

# Public Document Pack



## LICENSING SUB-COMMITTEE

Wednesday, 24 February 2016 at 10.00 am  
Council Chamber, Civic Centre, Silver Street,  
Enfield, EN1 3XA

Contact: Jane Creer  
Committee Secretary  
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Council website: [www.enfield.gov.uk](http://www.enfield.gov.uk)

Councillors : Chris Bond (Chair), George Savva MBE and Glynis Vince

## AGENDA – PART 1

### 1. WELCOME AND APOLOGIES FOR ABSENCE

### 2. DECLARATION OF INTERESTS

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

### 3. NEW HERTFORD FOOD CENTRE LIMITED, 236 HERTFORD ROAD, ENFIELD, EN3 5BL (REPORT NO. 189) (Pages 1 - 196)

Seeking approval for a Transfer application.

### 4. MINUTES OF PREVIOUS MEETING (Pages 197 - 210)

To receive and agree the minutes of the meeting held on Wednesday 3 February 2016.

### 5. 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 2015/16 REPORT NO.

**COMMITTEE :**  
**Licensing Sub-Committee**  
**24 February 2016**

**REPORT OF :**  
**Principal Licensing Officer**

**LEGISLATION :**  
**Licensing Act 2003**

Agenda - Part	Item
<p><b>SUBJECT :</b>  <b>Transfer Application</b></p> <p><b>PREMISES :</b>  <b>New Hertford Food Store Limited, 236 Hertford Road, ENFIELD, EN3 5BL.</b></p> <p><b>WARD :</b>  <b>Enfield Highway</b></p>	

### 1 LICENSING HISTORY & CURRENT POSITION:

- 1.1 A new premises licence (LN/200600789) was issued to **Mr Sefer Govtepe**, as both the Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) on 22<sup>nd</sup> February 2007.
- 1.2 A new premises licence application was made in June 2008 as the premises had extended the licensable area. The premises licence (LN/200800470) was issued again to **Mr Sefer Govtepe**, as both the Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) on 13<sup>th</sup> August 2008.
- 1.3 The premises licence (LN/200800470) was **revoked** on 13<sup>th</sup> July 2011 following a review application (relating to the sale of non-duty paid alcohol) submitted by Trading Standards.
- 1.4 Premises licence (LN/200600789) was **surrendered** at the review hearing on the same date as the plan was no longer accurate.
- 1.5 A new premises licence (LN/201100396) was issued on 6<sup>th</sup> September 2011 naming the Premises Licence Holder and Designated Premises Supervisor (DPS) as **Mr Suleyman Erdogan**.
- 1.6 A review application of premises licence (LN/201100396) was sought by the Licensing Authority on 10 March 2015 on the grounds of prevention of crime.
- 1.7 At the review hearing on 13 May 2015, the Licensing Sub-Committee **revoked** the licence. This decision was appealed but was subsequently withdrawn.
- 1.8 On 6 August 2015, a new premises licence application was submitted, naming **Mr Deniz Altun** as both the Premises Licence Holder and DPS. This application was subject to representations from the Licensing Authority but an agreement was made between this Responsible Authority and the applicant, and premises licence (LN/201500517) was granted.

- 1.9 On 14 January 2016, **Mr Deniz Altun surrendered** his premises licence (LN/201500517).
- 1.10 On 20 January 2016, a vary DPS application was submitted, naming **Mr Necip Karagoz** as the DPS. This application was not subject to any representations.

1.11 **The current Premises Licence permits:**

**Hours the premises are open to the public:** From 08:00 to 01:00 daily.

**Supply of alcohol (off supplies only):** From 08:00 to 00:00 (midnight) daily.

- 1.7 A copy of a location map of the premises is attached as Annex 1.
- 1.8 A copy of the current premises licence (LN/201100396) is attached in Annex 3, Exhibit CPX/10.

**2 THIS APPLICATION:**

- 2.1 On 20 January 2016, a transfer application was submitted by Enfield Food Store Limited. Section 50 (1) (b) of the Licensing Act 2003 (LA03) permits the reinstatement of a licence on a transfer application when a premises licence lapses by virtue of Section 28 of the LA03, namely surrender.
- 2.2 A consent form signed by Mr Deniz Altun required for the transfer was later received.
- 2.3 The transfer application had immediate effect.
- 2.4 The Police were consulted in respect of the application.
- 2.5 A copy of the transfer application is attached as Annex 2.

