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LICENSING SUB-COMMITTEE

Wednesday, 8 April 2020 at 10.00 am

MEETING VIA SKYPE (Please contact Ellie Green ellie.green@enfield.gov.uk for joining instructions)

Contact: Jane Creer

Committee Secretary

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Councillors : Mahmut Aksanoglu (Chair), Derek Levy and Maria Alexandrou

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. MAXI WINE CENTRE, 495 HERTFORD ROAD, ENFIELD EN3 5XH (REPORT NO. 243) (Pages 1 - 100)

Review Application

4. 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)

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**MUNICIPAL YEAR 2019/20 REPORT
NO.243**

COMMITTEE :
Licensing Sub-Committee
8 April 2020

REPORT OF :
Principal Licensing Officer

LEGISLATION :
Licensing Act 2003

Agenda - Part	Item
SUBJECT : Review Application	
PREMISES : Maxi Wine Centre, 495 Hertford Road, ENFIELD, EN3 5XH.	
WARD : Enfield Highway	

1 LICENSING HISTORY & CURRENT POSITION:

- 1.1 The premises has held a licence to be an off licence since 10 February 2006 (LN/200500412).
- 1.2 This licence was subject to a minor variation in 2012 due to counterfeit alcohol being found on the premises.
- 1.3 This licence was reviewed in 2015 following repeated breaches of condition and illicit tobacco being found on the premises.
- 1.4 The premises licence (LN/200500412) was revoked by the Licensing Sub-Committee.
- 1.5 For the full background of this licence and review application, follow this link [here](https://governance.enfield.gov.uk/ieListDocuments.aspx?CId=217&MId=9164&Ver=4) or <https://governance.enfield.gov.uk/ieListDocuments.aspx?CId=217&MId=9164&Ver=4>.
- 1.6 The premises licence holder at this time was Mr Uygar Altun.
- 1.7 On 26 August 2015, a new premises licence (LN/201500460) was granted to Mr Ali Riza Tulu, subject to modified conditions through representations by the Responsible Authorities, specifically including a condition that Mr Altun is not to be connected with the business.
- 1.8 Mr Tulu has also been the named Designated Premises Supervisor (DPS) since the grant of the new licence (LN/201500460).
- 1.9 No review applications have been submitted in relation to premises licence LN/201500460.

1.1 The current Premises Licence permits:

- 1.1.1 **Hours the premises are open to the public:** 24 hours daily.
- 1.5.2 **Supply of alcohol (off supplies only):** 10:00 to 00:00 (midnight) daily.

- 1.15 A copy of Part A of the current premises licence (LN/**201500460**) is attached in Annex 1.

THIS APPLICATION:

- 1.2 On 24 January 2020 an application was made by Enfield Council's Trading Standards for the review of Premises Licence LN/201500460 and is produced in Annex 2.
- 1.3 The review application relates to the prevention of crime and disorder licensing objective and is made on the grounds that smuggled goods have been found a second time on the premises i.e. non-duty paid cigarettes. Breaches of licence conditions have also been witnessed. The premises has a history of similar issues in general.
- 1.4 **The review application is to revoke the premises licence in its entirety.**
- 1.5 The review application was advertised in accordance with the requirements of the Licensing Act 2003.
- 1.6 Each of the Responsible Authorities were consulted in respect of the application.

2 RELEVANT REPRESENTATIONS:

- 2.1 **Metropolitan Police:** Representations have been made, supporting the review application and also seek full revocation of the premises licence, based on the prevention of crime and disorder licensing objective.
- 2.2 The Police's representation is attached as Annex 3.
- 3.2 Mr Ali Riza Tulu has not responded to the review application to date.

3 PROPOSED LICENCE CONDITIONS:

- 3.2 Trading Standards further request that if the Licensing Sub-Committee is minded not to revoke the licence that the licence be suspended until full compliance with the licence conditions has been demonstrated, and to consider adding two conditions. The full list of conditions is produced in Annex 4.

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 2017 ('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 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].
- 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 the sale or storage of smuggled tobacco and alcohol [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 remove the designated premises supervisor
 - 4.9.4 to suspend the licence for a period not exceeding three months;
 - 4.9.5 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

Licensing Act 2003

PART A – PREMISES LICENCE

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number : **LN/201500460**

Part 1 – Premises Details

Postal address of premises :

Premises name : **Asya Wine Centre**

Telephone number : **Not provided**

Address : **495 Hertford Road ENFIELD EN3 5XH**

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 - 00:00
Monday :	10:00 - 00:00
Tuesday :	10:00 - 00:00
Wednesday :	10:00 - 00:00
Thursday :	10:00 - 00:00
Friday :	10:00 - 00:00
Saturday :	10:00 - 00:00

Part 2

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

Name :	Mr Ali Riza Tulu
Telephone number :	Not provided
e-mail :	[REDACTED]
Address :	[REDACTED]

Registered number of holder (where applicable) :

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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 Ali Riza Tulu
Telephone number :	Not provided
e-mail :	[REDACTED]
Address :	[REDACTED]

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 :	[REDACTED]
Issuing Authority :	London Borough of Enfield

Premises Licence LN/201500460 was first granted on 26 August 2015.

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 : 26th August 2015

Annex 1 - Mandatory Conditions

- 1. No supply of alcohol may be made under the premises licence : (a) At a time when there is no designated premises supervisor in respect of the premises licence; or (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.**
- 2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.**

Annex 2 - Conditions consistent with the Operating Schedule

- 3. 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.**
- 4. 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 the premises licence.**
- 5. 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.**
- 6. A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed at the premises.**
- 7. 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.**
- 8. 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.**
- 9. Alcohol and cigarette stock shall only be purchased from registered wholesalers.**
- 10. Only the Premises Licence Holder or Designated Premises Supervisor shall purchase alcohol and cigarette stock.**
- 11. 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.

12. 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.

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

14. 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.

15. Prominent, clear and legible notices shall be displayed on all alcohol fridges and at all other alcohol display areas advising customers of the permitted sale of alcohol times.

16. Mr Uygar Altun (formally known as Kemal Altun) shall not be involved in any way in the operation and / or management of the business or be permitted to work in the business in any capacity.

17. The premises shall install and maintain a comprehensive CCTV system:

(1) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.

(2) All recordings shall be stored for a minimum period of 31 days with date and time stamping.

(3) Recordings shall be made available immediately upon the request of Police or authorized officer throughout the preceding 31 day period.

(4) The CCTV system should be updated and maintained according to police recommendations.

(5) A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorized council officer recent data or footage with the absolute minimum of delay when requested.

18. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:

(1) All crimes reported to the venue

(2) All ejections of patrons

(3) Any complaints received

(4) Any incidents of disorder

(5) All seizures of drugs or offensive weapons

(6) Any faults in the CCTV system

(7) Any visit by a relevant authority or emergency service

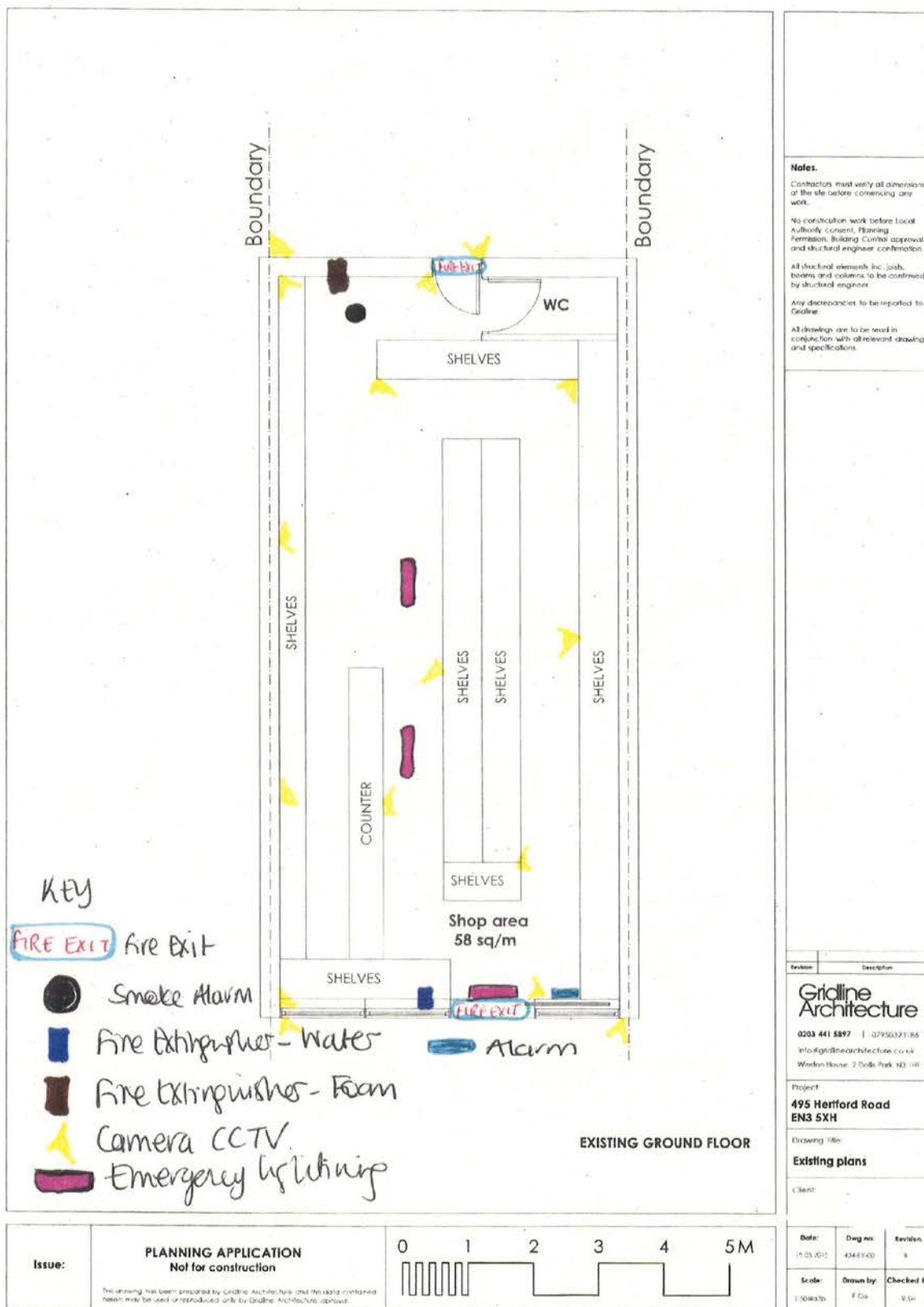
19. The venue will operate a can marking scheme agreed in writing by the Police and Licensing Authority. All cans of alcoholic beverages will be marked with either indelible ink marker pens, UV marker pens or other can marking scheme i.e. stickers.

20. No super-strength beer, lagers or ciders of 6.5% ABV (alcohol by volume) or above shall be sold at the premises.

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

Not applicable

Annex 4 – Plans



Annex 2

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 **Amanda Butler- Senior Fair-Trading Officer**
Enfield Council Trading Standards

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	
Maxi Wine Centre (formally known as Asya Wine Centre) 495 Hertford Road	
Post town	Post code (if known)
Enfield	EN3 5XH

Name of premises licence holder or club holding club premises certificate (if known)
Mr Ali Riza TULU

Number of premises licence or club premises certificate (if known)
LN/201500460 issued on 26/8/2015

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 | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |

- 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

Amanda Butler
 Senior Fair Trading Officer
 Enfield Council
 Trading Standards Department
 PO Box 57
 Civic Centre
 Silver Street
 EN1 3XH

Telephone number: 020 8 132 1572

E-mail address: Amanda.butler@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)**1. Background.**

- 1.1 Enfield Trading Standards Authority is seeking a review of the premises licence on the grounds that smuggled goods have been found on the premises i.e. non-duty paid cigarettes and hand rolling tobacco.
- 1.2 This review is based on the prevention of crime and disorder licensing objective.
- 1.3 The review application is to revoke the premises licence in its entirety.

2. Previous History

- 2.1 495 Hertford Road was previously known as Asya Wine Centre. The Premises Licence holder was a Mr Kemal ALTUN who changed his name by deed poll to a Mr Uygur ALTUN in 2014.
- 2.2 **23rd November 2009:** Mr Kemal ALTUN was prosecuted under the Food Safety Act 1990 following the seizure of alcohol namely, 25 bottles of Spar branded Imperial Vodka containing excessive levels of methanol. Mr Kemal ALTUN was found guilty and ordered to pay a fine and costs.
- 2.3 **March 2012;** A minor variation was issued to add conditions to the licence following the discovery of counterfeit alcohol (3 bottles of Bollinger).
- 2.4 **21st July 2015,** Mr Altun's premises licence was revoked on the grounds of the Prevention of Crime and Disorder as the premises had been found to be selling nonduty paid tobacco and alcohol, contrary to Condition 15 of the premises licence which states: -

'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'

- 2.5 Condition 15 of the licence had also been breached 5 times in a year.
- 2.6 **26th August 2015**; a new premises licence was applied for by the current premises licence holder namely, Mr Ali Riza TULU. Condition 16 was added to the new premises licence which states: -
- ‘Mr Uygur Altun (formally known as Kemal Altun) shall not be involved in any way in the operation and / or management of the business or be permitted to work in the business in any capacity’.***
- 2.7 Refer to **Appendix 1** for history of licensing review resulting in revocation of the premises licence).
- 2.8 Mr Ali Riza TULU has been the Owner, Designated Premises Supervisor (DPS) and premises licence holder for Asya Wine Centre now known as **Maxi Wine Centre- 495 Hertford Road EN3 5XH**, since 15th August 2015 to present date.

