March 2016, and could not find any illicit tobacco and/or alcohol. However, they identified Polish and Turkish lagers purchased from a reputable cash and carry namely Fios Cash & Carry. I immediately labelled the products in English and forwarded the same to the Trading Standards.
9. On 21st September 2016, Trading Standards carried out a non-duty paid tobacco test purchase. At the time of the inspection my staff namely Mr Duran Haligur was behind the counter and sold a packet of Marlboro from his personal use. I took disciplinary action against this employee and warned him and advised him the licensing objectives. Following this incident, Licensing Enforcement Officers and HMRC Officers carried a further unannounced inspection on 23rd September 2016 and found nothing. However, inspectors raised issue with the price of some of the beers. These products were short dated and they were reduced for clearance.
10. On 14th October 2016, Licensing Enforcement Officers carried out a full licence inspection. Again, they found nothing. However, this time inspectors raised issue on staff training and 'leave quietly' notice. I have always complied with premises licence conditions and my staff and I have completed the training. However, I have merely omitted to record the training details. In relation to advise 'leave quietly' notice, it was already on display. However, I was advised by the inspectors to move the notice to on eye level of customers on exit which I did there and then.

11. Following recent non-duty paid test purchase I was advised to submit a minor variation application. On 21st November 2016, I submitted minor variation application together with price list and evidence of English labelling.
12. The Trading Standards Team / HMRC carried out a further unannounced visit to the business on 2nd December 2016 and found no cause for concern. On 6th December 2016, the Trading Standards Team / HMRC carried out a further unannounced visit. At the time of the inspection I was outside the premises on the way home. In order to help and cooperate with the inspectors I stopped and they fully searched the premises and found nothing. There was no box throwing and the keys for the business van has been handed to the inspectors. I approached them and one of the HMRC officer asked me to empty my pockets and I took out tobaccos for my sister and my personal consumption. These tobaccos were purely for me and my sister's personal consumptions. Otherwise, I would not have returned and taken part at the inspection. Therefore, I categorially reject that the tobaccos seized were for sale to customers. I fully cooperated with the inspectors and provided them with CCTV footage on a USB stick.
13. On 19th December 2016, Licensing Enforcement Officers made an unannounced visit and this time asked for refusal book and training record. Which I have produced to them. In relation Mr Ibrahim Korkmaz, he is my sister's partner and we all live at the same address. Mr Korkmaz is a part-time employee and has no other connection to the business. In relation to the USB stick as mentioned above, I have provided footage and if the Licensing Enforcement Officers were not satisfied they could have visited the premises or at least sent a letter by post not email. I therefore do not accept that I have failed to respond their enquires in relation to CCTV footage. This premises has 13 CCTV cameras and records for 30 days.
14. In conclusion, I do not accept that I had failed to demonstrate that I could properly manage the business and uphold the Licensing Objectives. During my time operating this business only on one occasion non-duty paid cigarettes sold and for that I have disciplined my staff and maintained all Licensing Objectives. I will attend the Sub Committee hearing with my Counsel and a Turkish interpreter.

I, MEHMET KOLO, confirm that this statement has been read to me, and it is true to my best knowledge and belief.

SIGNED:.....

DATED:20.02.2017.....



Official copy of register of title

Title number AGL375468

Edition date 28.04.2016

- This official copy shows the entries on the register of title on 27 Jun 2016 at 09:35:10.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 27 Jun 2016.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by Land Registry Wales Office.

A: Property Register

This register describes the land and estate comprised in the title. Except as mentioned below, the title includes any legal easements granted by the registered lease but is subject to any rights that it reserves, so far as those easements and rights exist and benefit or affect the registered land.