**3 RELEVANT REPRESENTATIONS:**

- 3.1 **Metropolitan Police:** Notice was given (under S.42(6)) that grant of the transfer application would undermine the crime prevention objective. The authority states that it is appropriate, for the promotion of the licensing objectives, to object to the transfer of Premises Licence (LN/201500517). The representation is supported by the Licensing Authority who have provided witness statements.
- 3.2 A copy of the representation and exhibits are attached as Annex 3.

#### **4 RELEVANT LAW, GUIDANCE & POLICIES:**

4.1 The paragraphs below are extracted from either :

4.1.1 the Licensing Act 2003 ('Act'); or

4.1.2 the Guidance issued by the Secretary of State to the Home Office of March 2015 ('Guid'); or

4.1.3 the London Borough of Enfield's Licensing Policy Statement of January 2015 ('Pol').

#### **4.2 General Principles :**

4.2.1 The Licensing Sub-Committee must carry out its functions with a view to promoting the licensing objectives [Act s.4(1)].

4.2.2 The licensing objectives are :

4.2.3 the prevention of crime and disorder;

4.2.4 public safety;

4.2.5 the prevention of public nuisance; &

4.2.6 the protection of children from harm [Act s.4(2)].

4.3 In carrying out its functions, the Sub-Committee must also have regard to :

4.3.1 the Council's licensing policy statement; &

4.3.2 guidance issued by the Secretary of State [Act s.4(3)].

#### **4.4 Transfers of premises licences – General**

4.4.1 Section 43 of the 2003 Act provides a mechanism which allows the transfer to come into immediate interim effect as soon as the licensing authority receives it, until it is formally determined or withdrawn. This is to ensure that there should be no interruption to normal business at the premises. If the police raise no objection about the application, the licensing authority must transfer the licence in accordance with the application, amend the licence accordingly and return it to the new holder. (Guid 8.93)

4.4.2 In exceptional circumstances where the chief officer of police believes the transfer may undermine the crime prevention objective, the police may object to the transfer. Such objections are expected to be rare and arise because the police have evidence that the business or individuals seeking to hold the licence

or business or individuals linked to such persons are involved in crime (or disorder). (Guid 8.94)

4.4.3 Such objections (and therefore such hearings) should only arise in truly exceptional circumstances. If the licensing authority believes that the police are using this mechanism to vet transfer applicants routinely and to seek hearings as a fishing expedition to inquire into applicants' backgrounds, it is expected that it would raise the matter immediately with the chief officer of police. (Guid 8.95)

4.4.4 In its consideration of applications where representations have been received, where relevant, particular regard will be given to the factors shown under Special Factors for Consideration. Particular regard will be given to evidence identifying any history or pattern of practice which impacts upon the Licensing Objectives. (Pol 10.1)

4.4.5 Special Factors for Consideration: Methods to discourage the handling and distribution of stolen, counterfeit goods or other illegal goods. (Pol 12.1.9)

#### **4.5 Transfer Applications – Reinstatement Following Surrender of Premises Licence**

4.5.1 Section 50 of LA03 states that:

(5) Where such an application is made, the premises licence is reinstated from the time the application is received by the relevant licensing authority.

(6) But the licence lapses again if, and when—

(a) the applicant is notified of the rejection of the application, or

(b) the application is withdrawn.

4.5.2 Section 50 (7) states that only one application for transfer of the premises licence may be made in reliance on this section.