3.0 Recent Inspection History 2019

- 3.1 **03/06/2019**; Enfield Council Licensing Enforcement Team were notified by a Police Licensing Officer of alleged counterfeit alcohol and tobacco being sold from 495 Hertford Rd EN3 5XH. Two vans were alleged to be parked directly outside of the said premises.
- 3.2 **17/6/2019**; Enfield Council Licensing Team and Officers from HMRC conducted an inspection at Asya Wine Centre (now known as Maxi Wine Centre).
- 3.3 No Illicit tobacco were found on the premises at the time of the inspection.
- 3.4 There was a female on the premises who was identified as ‘Aylin Yengin’, Flat 57 Butterfly Court. She spoke very little English. A personal licence holder was not present at the time of the inspection contrary to Condition 14 of the Premises Licence which states: -
- ‘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’.***
- 3.5 During the inspection Officers identified cans of alcohol which were over 6.5% ABV (Alcohol by Volume) alleged to breach Condition 20 of the Premises Licence which states: -
- ‘No super-strength beer, lagers or ciders of 6.5% ABV (Alcohol by volume) or above shall be sold at the premises’ –***
- 3.6 Refer to Appendix 2 - CPX02 to CPX06: - Photos of alcohol
Refer to Appendix 2 - CPX/07: - Premises Licence
- 3.7 Officers observed a White Bipper van VRM: NU62 XVK parked directly outside of 495 Hertford Rd EN3 5XH. Staff were observed going back and forth to the van.

- 3.8 **25/6/2019**; Officers identified the White Bipper van VRM: NU62 XVK to be registered to a Mr Kemal ALTUN of 101 Southbury Rd, Enfield.
- 3.9 **5/7/2019**; Officers from Enfield Council Licensing Enforcement Team arrived at Maxi Wine Centre-495 Hertford Rd EN3 5XH and observed a White Bipper van parked directly outside of the premises.
- 3.10 Upon arrival, the Officers saw a young male outside of the premises who was looking around. The male retrieved a small item out of the van, put the item in his pocket and entered the said premises. The male identified himself as 'Filip Nadev'.
- 3.11 Officers entered, 495 Hertford Rd EN3 5XH and saw a tall broad male leave the premises with a small carrier bag.
- 3.12 Officers observed another male situated behind the counter and explained the nature of the inspection. The male did not speak much English and said to Officers that he would call the boss. The Officer asked the male who the boss was. The male replied 'Kemal' and made a telephone call. The male proceeded to send a text message as there was no answer on the telephone.
- 3.13 A couple of minutes later, a third male arrived at the premises and spoke to the male behind the counter in another language. The male behind the counter identified himself as 'Erkan' and then later said that his name was 'Svetlozar Atanasof'.

He explained to Officers that the boss was 'Ali'. Officers reminded 'Erkan' that he had told them that the name of the boss was 'Kemal'. Erkan replied '**No, I said it was Ali Riza**'. This was not the case. The third male kept speaking to 'Erkan' in another language.

- 3.14 Whilst at the premises, Officers conducted a full licensing inspection whereby the following alleged breaches of Premises Licensing Conditions were identified: -

3.14.1 Condition 4. '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 the premises licence'.

Erkan explained to Officers that he had not signed training records and did not know the meaning of 'Think 25' or a refusals book.

3.14.2 Condition 5. 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.

Erkan stated he had only worked there a few days but that he had been trained. However, he said he had not signed any training records and did not the meaning of 'Think 25' or a refusals book, when asked.

3.14.3 Condition 6. A 'Think 25' proof of age scheme shall be operated, and relevant material shall be displayed at the premises.

A Think 25 poster was on display. However, staff were unaware of the scheme.

- 3.14.4 Condition 7. *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.***

Staff did not know what a refusals book was.

- 3.14.5 Condition 11. *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.

No invoices were found. During the inspection, invoices in the name of Potters Mart Ltd were found. **Please see Appendix 3- (CPX/09 to CPX/10) - photograph of the invoices**

- 3.14.6 Condition 14. *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.***

There was no personal licence holder on site.

- 3.14.7 Condition 16. *Mr Uygar ALTUN (formally known as Kemal ALTUN) shall not be involved in any way in the operation and / or management of the business or be permitted to work in the business in any capacity.***

- 3.14.8 Condition 17. *The premises shall install and maintain a comprehensive CCTV system: -***

- (1) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.***
- (2) All recordings shall be stored for a minimum period of 31 days with date and time stamping.***
- (3) Recordings shall be made available immediately upon the request of Police or authorized officer throughout the preceding 31-day period.***
- (4) The CCTV system should be updated and maintained according to police recommendations.***
- (5) A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorized council officer recent data or footage with the absolute minimum of delay when requested.***

The staff claimed that they did not know how to use the CCTV system.

- 3.14.9 Condition 18. *An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:***
(1) *All crimes reported to the venue*
(2) *All ejections of patrons*
(3) *Any complaints received*
(4) *Any incidents of disorder*
(5) *All seizures of drugs or offensive weapons*
(6) *Any faults in the CCTV system*
(7) *Any visit by a relevant authority or emergency service*

Staff were not aware of an incident book.

- 3.14.10 Condition 20. *No super-strength beer, lagers or ciders of 6.5% ABV (alcohol by volume) or above shall be sold at the premises.***

Lager of 7% (ABV) was found on the shelf and were subsequently advised to remove the alcohol from the premises.

Foreign labelled Kasztelan lager was identified on the premises. Officers advised that the labelling on alcohol products should be in English.

- 3.14.11** Non-compliant tobacco products namely 'Blunts' were also identified by Officers during the inspection.

- 3.14.12** Refer to Appendix 3:CPX/11-inspection report and Appendix 3: CPX12 to CPX14- photos of the invoices and alcohol.

- 3.15 8/7/2019** Enfield Council Licensing Department ascertained the change of business name from **Asya Wine Centre** to **Maxi Wine Centre 495 Hertford Road 5XH**

- 3.16 11/7/2019;** Director of Potters Mart Ltd was identified as a Mr Usman Kaleem. The licence holder and the Designated Premises Supervisor (DPS) was identified as a Mr Dervis ALTUN. Refer to Appendix 3:- CPX15- Premises licence for Potters Mart Ltd

- 3.17 9/8/2019;**Officers from Enfield Licensing Team conducted observations from outside of Maxi Wine Centre.

The White Bipper van was parked outside of the said premises.

A male was observed standing outside, smoking next to the van. He kept going in and out of the premises but did not get anything out of the van.

- 3.18 15/8/2019;** Senior Licensing Enforcement Officer and Police Licensing Officer conducted a licensing inspection at Maxi Wine Centre-495 Hertford Rd EN3 5XH.

Upon arrival, Officers observed the White Bipper Van VRM: NU62 XVK parked directly outside of the said premises.

Tobacco products namely 'Blunts' were identified as contravening tobacco legislation and removed from the premises.

An open packet of non-duty paid cigarettes were also observed next to a motor vehicle's key, which appeared to be for the White Bipper van VRM: NU62 XVK.

Officers requested a female member of staff namely 'Aylin' to open the White Bipper Van. 'Aylin' refused to open the said van as the van belonged to a male called 'Yusuf'. An Officer advised 'Aylin' that they had identified Mr Kemal ALTUN was the registered keeper of VRM: NU62 XVK. This was denied by 'Aylin'.

'Aylin' subsequently made a telephone call and advised Officers that 'Yusuf' was on his way to 495 Hertford Rd, EN3 5XH.

Twenty minutes later, a male who identified himself as 'Yusuf' arrived at the said premises and walked behind the shop counter. 'Aylin' proceeded to hand 'Yusuf' the keys to the van and the opened packet of Non-duty paid cigarettes. 'Yusuf' left the premises immediately without speaking to officers and entered the said van.

The Police Licensing Officer knocked on the window of the van. 'Yusuf' ignored the Officer and drove away from the premises.

It is alleged that Mr Uygur ALTUN (formally known as Mr Kemal ALTUN) is still actively running/managing the business from 495 Hertford Road, (although the premises licence holder is currently Mr Ali Riza TULU, contrary to Condition 16 of the premises licence).

- 3.19 **11/10/19**; a premises licence was granted to Mr Ali Riza TULU regarding premises currently known as **Maxi Wine Centre- 495 Hertford Road EN3 5XH**. No changes have been made to the licence since that time.
- 3.20 **28/10/19** ;Officers from Enfield Council Trading Standards, a Senior Licensing Enforcement Officer and a Police Licensing Officer were accompanied by a dog handler and a dog from Wagtail International to various retail premises within the Borough to combat the sale of illicit tobacco.

At approximately 11.30HRS, Officers conducted an inspection to Maxi Wine Centre (formally known as Asya Wine Centre) 495 Hertford Rd Enfield EN3 5XH.

Upon arriving at the said premises, Officers saw a female of Mediterranean appearance behind a shop counter. The Senior Licensing Enforcement Officer explained the nature of the inspection to the female who identified herself as Ms Eilem KILIC. Officers showed their credentials to Ms KILIC.

Ms Eilem KILIC's first language was not English and therefore made a telephone call on her mobile phone. The Senior Licensing Enforcement Officer asked to speak to the person on the telephone. The Officer spoke to a male who identified himself as Mr Dervish KILIK who explained that he was the business partner of the premises licence holder.

The Owner and premises licence holder, Mr Ali RIZA TULU was not on the premises at the time of the inspection.

The Dog handler and Dog from Wagtail International assisted with the inspection and found the following tobacco on the premises: -

- Fifty (x50) packets of 20 Marlboro Gold cigarettes
- Twenty-four (x24) packets of 20 P3ct cigarettes
- Fourteen (x14) packets of 20 Compliment Blue cigarettes
- Ten (x10) packets of 20 Compliment Purple cigarettes
- Twelve (x12) packets of 20 Marvel cigarettes
- Thirteen (x13) packets of 20 NZ cigarettes
- Fourteen (x14) packets of 20 L & M Cigarettes
- Nineteen (x19) packets of 20 Minsk cigarettes
- Seventeen (x17) packets of 20 NZ Gold cigarettes
- Ten (x10) packets of 20 Rothmans cigarettes
- Fourteen (x14) packets of 20 Lifa cigarettes
- Twenty (x20) packets of 20 Marlboro Touch cigarettes
- Four (x4) packets of 20 Victory Gold cigarettes

Total: 221 packets of 20 cigarettes (4420 sticks)

- Three (x3) packets of 20 Golden Virginia hand rolling tobacco (50g)
- Two (x2) Amber leaf hand rolling tobacco (50g)

Total: - 5 packets of hand-rolling tobacco (250g)

The afore-mentioned products were found in bags within cardboard boxes behind the shop counter.

The estimated excise duty and VAT evaded on the 4420 cigarettes is **£1559.11** and 5 packets of hand rolling tobacco seized is **£70.70**.

Also, during the inspection, illicit drug paraphernalia/polyethene bags were seen displayed for sale behind the shop counter. **Please see Appendix 2: - CPX22 to CPX26**

Refer to Appendix 4- Notice of Seizure and Notice of Powers

Refer to Appendix 3: -CPX17 to CPX26 Photos of the seized tobacco

- 3.21 **11/11/2019;** a letter was sent to Mr Ali RIZA TULU and Ms Eilem KILIC inviting them to attend a tape-recorded interview on 10th December 2019 under the provisions of the Police and Criminal Evidence Act 1984. They did not attend this interview.

This was in regard to the following alleged offences pertaining to the seized tobacco namely: -

Section 136 licensing Act 2003

It is alleged that the following premises licence conditions have been breached: -

Condition 14 of the premises licence which states: -

‘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’.

Mr Ali RIZA TULU was not on the said premises at the time of the inspection conducted on 28th October 2019 by Officers from Enfield Council's Trading Standards Team, Licensing Enforcement Team and a Police Licensing Officer.

Condition 16 of the premises licence states: -

‘Mr Aygar ALTUN (formally known as Kemal ALTUN) shall not be involved in anyway in the operation and/or management of the business or be permitted to work in the business in any capacity’.

Inspections from Enfield Council Licensing Enforcement Team and a Police Licensing Officer observed a White Bipper van VRM: NU62 XVK parked directly outside of 495 Hertford Rd EN3 on the 17th June 2019 and 15th August 2019, respectively. The van has been identified to be registered to Mr Kemal ALTUN alias Mr Aygar ALTUN.

Condition 10 of the premises licence states: -

‘Only the Premises Licence Holder or Designated Premises Supervisor shall purchase alcohol and cigarette stock’

On 5th July 2019, Officers from Enfield Licensing Dept conducted a licensing inspection at 495 Hertford Rd EN3. During the inspection, invoices were produced which stated the suppliers of alcohol and tobacco. The invoices were addressed to ‘Potters Mart Ltd’ 75 Darkes Lane.

The Company Director of Potters Mart Ltd has been identified to be a Mr Usman Kaleen and the premises licence holder has been identified as a Mr Dervis ALTUN who was not the premises licence holder for Asya Wine Centre or Maxi Wine Centre’.

- 3.22 **11/12/2019;** Senior Fair-Trading Officer wrote to Mr Ali Riza TULU and Eilem KILIC requesting them to contact them within 7 days in order to reschedule the PACE interview. Refer to Appendix 5- PACE letters and emails from and to Mr Ali Riza TULU

4. Suspected Offences;

4.1 Section 144 of the Licensing Act 2003

It is alleged that on 28th October 2019 Maxi Wine Centre- 495 Hertford Rd were found to be in possession of imported tobacco without payment of duty or which have otherwise been unlawfully imported

4.2 Regulation 7(1) of the Standardised Packaging of Tobacco Products Regulations 2015

On 28th October 2019, Officers seized tobacco products alleged to breach Regulation 7(1) of the Standardised Packaging of Tobacco Products Regulations 2015, in that the exterior of the packaging did not have the permitted colour, that being Pantone 448c applied to it.

4.3 Contrary to Regulation 15(1) of the Standardised Packaging of Tobacco Products Regulations 2015

On 28th October 2019, Officers seized tobacco products alleged to breach Regulation 7 and 11 of the Tobacco & Related Products Regulations 2016 because the labelling was not in English i.e. did not comply with the General warnings and information messages on tobacco products for smoking and/or General conditions applicable to all health warnings on tobacco products. **Contrary to Regulation 48 of the Tobacco & Related Products Regulations 2016.**

5.0 Additional Information:

- 5.1 Home Office revised guidance issued under section 182 of the Licensing Act 2003 (11.27), states that there are certain criminal activities that may arise in connection with licensed premises which should be treated particularly seriously. The list includes the use of licensed premises for the sale or storage of smuggled tobacco and alcohol (i.e. non duty paid products).
- 5.2 The 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.
- 5.3 On 11th February 2015, during the meeting of the Licensing Sub-Committee in regard to the application to review the premises licence of Asya Wine Centre -495 Hertford Rd, Paragraph 11 of the said minutes stated, ***'there would be no drug related paraphernalia in the shop'***. Please see Appendix 1- Paragraph 11.
- 5.4 However, during the Trading Standards and Licensing Inspection on 28th October 2019, photographs of small plastic bags believed to be drugs paraphernalia were identified.