ENFIELD

- 1 (28.04.2016) The Leasehold land demised by the lease referred to below which lies within the area shown edged with red on the plan of the above Title filed at the Registry and being Ground Floor Shop, 115 Ordinance Road, Enfield (EN3 6AF).
- 2 (28.04.2016) The land has the benefit of the following rights reserved by the Transfer dated 18 March 1991 referred to in the Charges Register:-

"Except and Reserving (a) The right of the Transferors and their successors in title in common with the Transferee and its successors in title to connect to and use all sewers and drains manholes watercourses pipes cables and wires now or within the perpetuity period of 80 years from the date hereof to be made or laid in over under the Property or any part thereof and to the free passage and running of water soil gas telephone and electricity to and from all other parts of the said adjoining or neighbouring land of the Transfer TOGETHER with the right for the Transferors and others the owners or occupiers of the said adjoining or neighbouring land in case of necessity only to enter upon the property hereby transferred for the purpose of inspecting cleansing maintaining repairing and renewing the same the Transferors and such owners and occupiers causing as little damage and inconvenience as possible and forthwith and at their own expense making good all damage occasioned thereby TOGETHER WITH the right and power for the Transferor at any time to enter upon the property hereby transferred for the purpose of making laying and connecting sewers drains manholes watercourses pipes cables wires under over and upon the property hereby transferred and to connect the same to any buildings now or hereafter to be built on the adjoining or neighbouring land of the Transferor or other the person or persons entering causing as little damage and inconvenience as possible and forthwith at their own expense making good all damage to the surface of the Property occasioned thereby

(b) The right for the Transferor and any statutory authority or undertaking for the time being responsible for the provision of electricity drainage gas water and telephone or other main services to

Title number AGL375468

A: Property Register continued

the estate or said adjoining or neighbouring land of the Transferor to lay any pipes cables wires ducts or other media of supply under any part of the property hereby transferred necessary for the supply of the aforesaid services to the said adjoining or neighbouring land or any part thereof TOGETHER with the right to dig up the surface of the property hereby transferred for the purpose of laying maintaining and renewing the said pipes cables wires ducts or other media described above and for the passage of water gas drainage electricity telephone or other main services causing as little damage and inconvenience as possible and making good all damage to the surface of the property hereby transferred occasioned thereby and this is subject to any easements whether express or implied in respect thereof"

- 3 (28.04.2016) Short particulars of the lease(s) (or under-lease(s)) under which the land is held:
 Date : 30 March 2016
 Term : 12 years from 23 January 2016
 Parties : (1) Assunta Maria Ricciardi and Antonio Ricciardi
 (2) Mehmet Kolo
 (3) Baris Salman
- 4 (28.04.2016) The Lease prohibits or restricts alienation.
- 5 (28.04.2016) The landlord's title is registered.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (28.04.2016) PROPRIETOR: MEHMET KOLO of 115 Ordnance Road, Enfield EN3 6AF.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (28.04.2016) A Deed of Covenant dated 21 February 1899 made between (1) the several persons whose names descriptions and seals were from time to time subscribed and set in the Second Schedule hereto and (2) The Enfield Lock Land Company Limited (therein called the Company) contains covenants details of which are set out in the schedule of restrictive covenants hereto.
- 2 (28.04.2016) A Deed dated 25 August 1938 made between (1) Lewis Alexander Stuart (the Grantor) and (2) Bertha May Rudkin (the Grantee) contains covenants details of which are set out in the schedule of restrictive covenants hereto.
- 3 (28.04.2016) The land is subject to the following rights granted by a Transfer of other land dated 18 March 1991 made between (1) Antonio Ricciardi and Assunda Maria Ricciardi (Transferors) and (2) North London Promotions (Enfield) Ltd (Transferee):-

"Together With the right for the Transferee and its successors in title to connect to and use all sewers and drains manholes watercourses pipes cables and wires now made or to be laid in over or under the adjoining property of the Transferors or any part thereof and to the free passage and running of water soil gas telephone and electricity to the land hereby transferred from all other parts of the said adjoining land of the Transferor Together Also with the right for the Transferee and its successors in title to enter upon the said adjoining property for the purpose of inspecting cleansing maintaining repairing and renewing the same the Transferee causing as little damage and inconvenience as possible and forthwith and at the own expense making good all damage occasioned by the exercise of such rights"

- 4 (28.04.2016) The land is subject to any rights that are reserved by

C: Charges Register continued

LR11.2 of the registered lease dated 30 March 2016 and affect the registered land.