#### **4.6 Decision:**

4.6.1 Having heard all of the representations (from both parties) the Licensing Sub-Committee must decide whether to:

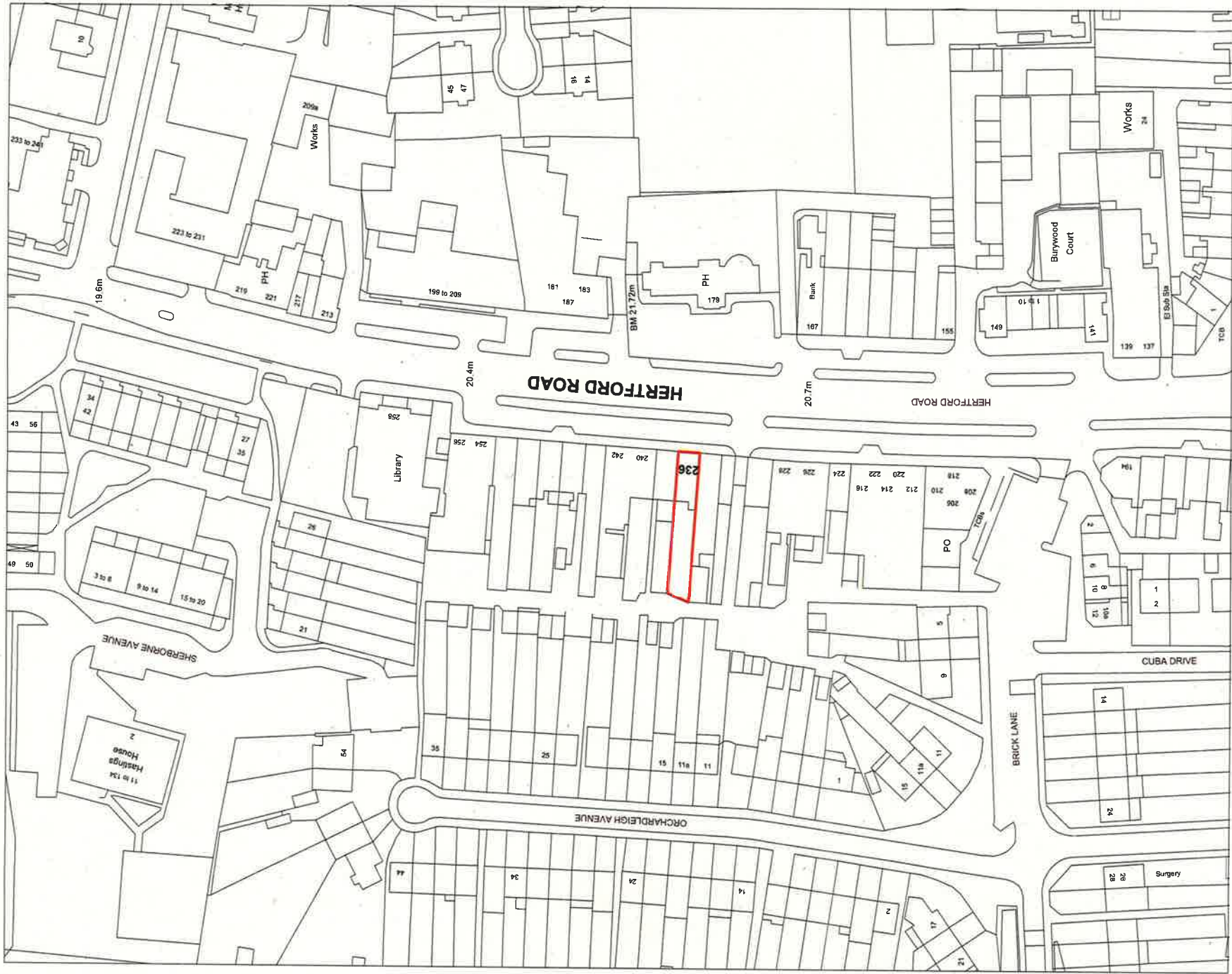
- Grant the application; or
- Reject the application.

**Background Papers :**

**None other than any identified within the report.**

**Contact Officer :**

**Ellie Green on 020 8379 8543**





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**Application to transfer premises licence to be granted 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/We Enfield Food Store Limited

(Insert name of applicant)

apply to transfer the premises licence described below under section 42 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number LN/201500517

**Part 1 – Premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> 236 Hertford Road	
<b>Post town</b> ENFIELD	<b>Post code</b> EN3 5BL
<b>Telephone number at premises (if any)</b>	

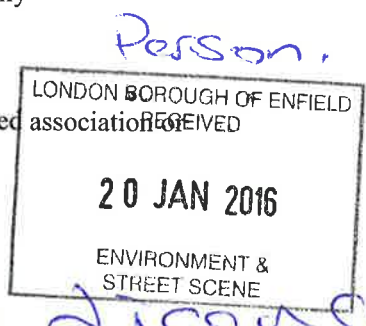
**Please give a brief description of the premises**  
Supermarket & Offlicence

**Name of current premises licence holder**  
Mr Deniz Altun

**Part 2 - Applicant details**

In what capacity are you applying for the premises licence to be transferred to you?