6.0 Conclusion:

- 6.1 Enfield Trading Standards Authority is of the opinion that given the large volume of tobacco seized, it is appropriate to recommend that this licence be revoked, even in the first instance.
- 6.2 The afore-mentioned recommendation takes into consideration the previous premises licence revocation issued to Mr Uygar ALTUN (formally known as Kemal ALTUN) and the alleged breach(es) of the current premises licensing conditions i.e. 10, 14 and 16, contrary to Section 136 of the Licensing Act 2003
- 6.3 The fact that Mr Ali Riza TULU (who is the current Premises Licence Holder and Designated Premises Supervisor) was not on the premises at the time of the inspection, the alleged licensing breaches and alleged product safety non-compliances, the Trading Standards Authority has a lack of confidence in those running the business.
- 6.4 If the Licensing Committee is minded not to revoke the licence, then the Trading Standards Authority request that the licence be suspended until the following actions have been completed:
- 6.4.1 Full compliance with the licence conditions has been demonstrated.
- 6.5 Trading Standards make no recommendations regarding amendments to the licence conditions, as these had already been varied in March 2012 and have been demonstrated as not being adhered to. They contain the most appropriate and up to date conditions consistent with the Operating Schedule.
- 6.6 Trading Standards reserve the right to add any additional information to support this review application.

7.0 Annex 3 - Conditions attached after a hearing by the Licensing Authority
Not applicable

Add the following conditions:

7.1 Non-duty paid tobacco or alcohol must not be stored or sold from the premises or from any vehicle.

7.2 There will be no drug related paraphernalia in the shop or being displayed for sale

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):	
A significant quantity of smuggled tobacco has been found at this premises. Having regard to the Home Office guidance the Trading Standards Authority feels it is appropriate to seek total revocation of the premises licence.	

Please tick yes

Have you made an application for review relating to this premises before ☐ No

If yes please state the date of that application

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

N/A

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: 20th January 2020

Capacity: Senior Fair-Trading 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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Appendix 1

[Home \(https://new.enfield.gov.uk/\)](https://new.enfield.gov.uk/) / [Services \(https://new.enfield.gov.uk/services/\)](https://new.enfield.gov.uk/services/)
 / [Councillors and democracy \(https://new.enfield.gov.uk/services/councillors-and-democracy/\)](https://new.enfield.gov.uk/services/councillors-and-democracy/)
 / [Agenda and minutes \(ieListDocuments.aspx?CId=217&Mid=9164&Ver=4\)](https://new.enfield.gov.uk/services/councillors-and-democracy/agenda-and-minutes/) / Agenda item

Agenda item

ASYA WINE CENTRE, 495 HERTFORD ROAD, ENFIELD, EN3 5XH (REPORT NO. 167)

- **Meeting of Licensing Sub-Committee, Wednesday, 11th February, 2015 10.00 am (Item 405.)**
(ieListDocuments.aspx?CId=217&Mid=9164#AI33114)
- **View the background to item 405. (mgIssueHistoryHome.aspx?IId=38564)**

Application to review a premises licence.

Minutes:

RECEIVED the application made by the Licensing Authority for the review of the Premises Licence held by Mr Uygar Altun at the premises known as and situated at Asya Wine Centre, 495 Hertford Road, Enfield, EN3 5XH.

NOTED

1. The opening statement of Mark Galvayne, Principal Licensing Officer, that a request for the adjournment of the hearing had been received this morning on behalf of the Premises Licence Holder.
2. The statement of Mr Philip Howarth, Barrister, representing Mr Uygar Altun, (Premises Licence Holder and Designated Premises Supervisor), that he had just met Mr Altun and may need to take some further instructions from him, but he would be asking for an adjournment because a number of matters had arisen in respect of an application to vary the Designated Premises Supervisor. However, the panel may first wish to hear the full introduction by the Principal Licensing Officer.
3. The introductory statement of Mark Galvayne, Principal Licensing Officer, including the following points:
 - a. This was an application to review the Premises Licence of Asya Wine Centre.
 - b. The review was brought by the Licensing Authority.
 - c. The Licensing Authority considers that it is appropriate to revoke the Premises Licence, in order to support the prevention of crime and disorder licensing objective.
 - d. The application was supported by the Metropolitan Police Service, who also considered that it was appropriate to seek revocation of the licence.
 - e. All parties had received a bundle of colour photographs, which were referred to on page 13 of the agenda in respect of the licence inspection on 11 July 2014 as Appendix 1.
 - f. Additional information in respect of the Licensing Authority representation dated 6 February 2015 and admitted by the Chair on 9 February 2015 had been circulated to all parties.
 - g. The licence had been held by Uygar Altun since 24 April 2006.
 - h. Uygar Altun had also been the Designated Premises Supervisor since 22 May 2009.
 - i. This morning, solicitors on behalf of Mr Altun had made valid an application to vary the Designated Premises Supervisor from Uygar Altun to Halil Bolat. This was requested to be made with immediate effect in accordance with the Licensing Act 2003 s.13.
 - j. The Police had two weeks to consider the variation application. If the Police considered it suitable, the application would be granted and Mr Bolat's name would be added to the licence as Designated Premises Supervisor. If the Police made an objection, a hearing of the Licensing Sub Committee must be called.
 - k. The Premises Licence would still be held by Uygar Altun and Mr Altun would remain the named Designated Premises Supervisor and be deemed to have the responsibilities of that position for the next two weeks.
4. The statement of Mr Philip Howarth, Barrister, in clarification, including the following points:
 - a. One of the reasons that an application had been submitted to vary the Designated Premises Supervisor was to address many of the concerns raised by the responsible authorities.
 - b. He therefore invited the panel to consider an adjournment so that everything could be done properly. Solicitors had informed him that a valid application had been made. He suggested that it would be better and make more sense to bring this matter back when the Police had had the opportunity to consider the variation application.
 - c. The Premises Licence Holder also had a number of other proposals, including reductions of hours when alcohol would be sold, and changes in the shop.
 - d. There had been a spot check on 5 February 2015 which he understood to have been basically satisfactory. He would imagine that responsible authorities would again want to make checks, including that the new Designated Premises Supervisor could meet all conditions of the licence, and he would ask for adjournment so that could be done.

- e. He confirmed that a complete adjournment of the hearing was requested for about two weeks so that these matters could be sorted out. This would make sense so that all matters could be heard together and all parties would know the exact situation.
5. The advice of the Principal Licensing Officer that Uygur Altun had three months' notice of today's hearing. The application to vary the Designated Premises Supervisor had been made this morning. Potentially, that variation application could be withdrawn in two weeks' time. This Premises Licence had been held for a number of years. Uygur Altun was in attendance at this hearing, and he remained the licence holder responsible for operation of the licence. The variation application should not be material to a decision at this meeting. The Licensing Authority had rejected proposals for reduction of hours and still sought revocation of the licence.
6. The Chair advised that the hearing was going to go ahead. He acknowledged the points made on behalf of the Premises Licence Holder but the sub-committee were minded to hear the review application today. The review application had been made on 4 November 2014, which was three months' ago, and related to a specific matter, which warranted consideration today. A change of Designated Premises Supervisor could be covered outwith of this hearing. The Chair clarified the process and order of the meeting.
7. The Chair granted a request for a five minute adjournment to allow Mr Howarth to explain the procedure to Mr Altun as he was not sure that English was his first language.
8. The opening statement of Charlotte Palmer, Licensing Enforcement Officer, on behalf of the Licensing Authority, including the following points:
 - a. The Licensing Authority were requesting revocation of the Premises Licence of Asya Wine Centre.
 - b. On 11 August 2014 Trading Standards received allegations that the premises had been selling under the counter cigarettes for some time. On 15 August 2014 this was proved true as a sale was made to an officer carrying out a test purchase.
 - c. On 22 August 2014 an inspection found Famous Grouse whisky with duty stamp obliteration stickers removed on display.
 - d. These discoveries undermined the licensing objective of the prevention of crime and disorder.
 - e. The Secretary of State believes that the sale of smuggled alcohol 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.
 - f. This was not the first instance at this premises. The same person had held the licence since 2006. In 2009 Mr Altun was prosecuted following the seizure of vodka containing dangerous levels of methanol.
 - g. Conditions to the licence were strengthened, and the licence holder was warned in writing. Therefore the licence had conditions already included which were the additional conditions which the Licensing Authority would seek when such issues were discovered.
 - h. In May 2014 a letter in respect of new mandatory conditions attached to the licence was sent to the premises from the Licensing Team and including a further advice warning from Trading Standards.
 - i. There had been repeated breaches of licensing conditions especially Condition 15 that a personal licence holder be present on the premises throughout the permitted hours for the sale of alcohol.
 - j. Officers also had concerns regarding drugs paraphernalia for sale on the counter.
 - k. Charlotte Palmer had hand delivered the licence review application to the premises and had witnessed a customer with £5 in their hand ask for duty free cigarettes. Other officers had witnessed similar occurrences at the premises.
 - l. The premises was located within the Enfield Highway Cumulative Impact Policy (CIP) area.
 - m. There was already crime and disorder in this area. Activities at this premises could be adding to problems in the area.
 - n. The Licensing Authority had no confidence in those running this premises and they therefore asked for the licence to be revoked.
9. The statement by PC Martyn Fisher, on behalf of Metropolitan Police Service, including the following points:
 - a. The Police supported the application by the Licensing Authority for revocation of the licence.
 - b. Research was carried out on the Police intelligence systems in relation to this premises: no results came back.
10. Questions were invited on the introductory statements:
 - a. The Chair asked the Principal Licensing Officer's views on the drugs paraphernalia and how that would undermine licensing objectives. It was advised that the equipment being sold was for smoking cannabis and would encourage such activity, eg Rizla papers, and grinders to grind it into a more usable material to smoke, and the scales could be used for other drugs. The equipment would encourage people to partake in illegal and nefarious activities.
 - b. In response to the Chair's queries about offences alleged arising from the 15 August 2014 test purchase, Charlotte Palmer confirmed that tobacco products legally must have health warnings written in English; and it was an offence under the Licensing Act 2003 to keep smuggled goods at the premises. The packet of cigarettes sold to the officer had foreign labelling – that was an offence – and having smuggled goods was an offence.
 - c. In response to the Chair's queries about the Licensing Enforcement Officers' visit on 5 February 2015 set out in the Licensing Authority's additional information, Charlotte Palmer confirmed that at this inspection there were entries in the refusals book (there were 13 entries since the last visit, in comparison to none in the previous month). There was also a record that six named staff had received training on 23 January 2015 – the same date as the previous

inspection. The Premises Licence Holder had said that the training was done that day after the officers had left. Charlotte Palmer advised that there were not normally six staff at the premises at the same time, and it could be questioned whether Mr Altun would be able to get them all in. The inspection on 23 January 2015 had taken place in the evening, at 19:40. Therefore if the training had taken place on that day they would have had to get all six people in on that evening. She confirmed that a personal licence holder was present at the 5 February 2015 visit, and that this visit was not a pre-booked appointment.

d. In response to further queries by Councillor Jagge, Charlotte Palmer confirmed the new entries had been made in the training records book since the previous inspection on 23 January 2015, and they set out the date of training, what the training was in, and who was trained. It was recorded that on 23 January 2015 six named people had received training. The date of 23 January 2015, at 19:40, was the last time that officers visited, to carry out a full licence inspection, and advised the licence holder that conditions were being breached, including Condition 6 and 7 relating to training.

e. In response to the question from the licence holder's representative about whether there was a prescription or legal requirement around how training should be done, or at any particular time or place, the wording of Conditions 6 and 7 of the licence were highlighted. Induction and refresher training (at least every three months) were required.

f. In response to further queries from the licence holders' representative that Mr Altun would have been told of compliance problems in no uncertain terms at the 23 January 2015 visit and it would not be surprising if he had then called in all his staff, Charlotte Palmer advised that officers would have told the licence holder which conditions he was breaching and how to comply. She had given the facts of the officer visits on 23 January and 5 February 2015.

g. The licence holder's representative asked about the novelty bags, scales, etc, noting that it was open for those items to be sold, that they were available from wholesalers and frequently promoted at cash and carry establishments. Charlotte Palmer responded that it was not illegal to sell these items, but that she had never seen them displayed in such a manner, on the counter, where sweets were also displayed.

h. The Principal Licensing Officer referred to the offer by the licence holder to reduce the hours for sale of alcohol and asked for the views of the Licensing Enforcement Officer on that offer. Charlotte Palmer confirmed that the licence holder had offered a reduction in hours to sell alcohol only between 10:00 and 23:00, which was just less than the CIP hours. She confirmed that the Licensing Authority still rejected this proposal or a proposal for a period of suspension of the licence: they still stood by their position of seeking revocation of the licence. The Licensing Authority remained concerned about how the premises were run, despite compliance now, there had been such a pattern over a number of years.

11. The statement of Mr Philip Howarth, Barrister, on behalf of the licence holder, including the following points:

- a. He was accompanied by the Premises Licence Holder, Uygur Altun.
- b. It had taken some time to get to this position; it had been argued that there had been a pattern over a few years, but the case did not have the intensity which may have been seen in others.
- c. Trading Standards had clearly been concerned, but had conceded that there is compliance with the licence now. It may be that Uygur Altun had not approached matters in the way he should have, but signs were now positive that he is complying with the licence conditions at the moment and has made sensible concessions in respect of hours.
- d. It was important that the premises created no more issues in the CIP area. It may well be that it would make policing easier by bringing hours into line with other off sales in the area.
- e. The panel had the power to revoke the licence, but also to take other actions. The panel were required to look at the lowest sanction first, being mindful of the aims of the Licensing Act, and any sanction must be appropriate and proportionate.
- f. He questioned whether it would be most appropriate to revoke the licence, and urged the panel to consider a position in between, to enable the business to continue in a structured and lawful way without undermining the Licensing Act.
- g. Mr Altun had proposed a change of Designated Premises Supervisor and personal licence holder.
- h. Mr Altun proposed a reduction in hours that alcohol was sold.
- i. Mr Altun proposed structural changes to the shop to ensure that sales of alcohol could not be made outside the set hours.
- j. There would be no drug related paraphernalia in the shop or in the same area of the shop as alcohol sales.
- k. He requested consideration of a period of suspension of the licence, when trade in alcohol would not be permitted, to allow the licence holder to 'put their house in order'.
- l. It may be that Trading Standards would want to add further conditions to the licence for Mr Altun to be able to prove the source of goods and that there were no more incidents of non duty paid goods. All of these things could be built into a licence as they were easily verifiable. Mr Altun had started complying with the refusals book. The panel may want to stop him from trading until this was done, by suspending the licence.