Schedule of restrictive covenants

- 1 (28.04.2016) The following are details of the covenants contained in the Deed of Covenant dated 21 February 1899 referred to in the Charges Register:-

EACH of them the said several persons parties hereto of the first part doth hereby for himself or herself his or her heirs executors administrators appointees and assigns and so that so far as may be this covenant shall bind every plot in the hands of its owner for the time being covenant with each of the others of them his or her heirs appointees and assigns and also as a separate covenant with the Company and their assigns that they the said several persons parties hereto of the first part their heirs appointees and assigns and all persons claiming under them respectively will from time to time and at all times hereafter observe perform and fulfil all and every the stipulations restrictions and provisions contained in the said First Schedule so far as the same respectively relate to or can in their nature affect the respective plots purchased by the Covenantor.

THE FIRST SCHEDULE to which the above

written Indenture refers.

1. Fences and Building Line Each Purchaser is forthwith to make and afterwards to maintain the boundary fences next the road and on the sides of his plot or plots marked T within the boundary No fence to be more than six feet high Each purchaser shall observe the building line marked on his plot.

2. Value of Buildings No house or shop or part of a house or shop shall be erected on plots fronting Ordnance Road of less value than £250 No house or part of a house shall be erected on plots fronting any other road of less value than £175. The value of a house is the amount of its net first cost in materials and labour of construction and estimated at the lowest current prices.

3. Trades &c. Prohibited The trade of an Innkeeper Victualler Beerhouse or Beershop keeper or retailer of wines spirits or beer on or off the premises is not to be carried on upon any plot except that or those specially authorised for that purpose by the Company No building shall be erected or used as a shop workshop warehouse or factory and no trade or manufacture shall be carried on or any operative machinery be fixed or placed upon any plot excepting plots fronting Ordnance Road without the consent of the Company No hut shed caravan house on wheels or other chattel adapted or intended for use as a dwelling or sleeping apartment shall be erected made placed or used or be allowed to remain on any plot and the Company or (so far as the Company may legally authorise the proceeding) the owner or owners of any of the plots mentioned in the Second Schedule hereto or any part thereof may remove or dispose of any such erection or other thing and for that purpose may break fences and forcibly enter any land upon which a breach of this stipulations shall occur and shall not be responsible for the safe keeping of anything so removed or for the loss thereof or any damage thereto.

4. Roads It being the intention of the Company to construct the roads (other than Ordnance Road which is a public highway) shown on the said plan of 40 feet in width and on the sites shewn on such plan and to lay main sewers thereunder they nevertheless reserve to themselves the right to alter the direction of these roads as they may consider convenient in developing the estate and also to construct any other road or roads which they may think proper to construct on or over any plots theretofore unsold With the exception of the road known as Ordnance Road each plot includes the soil of half the road to the extent of its abuttal thereon but not so as to prevent the user of such road by the owner or occupiers of or for the purpose of access to and

Title number AGL375468

Schedule of restrictive covenants continued

from any other plot No Purchaser shall remove or disturb the soil or surface of any road except for the purpose of repairing the same or laying the gas water or drain pipes from his plot or plots to the mains in any of which cases the road shall be made good and the repair consolidated by the Purchaser to the satisfaction of the Surveyor or other appointed officer of the Company and if necessary of the Local Authority No road or way shall be formed used or made across any of the plots without the written consent of the Company. Each purchaser shall keep the part of the road or roads (other than Ordnance Road) on which his plot or plots front in good repair and condition to the satisfaction of the Company's Surveyor until such road or roads are taken over by the Local Authority and in default shall pay to the Company the expense of doing so the amount thereof being fixed and determined by the Company's Surveyor.

5. No gravel or sand shall be dug upon the ground except only for the purpose of building houses thereon.

2 (28.04.2016) The following are details of the covenants contained in the Deed dated 25 August 1938 referred to in the Charges Register:-

"The Grantor for himself his successors and assigns the owners lessees tenants and occupiers of the blue land hereby covenants with the Grantee and her successors and assigns the owners lessees tenants and occupiers of the green land that he the Grantor and the persons deriving title under him will not at any time hereafter carry on or allow to be carried on upon the blue land or any part thereof the trade or business of a Babies Linen Wool Shop Hosiery and Ladies Underwear PROVIDED that the Grantor and the persons deriving title under him shall only be responsible for breaches which occur during the period of his or her actual ownership."

NOTE: The blue land referred to above is the freehold land in this title and the green land is 119 Ordnance Road.