- Please tick  yes  
 please complete section (A)
- a) an individual or individuals\*
  - b) a person other than an individual \*
    - i. as a limited company  please complete section (B)
    - ii. as a partnership  please complete section (B)
    - iii. as an unincorporated association  please complete section (B)



Premises Licence Sean 20/1/16

- iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) an individual who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in respect of an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\*If you are applying as a person described in (a) or (b) please confirm:

Please tick  yes

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

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

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)

**SECOND INDIVIDUAL APPLICANT** (fill in as applicable)

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) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name  
**Enfield Food Store Limited**

Address Unit 5 25-27 The burroughs, London, United Kingdom, NW4 4AR
Registered number (where applicable) <b>09960522</b>
Description of applicant (for example partnership, company, unincorporated association etc.) <b>Limited Company</b>
Telephone number (if any)
E-mail address (optional)

**Part 3**

Please tick  yes

Are you the holder of the premises licence under an interim authority notice?

Do you wish the transfer to have immediate effect?

If not when would you like the transfer to take effect?

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please tick  yes

I have enclosed the consent form signed by the existing premises licence holder

If you have not enclosed the consent form referred to above please give the reasons why not. What steps have you taken to try and obtain the consent?  
 Consent form is not provided with this application.

Enfield Food Store Limited has full control of the premise as of 20<sup>th</sup> January 2016.

Please tick  yes

If this application is granted I would be in a position to use the premises during the

application period for the licensable activity or activities authorised by the licence (see section 43 of the Licensing Act 2003)

Please tick  yes

I have enclosed the premises licence

If you have not enclosed premises licence referred to above please give the reasons why not.

[Empty box for reasons if licence not enclosed]

- I have made or enclosed payment of the fee
- I have enclosed the consent form signed by the existing premises licence holder or my statement as to why it is not enclosed
- I have enclosed the premises licence or relevant part of it or explanation
- I have sent a copy of this application to the chief officer of police today
- 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 4 – Signatures** (please read guidance note 2)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (See guidance note 3). **If signing on behalf of the applicant please state in what capacity.**

Signature   
.....

Date 20<sup>th</sup> January 2016  
.....

Capacity Licensing Agent  
.....

**For joint applicants signature of second applicant, second applicant’s solicitor or other authorised agent** (please read guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature  
.....

Date  
.....Capacity  
.....

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

Mr. Cohan Zedek  
121 Stoke Newington Road

<b>Post town</b>	<b>Post Code</b>
London	N16 8BT
<b>Telephone number (if any)</b> 07852 105 778	
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b> cohanzedek@hotmail.co.uk	

#### Notes for Guidance

1. Describe the premises. For example the type of premises it is, its general situation and layout and any other information which would be relevant to the licensing objectives.
2. The application form must be signed.
3. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
4. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
5. This is the address which we shall use to correspond with you about this application.

**Consent of premises licence holder to transfer**

I/we Deriz Altun  
[full name of premises licence holder(s)]

the premises licence holder of premises licence number LN/201500517  
[insert premises licence number]

relating to

236 HERTFORD ROAD, ENFIELD LONDON EN3 5 BL  
[name and address of premises to which the application relates]

hereby give my consent for the transfer of premises licence number

LN/201500517  
[insert premises licence number]

to

ENFIELD FOOD STORE LIMITED  
[full name of transferee].

signed  
name  
(please print)

Deriz Altun

dated

20.01.16



**METROPOLITAN  
POLICE**

Working together for a safer London

TERRITORIAL POLICING

Civic Centre  
Silver Street  
Enfield  
EN1 3XA

Date 01.02.16



Uniting against crime

**METROPOLITAN POLICE SERVICE**

Licensing Team  
Enfield Borough Police  
462 Fore Street  
Edmonton  
Middlesex

Office : 0208 345 4565  
Mobile :  
Facsimile :

Dear Sir or Madam

In relation to the Transfer of Premises Licence application WK/ 215073809 to Enfield Food Stores Ltd at 236 Hertford Road EN3 5BL. The Police would like to object on the grounds of the prevention of crime.

It is the opinion of the Police that this application to transfer be rejected. The Police acknowledge the guidance at 8.94 of the Section 182 Guidance contained within the Licensing Act 2003 and believe that the circumstances are exceptional and that the crime prevention objective will be seriously undermined if granted.