12. Questions were invited on the representation:

- a. The Chair highlighted that the licence holder had "started complying with the refusals book", but checked and received confirmation that he had held the licence since 2006, had been prosecuted in 2009, and had varied the licence to strengthen conditions in 2012.
- b. The Chair questioned why the licence holder had not acted on the letter of May 2014 and the Trading Standards advice that tobacco and alcohol must be bought from a reputable supplier and products must be evidenced by receipts, given the smuggled goods found at the premises in August 2014. It was responded that Uygur Altun was not

making the purchases at that time. Purchasing was being done by someone else who came to help him. Mr Altun accepted that he had been in the wrong as he was responsible as the licence holder, but it could be seen that he was making a determined and focused effort now to put things right.

c. The Chair further questioned whether this may be acting too late, given that Mr Altun had operated the licence for nine years. Mr Howarth was not sure what advice Mr Altun may have had in the past, but that after this hearing he would be told that he could not be running a business, especially a regulated business, in such a way, and he had to be clear about what his responsibilities were. However, the panel's decision-making was not meant to be punitive. The business had to operate with regard to the licensing objectives, but the response had to be proportionate.

d. Councillor Vince asked about the non duty paid goods found and whether Mr Altun had asked for receipts for the goods and whether receipts had been seen by officers. Mr Howarth conceded that Mr Altun had no details and was not given receipts for these products. His general impression of how Mr Altun ran the business was that he tended to get goods from a variety of wholesalers. His record keeping was arguably very poor at that time. In meeting new conditions he would be required to make improvements in receipt keeping and proving that all duty payable goods were coming from reputable suppliers. In response to further questioning about receipts, it was advised that Mr Altun did keep invoices now and that goods were purchased from reputable sources. Mr Altun had been able to show invoices and where goods were from on recent officer inspections.

e. Councillor Vince expressed concerns that this premises was near to a very large secondary school and that sales may be made to youngsters, given the history of non compliance with licence conditions. It was responded that Mr Altun had gone some way in recent times to make proper efforts that sales were correctly refused. A refusals book was kept up to date. 'Challenge 25' notices were up and facing the right way, and Mr Altun had called in all staff to receive training.

f. In response to Councillor Vince's further queries in relation to training, it was advised that Mr Altun now knew that he had to undertake staff training regularly and it had to be verifiable. Mark Galvayne noted that the conditions regarding training had been on the licence since 2012. Mr Howarth conceded that regular staff training should have been undertaken in the past, but that did not happen. But looking forward to the future it would be ensured that verifiable records were kept and all new workers would be trained. Officers were also invited to strengthen conditions as necessary. Mark Galvayne noted that Condition 6 set out how often training should be carried out and Condition 7 set out the records to be kept. These were conditions already on the licence.

g. The Chair raised that the operation of the licence was not the reason for this review, but rather the sale of counterfeit goods, and asked about the previous prosecution. The licence holder's representative responded that this was quite some time ago. Mr Altun was complying with the licence. There may be further steps to be taken in respect of verifying how he operated his business to the satisfaction of Trading Standards and the Police over an intense period so that everything was correct. He would submit that was an appropriate way forward.

h. The Chair asked about public health implications of sale of counterfeit goods. It was advised that Uygur Altun conceded on that, but these were specific incidents. What had been reported from Trading Standards and the Police did not amount to continuing issues, but were specific serious incidents of breaching the licence which warranted action, but could be made right by giving Mr Altun time.

i. The Chair drew attention to five occasions reported when the Premises Licence Holder was not on the premises during licensed hours, and that allowing purchases to be made by an unnamed person may also be considered irresponsible. It was advised that Mr Altun conceded this was so. He wanted to address the issue by transferring the licence to someone who was there all the time.

j. In response to the Chair's request for confirmation that Mr Altun would still be the Premises Licence Holder. Mr Howarth advised that he would need to take further instruction and clarification, but from the solicitors he understood that further concessions were to be made and that a valid application to vary the Designated Premises Supervisor had been submitted. He would say that revocation in the immediate aftermath of such a breach could be appropriate, but not in this situation where measures could be taken to put all matters in order. There had been recent compliance. The situation was not so chronic that only revocation was appropriate and in the public interest.

k. Charlotte Palmer asked if Uygur Altun could please confirm his home address, and when he moved to that address. This was confirmed as 29 Mayfield Road, Enfield, EN3 7LS and he had moved there two weeks ago.

l. Charlotte Palmer asked why a copy of the review application which had been sent to the Premises Licence Holder's address given on the licence (6 Martins Drive, Cheshunt) had been returned marked "addressee unknown" on 11 November 2014, and why no action had been taken when officers advised that the address on the Premises Licence needed to be changed. It was an offence not to advise the Licensing Authority of a change of address under the Licensing Act. It was responded that Mr Altun used a number of family addresses and that the Martins Drive address was still used. However, Mr Altun had experienced domestic problems which were the reasons for changing his address. He was not able to explain why members of his family sent his post back. Mr Altun had been at Mayfield Road for the last two weeks and was in the process of notifying everyone that this was his new address and that he would no longer be using the Cheshunt address. Mark Galvayne confirmed that no notification or appropriate fee for the change of address had been received by the Licensing Authority, and noted that Mr Altun had been represented over the last three months by Oakfield Solicitors.

m. Charlotte Palmer asked if Mr Altun could confirm that on 23 January 2015 officers advised that his address needed to be changed. Mr Howarth advised that Mr Altun had started living at the Mayfield Road address at about that time.

n. Charlotte Palmer asked about Mr Halil Bolat, advised as the potential new Designated Premises Supervisor, and his relationship to Mr Altun. It was advised that Mr Bolat was not a relative, but an employee and it was planned to install him as manager to run the entire business on Mr Altun's behalf. Mr Altun would remain the business owner.

- o. Charlotte Palmer raised the offer made to reduce licensed hours, but asked how that would solve the issues of concern of non duty paid goods at the premises. It was advised that reduced hours were not designed to address that issue, but to address concerns that the policing of the business was causing more problems than it should and its impact in the CIP area. The aim was to bring the operation's licensed hours into line with the zone. In respect of non duty paid goods, there had been specific incidents, but nothing since January. There was no evidence of an ongoing pattern of breaches. The origin of goods could be verified.
 - p. Councillor Vince asked when a change of address should be notified. Mark Galvaye confirmed that "forthwith" was the requirement.
 - q. In response to Councillor Vince's query why the Licensing Authority was not notified of the change of address straight away, it was advised that initially this had been an ad hoc arrangement for Mr Altun with a friend, around the 25 January 2015. He conceded that notification should have been made as soon as practicable, but his situation had to be considered in the context of his domestic problems and having to move all his belongings. Mark Galvayne advised that failing to notify a change of address as soon as reasonably practicable was an offence and subject to a £500 fine under Section 33 of the Licensing Act. He would consider 'reasonably practicable' as the next working day.
 - r. In response to the Chair's question about relevance of licensed hours to the issues of concern, it was advised that the reduction in hours would address points in relation to the CIP and policing generally and would seem to be an appropriate step to take. There were other conditions on the licence that could be strengthened to address other issues.
 - s. In response to the Chair's further queries about the suggestion that Halil Bolat be installed as manager and whether he was a current member of staff, it was advised that he was now working as an employee. He was not one of the named members of staff recorded as having received training on 23 January 2015. He had started working at the premises after that date. He would be trained.
13. The closing statement of Mark Galvayne, Principal Licensing Officer, including the following points:
 - a. The Home Office Guidance s. 11.24, 11.27 and 11.28 were highlighted for Members' attention, as set out in paragraphs 4.6 to 4.8 of his report.
 - b. This was not the first instance of criminal activities. Over six years of trading there had been instances in 2009, 2012 and 2014.
 - c. The Licensing Sub-Committee must take such steps as considered appropriate for promotion of the licensing objectives.
 14. The closing statement of Charlotte Palmer, Licensing Enforcement Officer, including the following points:
 - a. There was a pattern of illicit tobacco and alcohol at this premises, in 2009, 2012 and 2014.
 - b. The Premises Licence Holder had already been given a second chance and the licence strengthened so that it had included suitable conditions already for some time.
 - c. The licence holder had a history of breaching conditions.
 - d. The Licensing Authority considered that the appropriate action was revocation of the licence.
 15. The closing statement of PC Martyn Fisher, on behalf of Metropolitan Police Service, reiterating support of the Licensing Authority's application for revocation of the Premises Licence.
 16. The closing statement of Mr Philip Howarth, Barrister, on behalf of the licence holder, including the following points:
 - a. There had to be regard to the overall objectives of the Licensing Act, including that businesses should continue to operate within the law.
 - b. All issues raised by Trading Standards and the Police could be met over a period of time, and a suspension of the licence should be considered so that proper rigorous systems could be put in place under a new manager.

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.

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 read and listened attentively to the written and oral representations, the Licensing Sub-Committee (LSC) has resolved that the appropriate step to be taken to support the promotion of the licensing objectives is to revoke the licence of the Asya Wine Centre.

The LSC believes in particular that the offences as raised in terms of the sale of counterfeit and non-duty paid goods not just go against the prevention of crime and disorder, but – with respect to unlawful alcohol sales - runs the risk of compromising public safety. As such, the LSC was persuaded that the Licensing Authority has made its case in full.

Although we have heard that additional conditions and reduced hours have been offered by the Premises Licence Holder, and that he has begun to undertake relevant staff training in order to address the uncontested breaches of conditions identified, the LSC was not satisfied that this would be sufficient or appropriate. The panel believes existing conditions as agreed by the Minor Variation to the licence dating back to March 2012, arising from counterfeit alcohol again being found on the premises at that time, address all of the issues proposed by the Premises Licence Holder in making this offer.

The panel also heard that the Premises Licence Holder offered to reduce the hours during which alcohol may be sold as a mitigating and corrective factor, and to bring the premises in line with the cumulative impact policy as applies in this area. However, we were not persuaded by the arguments made in the submission on the basis that the sale of counterfeit and non-duty paid goods is not time sensitive. Furthermore, the full licence inspection which occurred at 19:40 on 23 January 2015, being more than two months after the review application was made, additionally revealed a series of non-conformity with current conditions. Initially on that day, and we heard further evidence regarding five other separate occasions, Mr Uygur Altun was not present on the premises when the officers arrived. This repeated breach of Condition 15 was a matter of specific concern.

The report from the subsequent visit made on 5 February 2015 appears to confirm remedial action had been taken to bring outstanding conditions of the licence into compliance. However, with regard to staff training, whilst we heard that there is nothing in law to direct when and where such training should be undertaken, the panel considered that the capacity to have properly prepared and delivered appropriate training to six members of staff during shop opening hours on the very same day and in such a short time frame in the aftermath of the previous inspection (19:40 on 23 January) lacked credibility.

The LSC has applied significant weight to both the Council's Licensing Policy and Home Office statutory guidance - especially sections 11.24, 11.26 and 11.27 - whereby the matter of selling counterfeit and non-duty paid goods should be taken seriously, even in the first instance.

In this case, the Premises Licence Holder has been discovered on four occasions – initially in 2009, from which a prosecution followed against Mr Altun for counterfeit alcohol on the premises where he was convicted following the seizure of 25 bottles of vodka containing excessive levels of methanol. Then on 30 March 2012, counterfeit alcohol was again found on the premises. Most recently, and twice in August 2014, first non-duty paid tobacco was found on the premises (15 August); and only a week later (22 August) non-duty paid alcohol was again found on the premises.

The LSC was concerned that the Premises Licence Holder had failed to act upon the advice given at the time of the first offence, subsequently in a guidance letter, dated March 2012, then specifically via the guidance letter sent on 28 May 2014, and information conveyed at in-store licensing inspections. The papers refer specifically to copies of the inspection report from 23 January 2015 being signed by and left with Mr Altun.

We heard that there was an absence of any receipts to validate that the goods constituting the offences as presented by the Licensing Authority were purchased from a reputable supplier. The failure and inability to produce such receipts to the inspectors at the time of visits in August, in the aftermath of those visits, or at any time in between subsequent visits and the hearing of the case today – and the explanations provided by the Premises Licence Holder – contributed to the decision taken by the LSC.

In addition, the LSC was advised by both the Principal Licensing Officer and the Premises Licence Holder that an application to vary the Designated Premises Supervisor had been made today. This process will play out in due course over the next two weeks. The LSC did not believe that this step carried sufficient weight to influence the decision arrived at.

The information we were given to consider was not persuasive, and relates to a decision only recently taken by the current Premises Licence Holder and Designated Premises Supervisor, whose judgement and decision-making has (through the review) been brought into question.

The LSC was minded to accept the case put by the Licensing Authority supported by the Metropolitan Police Service that they have no faith or confidence in the Premises Licence Holder to operate the licence in the present, or impact on its future. We heard strong evidence of repeated breaches of conditions in the past, not least the fact that Condition 15 had been breached on five occasions.

We did acknowledge that steps to bring the Licence into compliance with regard to identified entries in the refusals book and staff training had been taken, but only very recently.

However, the main focus of our attention was in the context of the principal issue that brought about the review, being the sale of counterfeit and non-duty paid goods – on several occasions.



As such, the evidence presented in support of this, in combination with the policy and Statutory Guidance being applied, has sufficiently informed the decision we have taken and which we believe to be appropriate and proportionate for the promotion of the licensing objectives.

The matters of breaching conditions were compounding factors which reinforced our decision. Though offers were made on hours and conditions, as set out above, we took the view that beyond being inappropriate, it was too little and too late.

The LSC views the fact that the Premises Licence Holder has held a licence for these premises for almost nine years as an aggravating factor."