End of register

LICENSING SUB-COMMITTEE - 7.12.2016**MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE
HELD ON WEDNESDAY, 7 DECEMBER 2016****COUNCILLORS**

PRESENT (Chair) George Savva MBE, Vicki Pite and Peter Fallart

ABSENT

OFFICERS: Ellie Green (Principal Licensing Officer), Dina Boodhun (Legal Services Representative), Jane Creer (Democratic Services)

Also Attending: Mr Aykut Hilmi and Mrs Ingrid Hilmi, Starfish & Coffee House Limited
6 local residents (3 in support and 3 in opposition to the application)

241**WELCOME AND APOLOGIES FOR ABSENCE**

Councillor Savva as Chair welcomed all those present and explained the order of the meeting.

242**DECLARATION OF INTERESTS**

NOTED that there were no declarations of interest.

243**STARFISH AND COFFEE, 92 ALDERMANS HILL, LONDON, N13 4PP
(REPORT NO. 168)**

RECEIVED the application made by Mr Hilmi, Director of Starfish & Coffee House Limited for the premises situated at 92 Aldermans Hill, London, N13 4PP.

NOTED

1. The introductory statement of Ellie Green, Principal Licensing Officer, including:

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- a. This was a variation application submitted by Mr Hilmi, one of the Directors of Starfish & Coffee House Limited, who was also the Designated Premises Supervisor (DPS).
 - b. Mr Hilmi was in attendance at the meeting, as was Mrs Hilmi who was also a Director of the company.
 - c. The application sought to extend the hours of opening and licensable activities. The hours applied for were set out on page 2 of the agenda pack. The most significant latest opening hour would be to 01:30 am at weekends and sale of alcohol to cease half an hour before closing times.
 - d. The application was considered by all Responsible Authorities and no objections were made.
 - e. Representations were received from six local residents: four in objection to the application and two in support. These representations were included in Annex 04.
 - f. Mr Hilmi provided additional information, particularly in response to concerns raised by objectors, and to include additional letters of support. This information was included in Annex 07.
 - g. Concerns raised by objectors were that later hours may cause disturbance, especially to residents in the nearby old people's home, and that there may be a rise in anti-social behaviour making residents feel uncomfortable. This premises was in a residential area and these later hours would not be appropriate.
 - h. The existing conditions on the licence were set out on page 10-11 of the agenda pack. Further conditions had been proposed following the representations and were set out on page 31.
 - i. The premises was located in the Palmers Green drinking control zone but was not in a Cumulative Impact Policy area.
 - j. The sub-committee may not have regard to whether the proposals were likely to be permitted in accordance with legislation relating to planning or building.
 - k. In relation to regulated entertainment as a licensable activity, it should be noted that no licence was required for recorded or live music between 08:00 and 23:00. Information was set out on page 4.
 - l. Also in attendance at the meeting were three local residents who opposed the application (Mr and Mrs Donald and Gloria Arthur – IP3 and Mr Colin Younger – IP4) and three in support of the application (Mrs Jean Brewer, Mrs Elaine Papa and Mr Joe Papa – Annex 07).
 - m. In response to a query from the Chair, it was advised that as no representation was received from the Licensing Authority, that there had not been any incidents or licence contraventions recorded in respect of this premises.
2. The statement of Mr Aykut Sonmez Hilmi and Mrs Ingrid Hilmi, representing Starfish & Coffee House Limited, including:
- a. Their business had now been operating for one year and they had seen a high demand for hire for celebrations and parties, and popularity of music and entertainment. The annual permitted number of Temporary Event Notices (TENs) would not be enough to cover a whole year.