I have been provided with two detailed statements from Charlotte Palmer and Victor Ktorakis both Local Authority Enforcement officers. They are exhibited as GM/1 and GM/2 respectively and provide the evidence which has led to the Police objection.

On the 21st December Trading Standards officers attended Zilan food Store, 236 Hertford Road EN3 for an inspection. During the course of that visit they discovered over 4500 packets of non duty paid cigarettes hidden in a false ceiling and a store room on the side of the neighbouring premises.

This is not the first time this crime has been discovered at this venue. There have been two previous reviews where this same crime has been discovered and it has resulted in the premises licences being revoked each time.

The premises lease is owned by Mr Sefer Govtepe and he has held a Premises Licence (PLH) and been Designated Premises Supervisor (DPS) at this premises. Mr Govtepe was the PLH and DPS the first time that non duty paid goods were found on premises.

A new licence was acquired and again during an inspection more non paid goods were found. A licence review again revoked the licence. The goods were stored in the same way and Mr Govtepe was always close to the business being the business partner of that PLH and DPS Mr Erdogan. This appeared to have been a front with Mr Govtepe remaining in control of the business.

Another licence was sought and this time the local authority believed that this could well be another front and sought reassurance by adding a condition to the licence namely,

24. *Neither Mr Sefer Govtepe or Mr Suleyman Erdogan or their immediate family shall 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.*

This is now the Fifth time (three times under the current licence and twice under previous licences) that non duty paid goods have been found on the premises. It is my understanding that the Local Authority were preparing to launch a review to revoke the premises licence when they received an email from the current DPS and PLH Mr Deniz Altun surrendering the licence on the 14th January 2016. This is after only 3 months of having the licence granted and a long list of licence breaches.



The licence itself was never actually surrendered but in emails to the Principal Licensing Officer Ellie Green he made clear that this was his intention. This would essentially stop all review proceedings as there would be no licence to review.

Ellie Green sent an email to Mr Deniz Altun to inform him that by surrendering the licence would mean that no alcohol could be sold and should be removed from shelves, fridges and any other public displays offering for sale.

On Monday the 18th January 2016 I visited Zilan Food Stores in company with Ellie Green. I exhibit GM/3 which shows alcohol clearly offered for sale with no attempts to remove. I issued a S.19 Closure Notice and warned of the offences committed serving upon Mr Govtepe, who was on scene, having been contacted by a member of staff.

On the 20th January a transfer of premises licence application was received. This reinstates the previous licence immediately.

Licensing Enforcement Officer for Enfield Council Charlotte Palmer has brought to my attention a companies house check on the proposed business name that this request to transfer is for.

Enfield Food Store Ltd's Director is shown as Ebru Govtepe. This is believed to be Mr Sefer Govtepe's wife.

I believe that this is an attempt to circumvent the review process and furthermore to approve the transfer of the licence to Enfield Food Store Ltd would automatically put the licence in breach. Breaching licence conditions is a criminal offence and would therefore put the licence holder at risk of prosecution.

I believe that Mr Govtepe has been in control at all times and that he has shown a disregard to the law and the Licensing Authority. When found committing offences and licences have been revoked he appears just to replace the licence with a new one and finding others willing to act for him as licence holders/DPS's. The goods are always hidden away showing an attempt to deceive the authorities and acknowledging the crime committed in doing so. I believe that this is yet another attempt to run the business by Mr Govtepe and in running the venue will continue to commit crime in the same way.

A criminal investigation is also currently underway with a view to prosecute for the offences detailed in Charlotte Palmer and Victor Ktorakis' statements.

Should a hearing be required a full exhibits list will be provided and I reserve the right to add to this representation.

Yours Sincerely

Gary Marsh  
PC 475YE  
Police Licensing Team  
Edmonton Police Station  
0208 345 3322

**WITNESS STATEMENT OF CHARLOTTE PALMER**

I, Charlotte Palmer of the Licensing Enforcement Team, Business Regulation, London Borough of Enfield, B Block North, Civic Centre, Silver Street, Enfield, EN1 3HX, believe that the facts of this witness statement are true and understand that it may be placed before the Court.

Insofar as the content of this witness statement is within my personal knowledge, it is true and insofar as it is not within my personal knowledge, it is true to the best of my knowledge, information and belief.