3. The Licensing Sub-Committee resolved to revoke the licence.

Supporting documents:

- **Asya, item 405.**  PDF 2 MB (documents/s49989/Asya.pdf)
- **110215 LICENSING AUTHORITY ADDITIONAL INFORMATION 2, item 405.**  PDF 145 KB (documents/s50128/110215 LICENSING AUTHORITY ADDITIONAL INFORMATION 2.pdf)

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Charlotte Palmer

From: Karen.Staff@met.police.uk
Sent: 03 June 2019 15:54
To: Charlotte Palmer
Subject: 495 HERTFORD ROAD

Hi Ya

Have I shown you this? Is this Asya?

On 26/05/2019 called police via CAD 4259/26/MAY/2019 on being spoken to by police she has stated that she believed that counterfeit products Tobacco and alcohol were being sold from the shop at 495 HERTFORD ROAD EN35XH believed to be Asys Wine Centre.

The informant has purchased some alcohol which she states that label is was not straight looking like it had been stuck on by a child with no UK duty mark displayed on the bottle.

They had also purchased a tobacco pouch the contents of which had been covered in mould again with no UK duty mark displayed on the packaging.

The informant has continued to say that the shop owners have two vans parked outside the location where she believed that stock was kept as they are often seen coming from the vehicles.

The CRIS also says that the time stamp on the CCTV was incorrect.

Shall we visit?
 Shall we get HMRC to visit?
 Op Wagtail?



PC Karen Staff 2237NA
Licensing Officer
North Area BCU Partnership & Prevention
 Metropolitan Police Service
 North Area BCU (Enfield & Haringey)

02083453379

07887646262

Edmonton Police Station, 462 Fore Street, N9 0PW

www.met.police.uk Karen.Staff@met.police.uk

Enfield Haringey

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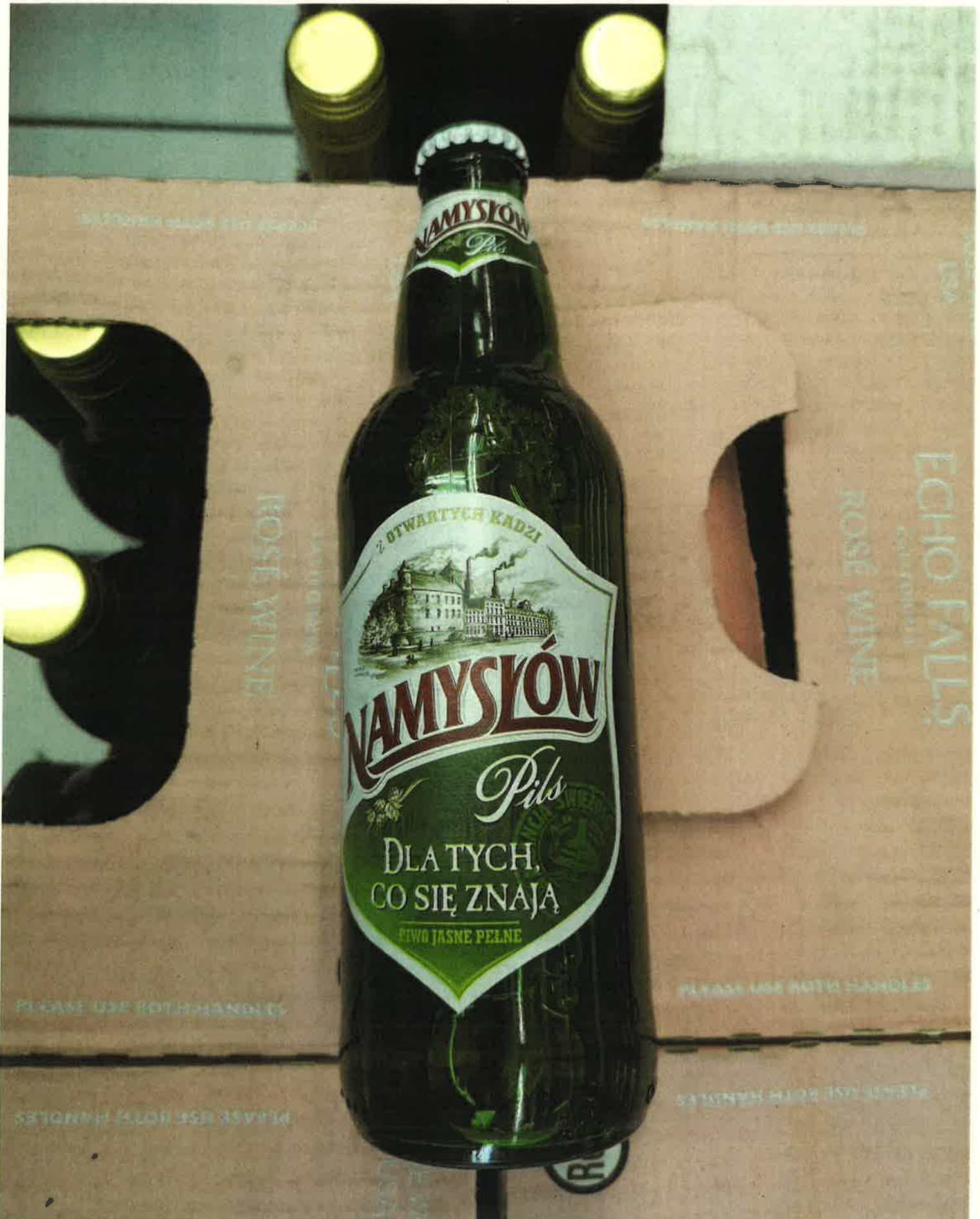
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CPX 103









Mr Ali Tulu
Flat 3 Burren Court
Baxter Road
Edmonton
N18 2GE

Please reply to **Ellie Green**
: **Licensing Unit**
PO Box 57, Civic
Centre
Silver Street, Enfield,
Middx EN1 3XH
E-mail : **licensing@enfield.gov.uk**
Phone : **020 8379 3578**
Textphone : **020 8379 4419**
Fax : **020 8379 2190**
My Ref : **LN/201500460**
Your Ref : **NOT PROVIDED**
Date : **26th August 2015**

Dear Mr Ali Tulu

Licensing Act 2003

Premises : Asya Wine Centre, 495 Hertford Road, ENFIELD, EN3 5XH

This letter concerns the application for a New Application Premises Licence under the Licensing Act 2003.

Please find the licence enclosed. Please check the details on the licence carefully, the Licensing Authority is prepared to correct any of our clerical errors within 28 days of the licence being issued.

Note - Transfers

On the grant of a transfer application, any notification or permit (under the Gambling Act 2005) in respect of gaming machines at the premises becomes null and void. A new notification or permit will need to be sought by the new holder of the premises licence (under the Licensing Act 2003) before gaming machines may be lawfully provided at the premises.

Please be advised that the licence does not override any restrictions on trading hours etc. that may apply to the premises in respect of planning permission and/or Sunday trading & etc.

The terms, conditions and restrictions of the licence must be complied with whenever the premise is used for licensable activities. Failure to comply with the licence is a criminal offence with, on conviction, a maximum fine of £20,000 and/or up to 6 months imprisonment.

The Licensing Enforcement Team advise as follows

In order to support premises in meeting the conditions of their licence, the Licensing Authority has produced material such as training guidance, leave quietly signs, refusals book, which can be found on the Enfield website by following this link:

http://www.enfield.gov.uk/downloads/download/2316/compliance_documents

Please print the material relevant to the conditions and use in accordance with your licence.

Please be advised that a premises licence lapses if the holder of the licence : dies; becomes a person who lacks capacity (within the meaning of the Mental Capacity Act 2005) to hold the licence; becomes insolvent; is dissolved; or if it is a club, ceases to be a recognised club. An individual becomes insolvent on : the approval of a voluntary arrangement proposed by him; being adjudged bankrupt or having his estate sequestrated; or entering into a deed of arrangement made for the benefit of his creditors or a trust deed for his creditors. A company becomes insolvent on : the approval of a voluntary arrangement proposed by its directors; the appointment of an administrator in respect of the company; the appointment of an administrative receiver in respect of the company; or going into liquidation.

The licence, or a certified copy of it, must be kept on the premises at all times and must be produced on request to any authorised officer. The summary of the licence must be prominently displayed within the premises.

The London Fire Brigade advise as follows :

The issue of capacity should be addressed in the fire risk assessment for the premises use. This does not mean that every premises must have a capacity figure. There should be evidence however that the responsible person has considered the number of persons who can be safely evacuated through the available exits.

A safe capacity figure will be expected in the following circumstances:

- (1) in premises that could potentially become overcrowded; for example bars, pubs, clubs, and other places of public assembly :
- (2) where an engineered solution or BS 9999 has been used to increase capacity;
- (3) where capacity is risk-critical; for example where the premises use has a higher occupancy factor than that which the building was designed for.

Where applicable, capacity should normally be inclusive of staff and performers. Management should be able to demonstrate a realistic method of controlling capacity.

Should you wish to change the operation of the premises in the future by adding new licensable activities or by changing the hours or removing conditions then you will need to apply for a variation of the licence. Please contact us for further advice.

You must notify the licensing authority of any change in the name and/or address of either the premises licence holder or the designated premises supervisor.

The licence is subject to an annual fee, payable on each anniversary of the licence first being granted.

Please be advised that if you are playing music in your business – to staff or customers – it is a legal requirement to obtain permission from the copyright holders. Two organisations exist to help make sure you are correctly licensed to play the music you want. PPL collects royalties on behalf of performers and record companies. PRS for Music collects royalties on behalf of songwriters, composers and music publishers. In most instances, a licence from both organisations is needed to ensure all copyright holders are correctly paid for the use of their music. If you play music in your business, please contact PPL and PRS for Music to obtain the right licences for you. Please visit ppluk.com and prsformusic.com for more information on music licensing or call PPL on 020 7534 1095 and PRS for Music on 0800 068 4828.

All employers have a responsibility to prevent illegal migrant working in the UK. Failure to comply could lead to a penalty of up to £10,000 per illegal worker. Home Office guidance is available at www.ukba.homeoffice.gov.uk/employers/preventillegalworking/

If you require any further information, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'EG', with a long horizontal line extending to the right.

Ellie Green
Principal Licensing Officer

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

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number : LN/201500460

Part 1 – Premises Details

Postal address of premises :

Premises name : Asya Wine Centre

Telephone number : Not provided

Address : 495 Hertford Road ENFIELD EN3 5XH

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 - 00:00
Monday :	10:00 - 00:00
Tuesday :	10:00 - 00:00
Wednesday :	10:00 - 00:00
Thursday :	10:00 - 00:00
Friday :	10:00 - 00:00
Saturday :	10:00 - 00:00

Part 2

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

Name : Mr Ali Riza Tulu
Telephone number : Not provided
e-mail : alituluali@gmail.com
Address : Flat 3, Burren Court, 3 Baxter Road, LONDON, N18 2GE

Registered number of holder (where 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 Ali Riza Tulu
Telephone number : Not provided
e-mail : alituluali@gmail.com
Address : Flat 3, Burren Court, 3 Baxter Road, LONDON, N18 2GE

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/201500101
Issuing Authority : London Borough of Enfield

Premises Licence LN/201500460 was first granted on 26 August 2015.

Signed :



Date : 26th August 2015

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

- 1. No supply of alcohol may be made under the premises licence : (a) At a time when there is no designated premises supervisor in respect of the premises licence; or (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.**
- 2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.**

Annex 2 - Conditions consistent with the Operating Schedule

- 3. 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.**
- 4. 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 the premises licence.**
- 5. 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.**
- 6. A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed at the premises.**
- 7. 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.**
- 8. 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.**
- 9. Alcohol and cigarette stock shall only be purchased from registered wholesalers.**
- 10. Only the Premises Licence Holder or Designated Premises Supervisor shall purchase alcohol and cigarette stock.**
- 11. 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.

12. 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.

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

14. 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.

15. Prominent, clear and legible notices shall be displayed on all alcohol fridges and at all other alcohol display areas advising customers of the permitted sale of alcohol times.

16. Mr Uygur Altun (formally known as Kemal Altun) shall not be involved in any way in the operation and / or management of the business or be permitted to work in the business in any capacity.

17. The premises shall install and maintain a comprehensive CCTV system:

(1) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.

(2) All recordings shall be stored for a minimum period of 31 days with date and time stamping.

(3) Recordings shall be made available immediately upon the request of Police or authorized officer throughout the preceding 31 day period.

(4) The CCTV system should be updated and maintained according to police recommendations.

(5) A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorized council officer recent data or footage with the absolute minimum of delay when requested.

18. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:

(1) All crimes reported to the venue

(2) All ejections of patrons

(3) Any complaints received

(4) Any incidents of disorder

(5) All seizures of drugs or offensive weapons

(6) Any faults in the CCTV system

(7) Any visit by a relevant authority or emergency service

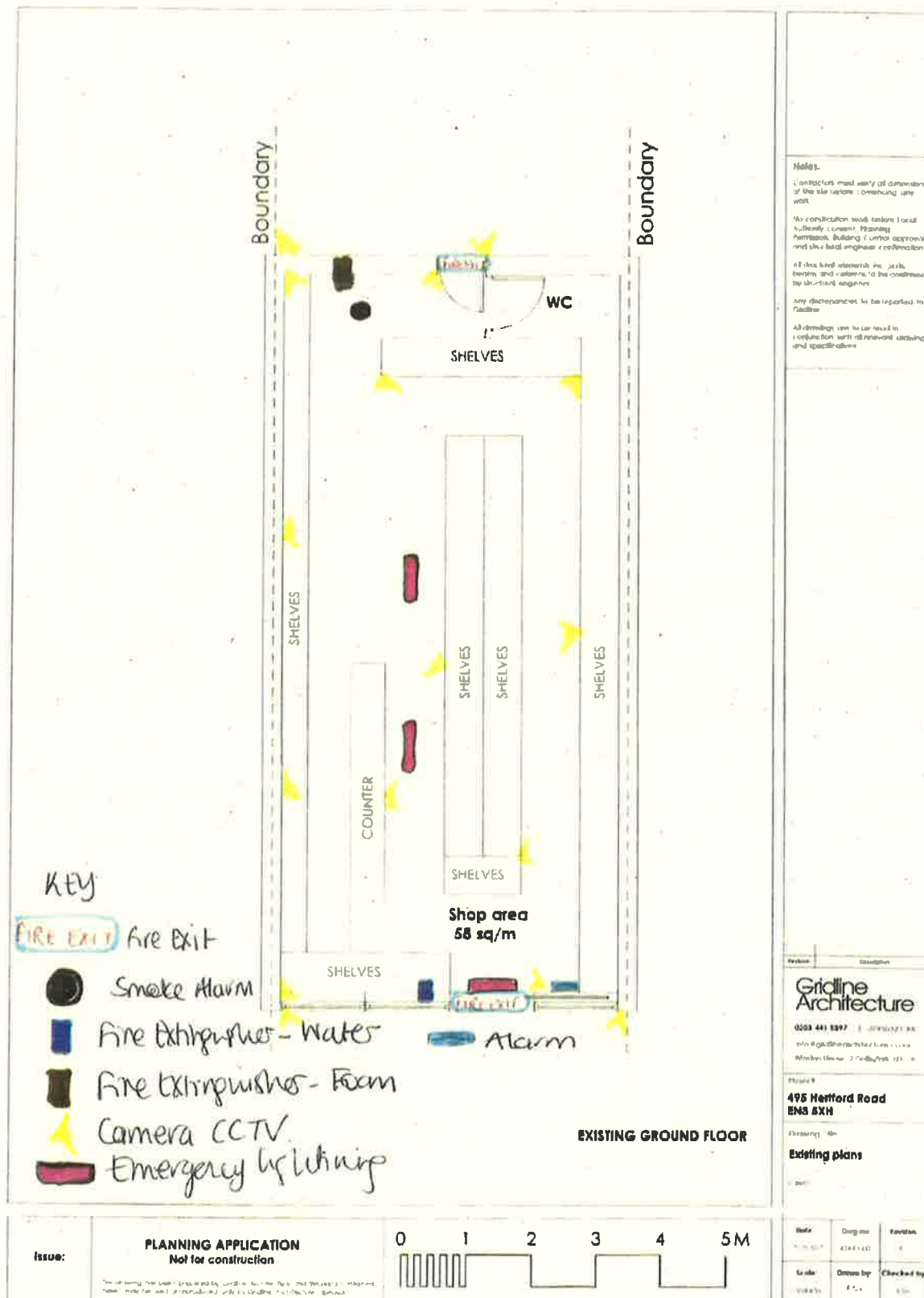
19. The venue will operate a can marking scheme agreed in writing by the Police and Licensing Authority. All cans of alcoholic beverages will be marked with either indelible ink marker pens, UV marker pens or other can marking scheme i.e. stickers.

20. No super-strength beer, lagers or ciders of 6.5% ABV (alcohol by volume) or above shall be sold at the premises.

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

Not applicable

Annex 4 – Plans



Licensing Act 2003**PART B – PREMISES LICENCE SUMMARY**

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number : LN/201500460

Part 1 – Premises Details

Postal address of premises :

Premises name : Asya Wine Centre

Telephone number : Not provided

Address : 495 Hertford Road ENFIELD EN3 5XH

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 - 00:00
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Tuesday :	10:00 - 00:00
Wednesday :	10:00 - 00:00
Thursday :	10:00 - 00:00
Friday :	10:00 - 00:00
Saturday :	10:00 - 00:00

Part 2

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

Name : Mr Ali Riza Tulu

Address : Flat 3, Burren Court, 3 Baxter Road, LONDON, N18 2GE

Registered number of holder (where applicable) :

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

Name : Not applicable

Address :

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

Mr Ali Riza Tulu

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

Not Restricted

Premises Licence LN/201500460 was first granted on 26 August 2015.

Date : 26th August 2015

**London Borough of Enfield
Licensing Unit, Civic Centre, Silver Street, Enfield EN1 3XH
Telephone : 020 8379 3578**



CPX107



CPX/08



CPX/09

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Customer No: 702882
Order No:
Operator No: 82

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1000 BRITAIN **1000 BRITAIN**

CODE	DESCRIPTION	SIZE	PACK	UNIT PRICE	% VAT	DEL QTY	GOODS TOTAL	RRP	PCRM
SECURITY MESSAGE NEW SECURITY EXIT GATE ENTER CODE 1063 INTO PIN PAD									
430110	COCA ZERO PM £1.89 2 / £3.00	1.75LTR	6	6.19	20.00	1	6.19	1.89	34.4
617519	SCHWEPES TONIC WATER SLIMLINE	1LTR	6	6.99	20.00	1	6.99	1.89	26.0
471001	KA PM £1.79 FRUIT PUNCH	2LTR	6	6.79	20.00	1	6.79	1.79	24.1
932288	FANTA FRUIT TWIST PM £1.85 2/£2.89	2LTR	6	5.99	20.00	1	5.99	1.85	35.2
**TROLLEY COUNT: 4 25.96									
521010	EFES DRAFT	500ML	12	16.49	P 20.00	1	16.49	2.19	24.7
900113	DRAGON STOUT NRB	284ML	24	23.19	P 20.00	1	23.19	1.75	30.7
900260	MAGNUM TONIC WINE	20CL	24	47.99	P 20.00	1	47.99	3.49	31.2
801155	STELLA CANS PM 4 FOR £5.79	500ML	24	17.99	P 20.00	6	107.94	1.69	46.7
900898	SMIRNOFF RED	50CL	6	52.99	20.00	1	52.99	12.99	18.4
900637	WRAY AND NEPHEW OVER PROOF	70CL	6	114.99	P 20.00	1	114.99	31.49	26.0
608203	FOSTERS CAN 4PK PM £4.50	440ML	6	16.49	P 20.00	1	16.49	4.50	26.7
192106	SMIRNOFF ICE PM £4.99 (4X6)	275ML	6	19.99	20.00	1	19.99	4.99	19.8
**TROLLEY COUNT: 13 400.07									
**TROLLEY COUNT: 0 0.00									
458462	EMERGE ENERGY 49P	250ML	24	4.99	P 20.00	1	4.99	0.39	35.0
**TROLLEY COUNT: 1 4.99									

Total count: 18 / 0
Terms: CASH ONLY

You were served by EDMONTON TILL 2
Till No. 03

Vat Analysis

Vat Code	Rate	Goods	VAT Total
1	20.00 %	431.02	86.20

Goods Total: 431.02
VAT Total: 86.20
Gross Total: 517.22

THESE GOODS REMAIN THE PROPERTY OF ABRA WHOLESALE LTD UNTIL PAYMENT RECEIVED IN FULL
ABRA WHOLESALE THANKS YOU FOR YOUR CUSTOM

PAID
W. K. THAKAS

CASHIER

CPX 110.

ABRA WHOLESALE LTD
LEADING WHOLESALE & EXPORTER

LANDMARK WHOLESALE
5 PULHAM LANE, LONDON E16 2AG
Tel: 020 8827 3003
Email: info@abrawholesale.co.uk
www.abrawholesale.co.uk

ABRA WHOLESALE
181700440 24 07/2017 1 ABRA Number: 11497000000000000000

CASH & CARRY - SALES INVOICE

Invoice To: POTTERS MART LTD
75 DARILE LANE
EN6 1BW

Deliver To: POTTERS MART LTD
75 DARILE LANE
EN6 1BW

Invoice No: 114970
Date: 04/07/19 18:28:05
Delivery Date: 04/07/19
Reference: QAN
Customer No: 21732
Order No: 802425
Operator No: 87

Page No: 1

CODE	DESCRIPTION	SIZE	PACK	UNIT PRICE	%VAT	DEL QTY	GOODS TOTAL	WPP	POPP
SECURITY MESSAGE NEW SECURITY EXIT GATE ENTER CODE 1063 INTO PIN PAD									
901594C	CIROC MINIATURES	5CL	12	25.99	20.00	1	25.99	3.49	25.5
900640C	WRAY AND NEPHEW MINIATURES	5CL	12	23.99	20.00	1	23.99	2.89	16.9
900580C	JACK DANIELS MINIATURES	5CL	10	14.49	20.00	1	14.49	2.39	27.2
900558C	GLENS VODKA	35CL	6	28.99	20.00	1	28.99	7.49	22.5
900556C	BELLS WHISKY	10CL	6	14.79	20.00	1	14.79	3.69	19.8
900578C	JACK DANIELS WHISKY	20CL	6	34.99	20.00	1	34.99	8.95	21.8
556580	JACK DANIELS PM£12.99	35CL	6	52.99	20.00	1	52.99	12.99	18.4
**TROLLEY COUNT: 7 196.23									
900905	SOUTHERN COMFORT	70CL	1	15.29	20.00	2	30.58	24.75	25.8
911040	PIMMS PM £11.99	70cl	1	8.95	20.00	1	8.95	11.99	10.4
900691	PIMMS	70CL	1	9.49	20.00	1	9.49	14.99	24.0
900756	CAMPARI	70CL	1	11.69	20.00	2	23.38	15.75	10.9
900671	DISARONNO AMARETTO	70CL	1	14.49	20.00	2	28.98	23.69	26.5
565001	PRINCE CONSORT WHISKY	70CL	1	9.89	20.00	2	19.78	14.49	18.0
900586	JAMESON WHISKY	70CL	1	15.69	20.00	2	31.38	23.49	19.8
787471	SIERRA TEQUILA SILVER PM £16.99	50CL	1	11.69	20.00	2	23.38	16.99	17.4
910056	JW RED LABEL	35CL	1	9.29	20.00	3	27.87	12.99	14.1
900587	JAMESON IRISH WHISKY	35CL	1	8.09	20.00	2	16.18	11.99	19.0
900609	HENNESSY COGNAC	35CL	1	12.69	20.00	3	38.07	20.39	25.3
140150	JIM BEAM WHITE PM£9.99	35CL	1	6.79	20.00	3	20.37	9.99	18.4
900614	MARTELL COGNAC	20CL	1	6.89	20.00	3	20.67	9.99	17.2
910020	NEW AMSTERDAM VODKA	20CL	1	3.59	20.00	2	7.18	5.29	18.5
**TROLLEY COUNT: 0 30 306.28									
695297	STERLING ROLL YOUR OWN	30G	5	41.25	20.00	1	41.25	11.00	10.0
484740	AMBERLEAF POUCH	30G	5	52.19	20.00	1	52.19	14.00	10.5
650212	GOLD LEAF POUCHES	30G	5	41.99	20.00	1	41.99	11.00	8.3
081516	PALL MALL KS DOUBLE CAPSULE	20'S	10	70.39	20.00	1	70.39	8.90	5.0
695092	BENSON & HEDGES SILVER	20'S	10	84.65	20.00	1	84.65	10.85	6.3
55440	STERLING KS DUAL CAPSULE	20'S	10	75.65	20.00	2	151.30	9.70	6.4
695023	MARLBORO KS GOLD	20'S	10	85.99	20.00	1	85.99	11.05	6.6

S = Split
P = Promotion
* = Price override

THESE GOODS REMAIN THE PROPERTY OF ABRA WHOLESALE LTD UNTIL PAYMENT RECEIVED IN FULL
ABRA WHOLESALE THANKS YOU FOR YOUR CUSTOM

REF: WK/ 219010115

LICN_1

LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	Masi Wine Centre	
Premises Address	495 Hertford Rd, EN3 5XH	
Time of Visit:	Start: 19.23	Finish: 19.53

During an inspection of your premises on 5 July 2019, 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?


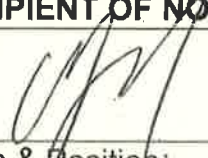
Yes ☒No ☐

No. of condition not in compliance	Evidence/Advice
C.4+5	Training not carried out or recorded.
C.6	Think 25 poster displayed but staff not aware
C.7	Staff not aware of recording refusals refusal book not produced during visit.
C.11	No invoices produced at time of visit. Later produced for alcohol.
All Blunt wraps that are flavoured are illegal. Must only state colours.	
C.14	No personal licence holder present. There must be one personal licence holder on site.
C.16	Mr Kemal Altun must not be involved with business, but officers first told he is the boss.

Any other matter(s) that need addressing:

Frean called 'boss' - Kemal. Svetlozar just change Svetlozar until name of boss to Ali R. Bup also working. Stated training given C.17 - no one could operate CCTV. C.18 - no incident book.

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: 	Signature: 
Print Name: Charlotte Palmer	Print Name & Position: Ekan Svetlozar (staff) Atanasov
Email/Tel: 0208 379 3965 charlotte.palmer@enfield.gov.uk	Email/Tel:

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

ager 7% ABV and behind paper on shelf - they must all be removed from shop. They must be checked.

Filip Vadev

NB. Vagstelan lager

ENFIELD Council

Need to check

Working together for a safer London





CPX 114



CPX/15

Licensing Act 2003. Section 24 **Premises Licence Summary**

Premises Licence No.

LIQ/365

Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Potters Mart
75 Darkes Lane

Post town **Potters Bar**Post code **EN6 1BW**Telephone number **01707 643060**

Date of Commencement of licence

24 November 2005

Where the licence is time limited the dates

Start date : **N/A**

Expiry date :

Licensable activities authorised by the licence

M: Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

M: Supply of Alcohol**M: Supply of Alcohol****Monday to Saturday****Sunday****06:00****06:30****23:00****19:00**

The opening hours of the premises

Monday : **06:00 to 23:00**Tuesday : **06:00 to 23:00**Wednesday : **06:00 to 23:00**Thursday : **06:00 to 23:00**Friday : **06:00 to 23:00**Saturday : **06:00 to 23:00**Sunday : **06:30 to 19:00**

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

OFF

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Name: **Dervis Altun**

Address:

Telephone:

Email:

Registered number of holder, for example company number, charity number (where applicable)
Not applicable

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Name: **Dervis Altun**

Licence No: **[REDACTED]**

Issuing Authority: **Enfield London Borough Council**

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

Annex 1 – Mandatory Conditions

All supplies of alcohol

1. No supply of alcohol may be made under the premises licence-
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Age verification policy

1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
2. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

Permitted price

1. 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.
2. For the purposes of the condition set out in paragraph 1
 - (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.

3. Where the permitted price given by Paragraph (b) of paragraph 2 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.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 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.

The following conditions apply where the licence or certificate authorises "on" or "on and off" sales

Irresponsible drinks promotions

1. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

3. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Alcoholic drink measures

1. The responsible person must ensure that;

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Annex 2 - Conditions consistent with the operating schedule.

All incidents must be recorded in an incident book, which must be kept on the premises and made available to the Police and Licensing Authority on request.