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- b. The busiest nights for the business were Friday, Saturday and Sunday. Takings were low during the rest of the week and the income from weekends was vital for the business to survive. This was the reason for the variation application. The demand was led by their customers and community.
 - c. At an event, live music would generally start at 7:30/8:00 pm and if the premises had to stop serving alcohol and food at 9:30pm that would not be late enough for an evening.
 - d. They ensured all staff were trained. A Think 25 scheme was in operation in relation to sale of alcohol. Signs were displayed in respect of leaving the premises quietly. The outside tables were taken in at 8:00pm and alcoholic drinks were not permitted outside after that time. Smokers had to use the outside space on the Aldermans Hill side and not Lakeside Road or near the old people's home.
3. Mr and Mrs Hilmi responded to questions, including:
- a. In response to the Chair's queries about opening hours of other nearby licensed premises, Mr Hilmi understood that Dipali Restaurant (four shops away) and Nissi Restaurant had a late licence. Ellie Green confirmed that these were the two nearest licensed restaurants, with the last alcohol sale at Dipali at 00:00 and late night refreshment until 00:30 and at Nissi the last licensable activity was 01:00 with closing at 01:30.
 - b. In response to the Chair's queries regarding hiring of the premises for parties, Mr Hilmi confirmed that he wished to have the flexibility to allow late events if there was demand, but in any case everyone would have left the premises by 01:30 at the latest. The premises had no hire rate.
 - c. The Chair asked if any complaints had ever been received about the premises. Mr Hilmi advised that there had been one complaint from the care home about disturbance from staff talking outside the restaurant as they took a cigarette break on Lakeside Road. Staff were now instructed to only smoke at the front and to take their breaks one at a time. He also kept up regular dialogue with the care home.
 - d. Councillor Pite asked about measures to limit numbers and manage the behaviour of patrons. Mr Hilmi advised that he looked after the premises each evening, with a minimum of three staff. There would always be someone controlling the door and with a guest list for events. Only up to six people were permitted to socialise at the front. The street itself was quiet. The premises was a wine bar and catered principally to mature, civil people from the local community. There had been no trouble in the past. He had had discussions with the community police. Infra-red cameras had been installed outside the premises. A resident of Fairview Court had noted that since this business had been operating there had been no drug or alcohol abuse in the vicinity, unlike before. Also, sound levels were checked every hour and the music volume controlled. The premises also operated a Think 25 scheme so that anyone who looked below that age could be challenged and there was a right to refuse sale of alcohol to anyone thought to be too drunk.

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- e. Councillor Fallart asked about the intention to stop selling alcohol half an hour before recorded music had to stop and was concerned that when people were leaving it was likely that sound would escape. Mr Hilmi gave assurance that he wished to work with the community and at the end of the evening the music was turned down and the lights switched on, and if people were slow to leave, the music was turned off completely.
 - f. In response to the Chair's queries regarding acoustic sound proofing, Mr Hilmi clarified that he had approached four major companies, and the work had now been done. A 3ft ceiling void had been filled with sound proofing material, and a rubber backing system installed for speakers, to protect the flats above. There was also plasterboard on the walls and windows and doors were kept shut.
 - g. In response to further queries, Mr Hilmi confirmed that the business employed five people. He was on the premises every weekend and took a supervisory role while staff served.
 - h. Colin Younger, noting points made about demand essentially at weekends, asked if there was room for compromise to reduce the hours applied for in the week, and commented that the other restaurants referred to only served alcohol with a full meal. Mr Hilmi advised that the premises was also in the process of applying for an A3 licence, and that hot food was served in the evenings. They worked in the same way as other restaurants. Often, customers from other restaurants came to this premises afterwards to enjoy the entertainment. This was also a reason why later hours were required. There had been some events held on weekdays, for example christening parties, until 23:00 or 23:30 and the hours sought in this application would give flexibility and give parity with other local restaurants.
4. Mr Hilmi introduced the local residents attending the meeting in support of the application:
- a. Elaine and Joe Papa lived in Lakeside Road and considered that this business had benefitted and improved the area immensely. It was described as popular and well run.
 - b. Joe Papa had had concerns when the business was originally proposed, but went to a public meeting where Mr Hilmi had addressed all concerns, and had complied fully with everything requested. He now wished for every success and continuation for the business.
 - c. Jean Brewer lived in Derwent Road, and was part of the team behind Palmers Green festival, and believed that since this café had opened it had added significant value to the community. A space was provided to promote local artists and opportunities were provided for local musicians, and it helped the community come together. She also praised the quality of the staff and trusted that they would deal with any incident very firmly.
5. The statement of Mr Colin Younger, on behalf of interested parties opposed to the application, including:

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- a. He agreed that the business made a positive contribution to the area, but was concerned at the potential effect on the public domain of granting extended hours.
 - b. When the business was first established, a letter was sent to residents in the area about what its practices would be and the hours quoted were from 09:00 to 16:30 Monday to Friday, 09:00 to 18:00 Saturday and 09:00 to 16:00 Sunday with late opening to 21:00 once a month for art exhibitions, and alcohol served from 12:00 to 16:00 every day and 12:00 to 18:00 on Saturday. This application involved a considerable extension of activity. The principal concern was the late night/early morning hours.
 - c. He was aware there had been a few licensing issues at the premises. A prosecco breakfast had been advertised before the licensed hours came into effect. The pavement had been used for a display for a car dealer event, with a car parked on the pavement as part of that display. Also, the pavement licence did not extend to seating on Aldermans Hill yet there were seats there.
 - d. A key issue was retention of the existing condition in respect of moving in the outside tables and chairs, and addition of the proposed conditions 16 and 17 proposed by local residents. Having signs displayed that customers should not take alcohol off the premises would re-inforce the staff's control. Alcohol should not be served to people sitting outside without food, as allowing customers to sit outside with drinks would make the premises more like a pub.
 - e. He accepted there had been no noise problems from the premises.
6. Mr Younger responded to questions, including:
- a. Mr Hilmi confirmed that he would be agreeable to adding another sign in respect of not taking drinks outside.
 - b. In response to the Chair's queries, Ellie Green confirmed that under the Street Trading Licence tables and chairs were permitted on Lakeside Road but not on Aldermans Hill. As part of the licensable area shown on the plan, this was part of the licensed premises.
7. The summary statement of Ellie Green that the sub-committee should take such steps as it considered appropriate for the promotion of the licensing objectives, with Members' attention also drawn to relevant policies and guidance.

RESOLVED that

1. In accordance with the principles of Section 100(a) of the Local Government Act 1972 to exclude the press and public from the meeting for this item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A to the Act.

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The Panel retired, with the legal representative and committee administrator, to consider the application further and then the meeting reconvened in public.

2. The Chairman made the following statement:

“Having heard and read the submissions from all parties, the Licensing Sub Committee (LSC) resolved to grant the application as submitted by the applicant, subject to additional conditions agreed by the applicant (Nos 13, 14, 15), additionally reducing the times for recorded music in line with the sale of alcohol, and accepting additional condition 16.

We have also heard that other food premises along Aldermans Hill operate similar hours and granting permission to Starfish & Coffee does not set a precedent. We are satisfied that both the steps taken and proposed are appropriate to promote the licensing objectives, in particular the prevention of public nuisance and prevention of crime and disorder.”

3. The Licensing Sub Committee resolved that the application be granted in full, with the exception of recorded music, as below:

- (i) Hours the premises are open to the public:
from 08:00 to 00:00 Monday to Wednesday;
from 08:00 to 00:30 Thursday;
from 08:00 to 01:30 Friday and Saturday;
from 09:00 to 00:00 Sunday.
- (ii) Supply of alcohol (on and off supplies):
from 10:00 to 23:30 Monday to Wednesday;
from 10:00 to 00:00 Thursday;
from 10:00 to 01:00 Friday;
from 09:00 to 01:00 Saturday;
from 10:00 to 23:30 Sunday.
- (iii) Live Music – Indoors:
from 11:00 to 23:00 Monday to Thursday;
from 10:00 to 00:00 Friday;
from 09:00 to 00:00 Saturday;
from 09:00 to 22:00 Sunday.
- (iv) Recorded Music – Indoors:
from 08:00 to 23:30 Monday to Wednesday;
from 08:00 to 00:00 Thursday;
from 08:00 to 01:00 Friday and Saturday;
from 10:00 to 23:30 Sunday.
- (v) Late night refreshment – Indoors:

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from 23:00 to 23:30 Monday to Wednesday;
from 23:00 to 00:00 Thursday;
from 23:00 to 01:00 Friday and Saturday;
from 23:00 to 23:30 Sunday.

NB. No changes sought to Film and Indoor Sporting Events hours – will remain as existing licence.

Conditions (in accordance with Annex 06):

- (i) Conditions 1 to 12, which are not disputed, and additional conditions 13, 14, 15, and 16.

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MINUTES OF PREVIOUS MEETING

RECEIVED the minutes of the meeting of Licensing Sub Committee held on Wednesday 5 October 2016.

AGREED that the minutes of the meeting of Licensing Sub Committee held on Wednesday 5 October 2016 be confirmed and signed as a correct record.

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