I WILL SAY AS FOLLOWS:

Dated the 29<sup>th</sup> day of January 2016

1. My name is Charlotte PALMER, I am a Senior Licensing Enforcement Officer and have worked in the London Borough of Enfield Licensing Team since January 2005. I hold the National Certificate of Higher Education in Licensing Law. I have access to all the Department's documentation, and other computerised records, regarding all premises and persons licensed under the Licensing Act 2003 and am duly authorised to enforce all legislation relating to the Licensing Act 2003. I also work on the Council's Out of Hours Licensing Enforcement Team.
2. Enfield Council records show the following information in relation to 236 Hertford Road, Enfield, EN3 5BL:
3. On 22<sup>nd</sup> February 2007 Mr Sefer GOVTEPE was granted a premises licence for Hertford Food and Wine, 236 Hertford Road, Enfield, EN3 5BL (LN/200600789). The licence named him as both the premises licence holder and the designated premises supervisor and gave his home address as 43 Merlin House, 2 Napier Road, Enfield, Middlesex, EN3 4QJ. I produce a copy of this licence as CPX/01.
4. On 13<sup>th</sup> August 2008 Mr Sefer GOVTEPE was granted a new premises licence for Hertford Food and Wine, 236 Hertford Road, Enfield, EN3 5BL (LN/200800470). The licence named him as both the premises licence holder

and the designated premises supervisor and gave his home address as 43 Merlin House, 2 Napier Road, Enfield, Middlesex, EN3 4QJ. I produce a copy of this licence as **CPX/02**. This new licence was applied for as the premises area had been extended. The original licence could have been surrendered at this point as it was no longer valid but this was not done.

5. On 10<sup>th</sup> May 2011, Ellie GREEN, then Principal Trading Standards Officer – Licensing Enforcement submitted two premises licence review applications in relation to Hertford Food and Wine. One to revoke the original redundant licence which I now produce as **CPX/03** and the other to revoke the new licence following the discovery that the premises was selling non-duty paid alcohol. I produce a copy of this application as **CPX/04**.
6. On 13<sup>th</sup> July 2011 both reviews hearing were heard. I now produce the Licensing Sub Committee decision notice as **CPX/05**. The original redundant licence was surrendered and the new licence was revoked. The decision to revoke the licence was appealed but as the appellant failed to attend the court hearing the appeal was dismissed on 29<sup>th</sup> September 2011.
7. On 6<sup>th</sup> September 2011 a new premises licence was issued to Mr Suleyman ERDOGAN for Hertford Food Centre, 236 Hertford Road, Enfield, EN3 5BL (LN/201100396). The licence named him as both the premises licence holder and the designated premises supervisor. I produce a copy of this licence as **CPX/06**.
8. On 10<sup>th</sup> March 2015 I submitted a licence review application in relation to Hertford Food Centre to revoke the licence following the discovery that the premises was selling non-duty paid alcohol and tobacco. I produce a copy of this application as **CPX/07**. Included in the review application is information showing that Mr Sefer GOVTEPE and Mr Suleyman ERDOGAN were business partners.
9. On 13<sup>th</sup> May 2015 the review hearing took place. The licence was revoked. I now produce the Licensing Sub Committee decision notice as **CPX/08**. The decision to revoke the licence was appealed but the appellant withdrew the appeal and agreed to pay the respondents costs. I now produce as copy of that Consent Order as **CPX/09**.
10. On 18<sup>th</sup> September 2015 a new premises licence was issued to Mr Deniz ALTUN for Zilan Food Centre, 236 Hertford Road, Enfield, EN3 5BL (LN/201500517).

The licence named him as both the premises licence holder and the designated premises supervisor. He offered the following condition in the application: 'Neither Mr. Sefer Govtepe or Mr. Suleyman Erdogan or their immediate family are to have any financial interest or control over the day to day running of the business'. The final wording was agreed as: Condition 24 'Neither Mr Sefer Govtepe or Mr Suleyman Erdogan or their immediate family shall 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.' I produce a copy of this licence as CPX/10.