A CCTV system must be installed, maintained, and correctly operated and the tapes must be kept for 31 days.

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

1. Notices regarding under age drinking to be displayed on the premises;
2. Closed Circuit Television (CCTV) to be installed both inside and outside the premises; and
3. The Manager of the premises to obtain a personal licence by 31 July 2006 to enable a personal licence holder to be on the premises at all times.

REF: WK/

219010115

LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	MAXI WINE CENTRE	
Premises Address	495 HERTFORD RD.	
Time of Visit:	Start: 1450	Finish:

During an inspection of your premises on 15-8-2019, 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
COND 445	Training for AYLW was due on 5/8/19 - not done New Member of staff not trained

Key belonging to white van outside was found but staff refused to open vehicle for officers to check no further non duty paid goods were inside as packet of non duty cigarettes found by Key.

Any other matter(s) that need addressing:

Member of staff made phone call and send key belonged to different car but refused to show officers to put our muds at rest. Became defensive and refused to answer any more questions.

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: 	Signature: 
Print Name: CHARLOTTE PALMER	Print Name & Position: Ayla Jaron
Email/Tel: 0208 379 3965 Charlotte.palmer@enfield.gov.uk	Email/Tel: 

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

our suspicions are raised as the van belongs to Kemal AKUN who is not allowed to be associated with



28/10/2019 12:33

Cpx17

CPX/18

28/10/2019 12:34



CPX119





28/10/2019 12:39



CPX122

28/10/2019 12:54



Cpx123

28/10/2019 12:54



CPX/24

28/10/2019 12:54



Cpx125



Cpx/26



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NOTICE OF SEIZURE

Page 75

No 1455

Appendix 4

ENFIELD
Council

www.enfield.gov.uk



Name: Maxi Wine Centre

Address: 495 Hefford Rd EN3 5XH

Owner: MR Ali Riza Tulu

Trading Standards
Civic Centre
Silver Street
Enfield
EN1 3XH

Appendix 4

trading.standards@enfield.gov.uk
Telephone: 020 8379 8505
Fax: 020 8379 8506

The following items have been seized by the officer named below as they may be required as evidence by virtue of powers contained within the following legislation:

Tobacco Related Products Regulations 2016
Tobacco Products Standardised Packaging
of Tobacco Products Regulations 2018

Schedule 5 Consumer Rights Act 2015

Seized illicit Cigarettes / tobacco:
x 50 Marlboro Gold Cigarette
(packets)

x 24 (packets) of PACT Cigarettes
x 14 (packets) of Compliment Blue Cigs
x 10 packets of Compliment Purple Cigs
x 12 packets of Marvel Cigarettes
x 13 packets of NZ Cigarettes
x 14 packets of L+M Cigarettes
x 19 packets of Minsk Super Slims Cigs
x 17 packets of NZ Gold Cigarette
x 10 packets of Rothmans Cigarettes

Sealed into: R00897184

IF YOU BELIEVE THE OFFICER DID NOT HAVE REASONABLE GROUNDS FOR SEIZING ALL OR SOME OF THE ITEMS LISTED YOU MAY APPEAL AGAINST THE SEIZURE. IF YOU WISH TO APPEAL PLEASE WRITE/TELEPHONE THE MANAGER OF TRADING STANDARDS USING THE CONTACT INFORMATION GIVEN ABOVE.

Authorised Officer: Charlotte Palmer Date: 28/10/19

Signature: CP Direct Dial: 0208 379 3965

Received by: Eylem Kiliç Position in Business: STAFF

NOTICE OF SEIZURE

Page 76

No 1456

ENFIELD
Council
www.enfield.gov.uk



Name: Maxi Wine Centre

Address: 495 Herford

Rd Enfield

EN3 5XH

Owner: MR Ali Rza Tulu

Trading Standards

Civic Centre

Silver Street

Enfield

EN1 3XH

tradingstandards@enfield.gov.uk

Telephone: 020 8379 8505

Fax: 020 8379 8506

The following items have been seized by the officer named below as they may be required as evidence by virtue of powers contained within the following legislation:

Tobacco Related Products Regulations 2016
Tobacco Products Standardised Packaging
of Tobacco Product Regulations 2015

Consumer Rights Act 2015
x14 packets of Lifa Cigarettes
x20 packets of Marlboro Touch Cigarettes
x14 packets of Victory Gold Cigarettes
x3 packets of Golden Virginia Rolling
Tobacco (50s)
x2 packets of Amber leaf hand
Rolling tobacco
(50g)
Sealed into evidence bag no.
R00897184

IF YOU BELIEVE THE OFFICER DID NOT HAVE REASONABLE GROUNDS FOR SEIZING ALL OR SOME OF THE ITEMS LISTED YOU MAY APPEAL AGAINST THE SEIZURE. IF YOU WISH TO APPEAL PLEASE WRITE/TELEPHONE THE MANAGER OF TRADING STANDARDS USING THE CONTACT INFORMATION GIVEN ABOVE.

Authorised Officer: C. PAULER

Date: 28/10/19

Signature: [Signature]

Direct Dial: 0208 379 3965

Received by: [Signature]

Position in Business: STAFF

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	Maxi Wine Centre		
Type of Premises	Retail	495 Hereford Rd	Occupier Ali Tulu
POWER UNDER WHICH SEARCH MADE (TICK WHICH APPLIES)			
<input type="checkbox"/>	WARRANT (Officers powers are summarised overleaf)		
	under	Act	Date granted By
<input type="checkbox"/>	STATUTORY POWER (These powers are summarised overleaf)		
	Statutory powers under: Trade Description Act 1968 / Consumer Rights Act 2015		
<input checked="" type="checkbox"/>	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)		
<p>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.</p>			
<input type="checkbox"/>	<p>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.</p>		
Signature	Name (Capitals)		
	28/10/19		
Status relative to premises	Date		
	11:30am		

Premises Searched Record

OFFICERS PRESENT AT SEARCH	
(Show Name & Organisation)	
Charlotte Palmer	PC Karen Staff
Amanda Butler	Dog Hadler and Dog from Wagtail International
Entry Forced: YES / NO - If yes state reasons:	
Damage – caused on entry or during search and circumstances:	
Arrangements to Secure Premises:	
Extent of Search:	
Search Register No:	

11:30 Charlotte spoke to Denish Cilik
Business Partner
of Licence holder

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Mr Ali Riza Tulu
 Maxi Wine Centre
 495 Hertford Road
 London
 EN3 5XH

Please reply to: Heena Kanani

E-mail: Heena.kanani@enfield.gov.uk
 Phone: 0203 132 0687/0208 379 8526
 Textphone:
 Fax:
 My Ref: WK/AB/CPX/WG
 Your Ref:
 Date: 12 November 2019

Dear Mr Ali Riza Tulu

Maxi Wine Centre 495 Hertford Road

Police and Criminal Evidence Act (PACE) 1984

1. **The Tobacco Products (Traceability and Security Features) Regulations 2019**
2. **The Tobacco and Related Products Regulations 2016**
3. **The Standardised Packaging of Tobacco Products Regulations 2015**
4. **The Tobacco Advertising and Promotion (Display) (England) Regulations 2010**
5. **Children and Young Persons (Protection from Tobacco) Act 1991/ Children and Young Persons Act 1933**
6. **Paragraph 9 or Schedule 1, of the Consumer Protection from Unfair Trading Regulations 2008**
7. **Licensing Act 2003**

I write to you as the owner of Maxi Wine Centre, 495 Hertford Road, EN3 5XH.

On 28 October 2019 your premises was visited by Trading Standards & Licensing Enforcement Officers, along with a dog and dog handler. The premises was searched for counterfeit and non-duty paid alcohol and tobacco. Officers also checked the premises for cigarettes and tobacco that did not comply with standardised packaging legislation. The following non-duty paid items were found and seized;

50 Marlboro Gold (20 sticks)
 24 x P3ct cigarettes (20 sticks)
 14 x Compliment Blue cigarettes (20 sticks)
 10 x Compliment Purple cigarettes (20 sticks)

Sarah Cary
Executive Director Place
 Enfield Council
 Civic Centre, Silver Street
 Enfield EN1 3XY

www.enfield.gov.uk

12 x Marvel cigarettes (20 sticks)
13 x NZ cigarettes (20 sticks)
14 x L & M Cigarettes (20)
19 x Minsk cigarettes (20 sticks)
17 x NZ Gold cigarettes (20 sticks)
10 x Rothmans cigarettes (20 sticks)
14 x Lifa cigarettes (20 sticks)
20 x Marlboro Touch (20 sticks)
4 x Victory Gold (20 sticks)
221 x 20 = 4420 sticks
3 x Golden Virginia hand rolling tobacco (50g)
2 x Amber leaf hand rolling tobacco (50g)
250g

Knowingly keeping or allowing to be kept any goods which have been imported without payment of duty or which have otherwise been unlawfully imported is an offence; the cigarettes packets had foreign labelling and did not display the required health warnings, nor had the correct traceability/security and standardised packaging.

As a result, the Trading Standards is considering enforcement action. There may be breaches with respect to the tobacco notices/display, which the visiting officers will have noted separately; you should be prepared to answer any question regarding these matters also.

I invite you to attend a formal interview to be conducted in accordance with the Codes of Practice under The Police and Criminal Evidence Act 1984 in relation to these alleged offences.

The following date and time has been chosen to conduct the interview:

10 December 2019, 13:00

Venue: Interview Room 5, D Block, Civic Centre, Silver Street, Enfield

On arrival please report to Reception and inform them that you have an appointment with Amanda Butler.

As it is alleged that offences may have been committed I must caution you that, **“you do not have to say anything, but it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence”**

The purpose of the interview is to ask you questions about the suspected offences and invite comments from you. The interview will be recorded.

The interview is voluntary, however, if you choose not to be interviewed it may result in legal proceedings being brought against you without you having had the opportunity to put your views on record.

You may seek legal advice prior to the interview and you are entitled to have a legal representative present with you at the interview. Please contact me to confirm attendance and to let me know whether you shall be bringing a legal representative with you to the interview.

Please let me know if you require an interpreter to be present, and if so which language.

Please bring a form of photographic identification with you to the interview along with your **national insurance number** as you will be asked for this information during the interview. If you have documents which you think are relevant to the case I recommend you also bring these with you.

If you have any queries about the contents of this letter or are unable to attend on this date please contact me via email: heena.kanani@enfield.gov.uk or 0203 132 0687.

Yours sincerely



Heena Kanani
Principal Trading Standards Officer

IMPORTANT – Enfield residents should register for an online Enfield Connected account. Enfield Connected puts many Council services in one place, speeds up your payments and saves you time – to set up your account today go to www.enfield.gov.uk/connected

Ms Eilem Kilic
Maxi Wine Centre
495 Hertford Road
London
EN3 5XH

Please reply to: Heena Kanani

E-mail: Heena.kanani@enfield.gov.uk

Phone: 0203 132 0687/0208 379 8526

Textphone:

Fax:

My Ref: WK/AB/CPX/WG

Your Ref:

Date: 12 November 2019

Dear Ms Eilem Kilic

Maxi Wine Centre 495 Hertford Road

Police and Criminal Evidence Act (PACE) 1984

- 1. The Tobacco Products (Traceability and Security Features) Regulations 2019**
- 2. The Tobacco and Related Products Regulations 2016**
- 3. The Standardised Packaging of Tobacco Products Regulations 2015**
- 4. The Tobacco Advertising and Promotion (Display) (England) Regulations 2010**
- 5. Children and Young Persons (Protection from Tobacco) Act 1991/ Children and Young Persons Act 1933**
- 6. Paragraph 9 or Schedule 1, of the Consumer Protection from Unfair Trading Regulations 2008**
- 7. Licensing Act 2003**

On 28 October 2019 your premises was visited by Trading Standards & Licensing Enforcement Officers, along with a dog and dog handler. The premises was searched for counterfeit and non-duty paid alcohol and tobacco. Officers also checked the premises for cigarettes and tobacco that did not comply with standardised packaging legislation. The following non-duty paid items were found and seized;

50 x Marlboro Gold (20 sticks)
24 x P3ct cigarettes (20 sticks)
14 x Compliment Blue cigarettes (20 sticks)
10 x Compliment Purple cigarettes (20 sticks)
12 x Marvel cigarettes (20 sticks)
13 x NZ cigarettes (20 sticks)

14 x L & M Cigarettes (20)
19 x Minsk cigarettes (20 sticks)
17 x NZ Gold cigarettes (20 sticks)
10 x Rothmans cigarettes (20 sticks)
14 x Lifa cigarettes (20 sticks)
20 x Marlboro Touch (20 sticks)
4 x Victory Gold (20 sticks)
221 x 20 = 4420 sticks
3 x Golden Virginia hand rolling tobacco (50g)
2 x Amber leaf hand rolling tobacco (50g)
250g

Knowingly keeping or allowing to be kept any goods which have been imported without payment of duty or which have otherwise been unlawfully imported is an offence; the cigarettes packets had foreign labelling and did not display the required health warnings, nor had the correct traceability/security and standardised packaging.

As a result, the Trading Standards is considering enforcement action. There may be breaches with respect to the tobacco notices/display, which the visiting officers will have noted separately; you should be prepared to answer any question regarding these matters also.

I invite you to attend a formal interview to be conducted in accordance with the Codes of Practice under The Police and Criminal Evidence Act 1984 in relation to these alleged offences.

The following date and time has been chosen to conduct the interview:

10 December 2019, 15:00

Venue: Interview Room 5, D Block, Civic Centre, Silver Street, Enfield

On arrival please report to Reception and inform them that you have an appointment with Amanda Butler.

As it is alleged that offences may have been committed I must caution you that, **“you do not have to say anything, but it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence”**

The purpose of the interview is to ask you questions about the suspected offences and invite comments from you. The interview will be recorded.

The interview is voluntary, however, if you choose not to be interviewed it may result in

legal proceedings being brought against you without you having had the opportunity to put your views on record.

You may seek legal advice prior to the interview and you are entitled to have a legal representative present with you at the interview. Please contact me to confirm attendance and to let me know whether you shall be bringing a legal representative with you to the interview.

Please let me know if you require an interpreter to be present, and if so which language.

Please bring a form of photographic identification with you to the interview along with your **national insurance number** as you will be asked for this information during the interview. If you have documents which you think are relevant to the case I recommend you also bring these with you.

If you have any queries about the contents of this letter or are unable to attend on this date please contact me via email: heena.kanani@enfield.gov.uk or 0203 132 0687.

Yours sincerely



Heena Kanani
Principal Trading Standards Officer

IMPORTANT – Enfield residents should register for an online Enfield Connected account. Enfield Connected puts many Council services in one place, speeds up your payments and saves you time – to set up your account today go to www.enfield.gov.uk/connected

Please reply to: Amanda Butler

Mr Ali Riza Tulu
Maxi Wine Centre
495 Hertford Road
London
EN3 5XH

E-mail: Amanda.Butler@enfield.gov.uk
Phone: 0203 132 1572
Textphone:
Fax:
My Ref: WK/AB/CPX/WG
Your Ref:
Date: 11 December 2019

Dear Mr Tulu

- **Maxi Wine Centre 495 Hertford Road**
- **Police and Criminal Evidence Act (PACE) 1984**
- **Tobacco and Related Products Regulations 2016**
- **Standardised Packaging of Tobacco Products Regulations 2015**
- **Licensing Act 2003**

Further to a letter dated 12th November 2019, from Enfield Trading Standards whereby you were invited to attend an interview under the provisions of the Police and Criminal Evidence Act 1984 (PACE) on Tuesday 10th December 2019 at 1pm, you did not attend.

I am writing to request that you telephone me on 0208 132 1572 or email Amanda.butler@enfield.gov.uk **within 7 days**, in order to arrange a mutual convenient date and time for you to attend the said PACE interview.

I have enclosed the letter dated 12th November 2019 which explains the reason for the PACE interview and your rights.

Please note, if you do not contact me within 7 days, the alleged offence(s) may be reported to our Legal Department without any further reference to you.

Yours sincerely



Amanda Butler
Senior Fair Trading Officer
Encl. Letter dated 12th November 2019

From: Amanda Butler

Sent: 18 December 2019 15:48

To: [REDACTED]

[REDACTED] Products Regulations 2015/Standardised Packaging of
Tobacco Products Regulations 2015/Licensing Act 2003

Dear Mr Ali Riza Tulu

Thank you for telephoning to reschedule a PACE interview to 15th January 2019 at 10.30am. I have enclosed a letter outlining the reason for the PACE interview and your rights. You have confirmed that you do not require an interpreter.

Kind Regards

Amanda Butler
Senior Fair Trading Officer
Environment & Operational Services
Place Directorate
Enfield Council
Silver Street
Enfield
EN1 3XY

Website: www.enfield.gov.uk

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Mr Ali Riza Tulu
Maxi Wine Centre
495 Hertford Road
London
EN3 5XH

Please reply to: Amanda Butler
Trading Standards, Civic Centre, Silver
Street, Enfield, EN1 3XY
E-mail : amanda.butler@enfield.gov.uk
My Ref : WK/219031507
Your Ref :
Date : 18 December 2019

Dear Mr Ali Riza Tulu

**Police and Criminal Evidence Act (PACE) 1984
The Tobacco and Related Products Regulations 2016
The Standardised Packaging of Tobacco Products Regulations 2015
Licensing Act 2003**

I write to you as the owner of Maxi Wine Centre, 495 Hertford Road, EN3 5XH.

On 28 October 2019 your premises was visited by Trading Standards & Licensing Enforcement Officers, along with a dog and dog handler. The premises was inspected for counterfeit and non-duty paid alcohol and tobacco. Officers also checked the premises for cigarettes and tobacco that did not comply with standardised packaging legislation.

The following non-duty paid items were found and seized;

50 Marlboro Gold (20 sticks)
24 x P3ct cigarettes (20 sticks)
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250g

Knowingly keeping or allowing to be kept any goods which have been imported without payment of duty or which have otherwise been unlawfully imported is an offence; the cigarettes packets had foreign labelling and did not display the required health

warnings, nor had the correct traceability/security and standardised packaging.

As a result, the Trading Standards is considering enforcement action. There may be breaches with respect to the tobacco notices/display, which the visiting officers will have noted separately; you should be prepared to answer any question regarding these matters also.

I invite you to attend a formal interview to be conducted in accordance with the Codes of Practice under The Police and Criminal Evidence Act 1984 in relation to these alleged offences.

The following date and time has been chosen to conduct the interview:

15 January 2020, 10:30 am

Venue: Interview Room 5, D Block, Civic Centre, Silver Street, Enfield

On arrival please report to Reception and inform them that you have an appointment with Amanda Butler -Senior Fair-Trading Officer.

As it is alleged that offences may have been committed I must caution you that, **“you do not have to say anything, but it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence”**

The purpose of the interview is to ask you questions about the suspected offences and invite comments from you. The interview will be recorded.

The interview is voluntary, however, if you choose not to be interviewed it may result in legal proceedings being brought against you without you having had the opportunity to put your views on record.

You may seek legal advice prior to the interview and you are entitled to have a legal representative present with you at the interview. Please contact me to confirm attendance and to let me know whether you shall be bringing a legal representative with you to the interview.

Please let me know if you require an interpreter to be present, and if so which language.

Please bring a form of photographic identification with you to the interview along with your **national insurance number** as you will be asked for this information during the interview. If you have documents which you think are relevant to the case I recommend you also bring these with you.

If you have any queries about the contents of this letter or are unable to attend on this date please contact me via email: amanda.butler@enfield.gov.uk or 0203 132 1572.

Yours sincerely



Amanda Butler
Senior Fair Trading Officer

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[REDACTED]
Sent: 15 January 2020 10:51
To: Heena Kanani <Heena.Kanani@enfield.gov.uk>
Subject: RE APPOINTMENT TIME

Dear Sir/Madam
My name is Ali Riza Tulu i had an meeting today i do not know the time could you please get back to me thank you.

From: Heena Kanani <Heena.Kanani@enfield.gov.uk>
Sent: Wednesday, January 15, 2020 10:53:46 AM

[REDACTED]
Cc: Amanda Butler <Amanda.Butler@enfield.gov.uk>
Subject: RE: RE APPOINTMENT TIME [SEC=OFFICIAL]

Classification: OFFICIAL

Hello

The interview was at 10:30, we have the room until 2pm (you should arrive by 1pm at the latest), you were sent a letter confirming the appointment. Could you please advise what time you can get here?

Kind regards

Heena Kanani
Principal Trading Standards Officer
Environment & Operational Services
Place Directorate
Enfield Council
Silver Street
Enfield
EN1 3XY

From: ali tulu [REDACTED]
Sent: 15 January 2020 11:47
To: Heena Kanani <Heena.Kanani@enfield.gov.uk>
Subject: Re: RE APPOINTMENT TIME [SEC=OFFICIAL]

Hi,
Im so sorry i havent received the letter is it possible if i come at 1:30pm ?

From: Heena Kanani <Heena.Kanani@enfield.gov.uk>
Sent: 15 January 2020 11:54
To: ali tulu [REDACTED]
Cc: Amanda Butler <Amanda.Butler@enfield.gov.uk>
Subject: RE: RE APPOINTMENT TIME [SEC=OFFICIAL]

Classification: OFFICIAL

Good morning

No Mr Tulu, 30 minutes is not sufficient to conduct the interview. You may write in with any comments you wish to make. Please be advised you do not have to say anything, however if you do not mentioned when questioned something which you later rely on in court. The court may draw inference as to why you did not mention this when questioned. Anything you do say may be given evidence. The question is: please provide an explanation as to why this occurred:

On 28 October 2019 your premises was visited by Trading Standards & Licensing Enforcement Officers, along with a dog and dog handler. The premises was searched for counterfeit and non-duty paid alcohol and tobacco. Officers also checked the premises for cigarettes and tobacco that did not comply with standardised packaging legislation. The following non-duty paid items were found and seized;

50 Marlboro Gold (20 sticks)
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4 x Victory Gold (20 sticks)
221 x 20 = 4420 sticks
3 x Golden Virginia hand rolling tobacco (50g)
2 x Amber leaf hand rolling tobacco (50g)
250g

Also could you please advise, if you did not get the letter how did you get my email address? Please also be advised it is not possible to re-schedule for tomorrow, the room and personnel are booked in advance.

Kind regards

Heena Kanani
Principal Trading Standards Officer
Environment & Operational Services
Place Directorate
Enfield Council
Silver Street
Enfield
EN1 3XY

Website: www.enfield.gov.uk

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POLICE REPRESENTATION

Name and address of premises: **Maxi Wine Centre
495 Hertford Road
Enfield
EN3 5XH**

Type of Application: **Review of a Premises Licence**

The Application

Enfield Trading Standards Authority is seeking a review of the premises licence on the grounds that smuggled goods have been found on the premises i.e. non-duty paid cigarettes and hand rolling tobacco.

Location

This venue is situated within a parade of shops on a busy high street consisting of mainly commercial premises with residential properties above and a slip road running in front.

The Metropolitan wish to support the application and make representation under the Prevention of Crime and Disorder Licensing Objective.

History

This venue has a long history of being involved in criminal activity associated with either counterfeit or illicit goods since 2009.

Mr Kemal Altun, now known as Uygur Altun, used to be the Licence holder and was prosecuted for selling counterfeit alcohol. Non duty paid tobacco and alcohol were found subsequent to this, and despite a variation of the licence to strengthen the conditions, non duty paid goods were found again. In view of this Mr Altun had his premises licence revoked in 2015.

There were suspicions and concerns that Mr Altun may still be involved in the running of the business so a condition was put onto the licence that he should have no part in the running or control of the business when the current Premises Licence was granted. This was agreed by the current PLH, Mr Ali Tulu, who stated at the time that he did not know Mr Altun.

Due to several intelligence reports received by the Police saying that illicit goods were being sold at the venue, also, on occasion, mentioning Mr Altun, licensing visits were made during 2018 and 2019. Nothing was found on these occasions but Mr Altun's name was mentioned by staff when asked who the boss was. Obviously this concerned both myself and the Council Officer but Mr Tulu continued to refute the fact that Mr Altun was involved. One piece of information received stated that the stock was kept in two vans parked outside of the shop. These vans, a white and a silver one, were noted by Officers but the staff denied they had anything to do with the business. PNC checks on the vehicles showed both of them to be registered to Mr Altun even though he did not live anywhere near the venue. This led us to believe that he was still involved in the business. The Silver van was subsequently searched by Police but nothing of note was found. From then on the Silver van did not park outside the venue.

On one visit, made by the Police and the Council Licensing officer in August 19, the white van was parked outside the shop. Whilst conducting our visit an open packet of illegal cigarettes was found on the shelf behind the counter by the till along with a key that, in appearance, could have belonged to the white van. When asked if the key opened the van the staff member denied it but also refused to prove it to us by testing it. She became very defensive and made a phone call. We assumed this to be to Mr Tulu but after about 20 minutes an unknown male turned up, ignored us, went behind the counter, picked up the cigarettes and the key and started to walk out of the shop. I attempted to speak with him but he walked past me. I followed and as he got in the van by using the key that was behind the counter, I knocked on the window for him to speak with me but he refused to answer and drove away very quickly. Due to this action we believed there would have been illicit goods in the van. Since then the van has not been seen outside the shop.

On 28th Oct 2019 a visit was made to the venue by Trading Standards, Council Licensing, Police and sniffer dogs as part of Op Wagtail searching for illicit tobacco. During this visit a substantial amount of non duty paid tobacco was found in a specially made box behind the counter under the till. Also on sale in the venue was a considerable amount of drug paraphernalia including self seal bags and cannabis grinders.

The Police do not have confidence in the Licence holder Mr Tulu for the following reasons:-

- The storage and selling of illicit goods – contrary to Sec 144 of the Licensing Act 2003
- The numerous breaches of the conditions on the Premises Licence as explained in the review application.
- Storage and sale of drug paraphernalia – although not illegal, it encourages drug use, which is.

Mr Tulu shows clear disregard for the law and has been complacent in running this venue in breach of his licence. The onus is on Mr Tulu to promote the licensing objectives which he has clearly failed to do.

Police do not believe Mr Tulu to be a fit and proper person to hold a premises licence as he does not appear to appreciate the seriousness of his non -

compliance of the licence conditions. The council have given him the opportunity to explain himself in an interview and he has failed to appear.

The Police contend that there are no alternatives but to seek the revocation of the licence and reserve the right to submit additional information to support this review application if necessary.

Officer: Karen Staff PC2237NA Tel: 0208 345 3379

NAMailbox-.Licensing@met.police.uk

Date: 21st February 2020

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Annex 4

Proposed Conditions

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. 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 the premises licence.
3. 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.
4. A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed at the premises.
5. 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.
6. 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.
7. Alcohol and cigarette stock shall only be purchased from registered wholesalers.
8. Only the Premises Licence Holder or Designated Premises Supervisor shall purchase alcohol and cigarette stock.
9. 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.

10. 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.

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

12. 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.

13. Prominent, clear and legible notices shall be displayed on all alcohol fridges and at all other alcohol display areas advising customers of the permitted sale of alcohol times.

14. Mr Uygar Altun (formally known as Kemal Altun) shall not be involved in any way in the operation and / or management of the business or be permitted to work in the business in any capacity.

15. The premises shall install and maintain a comprehensive CCTV system:

(1) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.

(2) All recordings shall be stored for a minimum period of 31 days with date and time stamping.

(3) Recordings shall be made available immediately upon the request of Police or authorized officer throughout the preceding 31 day period.

(4) The CCTV system should be updated and maintained according to police recommendations.

(5) A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorized council officer recent data or footage with the absolute minimum of delay when requested.

16. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:

(1) All crimes reported to the venue

(2) All ejections of patrons

(3) Any complaints received

(4) Any incidents of disorder

(5) All seizures of drugs or offensive weapons

(6) Any faults in the CCTV system

(7) Any visit by a relevant authority or emergency service

17. The venue will operate a can marking scheme agreed in writing by the Police and Licensing Authority. All cans of alcoholic beverages will be marked with either indelible ink marker pens, UV marker pens or other can marking scheme ie. Stickers.

18.No super-strength beer, lagers or ciders of 6.5% ABV (alcohol by volume) or above shall be sold at the premises.

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

PROPOSED BY TRADING STANDARDS:

19.Non-duty paid tobacco or alcohol must not be stored or sold from the premises or from any vehicle.

20.There will be no drug related paraphernalia in the shop or being displayed for sale

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