11. On 3<sup>rd</sup> September 2015 I visited the premises along with Filippina MARZIANO, Senior Fair Trading Officer and Mr HARRIS a dog handler from Operation Wagtail and search dogs to check for counterfeit or non-duty paid products. Only the main shop was checked and nothing was found. I now produce a copy of the Inspection report, which both I and Mr ALTUN signed, as CPX/11.
12. On 6<sup>th</sup> September 2015 the Trading Standards team were forwarded a complaint from the Crimestoppers organisation. The complainant alleged that staff at the premises were selling Romanian and Polish cigarettes. The complainant went on to say that the premises name and owner had changed but that Sefer GOVTEPE was still selling illegal cigarettes and alcohol. The complainant said that the cigarettes were stored under the chopping desk in the butcher's section and that the premises also employed five staff who were not entitled to work in the UK.
13. On 2<sup>nd</sup> October 2015 I was working on the Out of Hours Licensing Enforcement Team with Claire TOMASO, Senior Environmental Health Officer and Mr MISTRY, Immigration Officer. We entered Zilan Food Centre at 18:25 and I carried out a full licence inspection with Mr Deniz ALTUN. The following conditions were being breached:
  - 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.
  - Conditions 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.
  - Condition 6 A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed at the premises.

- Conditions 7 A written record of refused sales shall be kept on the premises and completed when necessary. This record shall contain the date and time of the refusal, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. 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.
- Condition 8 The Designated Premises Supervisor shall regularly check the refusals book to ensure it is being consistently used by all staff.
- Condition 10 Prominent, clear and legible notices shall be displayed at all public exits from the premises requesting customers respect the surrounding area and dispose of litter in a responsible manner. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.
- Condition 15 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.
- Condition 17 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.
- Condition 18 All cans of beer, lager and cider must be indelibly marked to show the trading name of the shop to address the problem of street drinking and associated crime and anti-social behaviour.
- Condition 20 A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased
- Condition 21 An ultra-violet light shall be available at the premises for the purpose of checking the UK Duty Stamp on spirit stock.
- Condition 26 Appropriate signage will be displayed, in a prominent position, informing customers they are being recorded on CCTV.
- Condition 27 CCTV covering areas inside and outside of the premises should be installed and maintained to police recommendations with properly maintained log arrangements. All images will be stored for a minimum of 31 days.

Part B of the licence was not on display.

Failing to comply with any condition attached to a Premises Licence is a criminal offence, which on conviction is punishable by a fine of up to £20,000, up to six months imprisonment or both. A Part B search notice was signed by

Mr Deniz ALTUN. Whilst I carried out the inspection the other officers checked the butchers area for any sign on non-duty paid tobacco and found 9x 50g packets of Golden Virginia hand rolling tobacco and 40 packets of Marlboro Gold cigarettes in a draw under the butchers chopping table. All had foreign labelling and did not bear the 'UK DUTY PAID' labelling. The Tobacco (Manufacture, Presentation and Sale) (Safety) Regulations 2002 which requires English warnings were contravened, amounting to a criminal offence under the Consumer Protection Act 1987. When I told him what the officers had found Mr ALTUN said that he did not know that the tobacco was there and that it must have been left behind by the previous licence holder and that he was aware that the previous people had lost their licence for that reason. The immigration officer made a note of the contact details of those people working. One male claimed not to work there despite being seen stocking the shelves on our arrival. Mr ALTUN signed the inspection report, Part B search notice and seizure notice and was given a copy of them. I now produce a copy of these documents as CPX12-14. We left the premises at 19:30.

14. On 13<sup>th</sup> October 2015 the Trading Standards team were forwarded a further complaint via Crimestoppers stating that Sefer GOVTEPE of 236 Hertford Road, Enfield was selling illegal tobacco, employing illegal immigrants and that he has registered his shop in somebody else's name.
15. On 20<sup>th</sup> October 2015 at 17:20 I hand delivered a warning letter to Zilan Food Centre in relation to the tobacco found on 2<sup>nd</sup> October 2015. The letter included a voluntary declaration form for Mr ALTUN to sign confirming that he had since checked the whole of the premises to ensure that there were no further non duty paid products there. I now produce a copy of the letter as CPX/15. Whilst at the premises I attempted to carry out a licence re-inspection but no one there was able to assist. I also left an inspection report asking for the owner to contact me to arrange an alternative time and date to visit. I now produce a copy of the inspection report as CPX16.
16. On 29<sup>th</sup> October 2015 I received an email from Mr ALTUN'S Licensing Agent, Ada Group. Attached to the email was the signed declaration dated 26/10/15. I now produce the email and signed declaration as CPX/17.

17. On 6<sup>th</sup> November 2015 I revisited Zilan Food Centre at 20:35 to check the outstanding licence conditions. The following conditions were still being breached: Condition 4 – two staff on site were not mentioned in the training book. Condition 21 – The UV light was not working. I gave a further seven days to email evidence of compliance. I left the premises at 20:50. I now produce a copy of the inspection report as **CPX18**.
18. On 10<sup>th</sup> November 2015 officers from the Trading Standards Team visited the premises as part of a joint operation with officers from Her Majesty's Revenue and Customs (HMRC) looking for non-duty paid products. The following items were found:
  - 71x Kasapreko Alomo Bitter - 200 ml bottles
  - 3x Kasapreko Alomo Bitter - 750ml bottlesThe items were seized by HMRC. I now produce their inspection report and Part B search notice as **CPX19 – 20**.
19. On 21<sup>st</sup> December 2015 I visited the premises along with Ellie GREEN, Principal Licensing Officer, Victor KTORAKIS, Senior Environmental Health Officer and Mr HARRIS a dog handler from Operation Wagtail and search dogs to check for counterfeit or non-duty paid products. A full account of that visit is given in the statement of Victor KTORAKIS.
20. On 12<sup>th</sup> January 2016 Environmental Crime officers visited the premises and noted that the trading name had changed to New Hertford Food Centre Limited.
21. On 14<sup>th</sup> January 2016 Mr Denzi ALTUN surrendered the premises licence for Zilan Food Centre – LN/201500517.
22. On 20<sup>th</sup> January 2016, Transfer and Vary Designated Premises Supervisor applications were submitted. If a transfer is submitted within 28 days of a licence being surrendered the licence is reinstated until such time as an objection is raised by the police and a decision made by the Licensing Sub Committee. The applicant in this case is a limited company – Enfield Food Stores Limited. The proposed DPS is Mr Necip KARAGOZ.
23. On 22<sup>nd</sup> January 2016 I checked the company detail on Companies House. The director of the company is Erbu GOVTEPE who is believed to be Sefer

GOVTEPE's wife. I now produce a copy of the report from Companies House as CPX/21.

24. On 28<sup>th</sup> January 2016 I checked Companies House website to see who the director of New Hertford Food Centre Limited is. It showed that Sefer GOVTEPE has been the director of the company since 19<sup>th</sup> October 2015 and that prior to that the director was Deniz ALTUN. This demonstrates a breach of condition 24 of the licence. I now produce a copy of the report from Companies House as CPX/22.
25. I can confirm that had the licence not been surrendered, the Licensing Authority would have submitted a review application to revoke the licence following the discovery of further non-duty paid tobacco on 21<sup>st</sup> December 2015. DCMS Guidance (11.26) states that there are certain criminal activities that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. The list includes the sale of smuggled tobacco and alcohol (i.e. non duty paid products). DCMS guidance (11.27) goes on to say that it is envisaged that responsibility 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.
26. To grant the transfer would be to grant a licence that cannot legally be used as to do so would be an automatic breach of conditions 24 of the licence: 'Neither Mr Sefer Govtepe or Mr Suleyman Erdogan or their immediate family shall 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'. No variation application to remove this condition has been submitted and if such an application were to be submitted the Licensing Authority would submit a representation objecting to it.
27. The electoral register shows that Erbu GOVTEPE and Sefer GOVTEPE both live at 50 Parsonage Lane, Enfield, EN2 0AH. The register was last updated on 1<sup>st</sup> December 2015.
28. A prosecution investigation relating to the offences discovered on 21<sup>st</sup> December 2015 is underway.



29. In addition Council records show that Mr Sefer GOVTEPE has a personal licence (LN/200600017). The licence was issued by the London Borough of Enfield on 11<sup>th</sup> April 2006 and his address is listed as 43 Merlin House, 2 Napier Road, Enfield, EN3 4QJ. To date the Licensing Authority has not received any request to amend this home address. Under the Licensing Act 2003, personal licence holders have a legal responsibility to give written notification to the issuing Licensing Authority, of any changes to information stated on their Personal Licence.

30. In conclusion, the Licensing Authority supports the police objection to this licence transfer application.

Signed:

A handwritten signature in black ink, appearing to be 'S. Palmer', written over a horizontal line.

Dated the 29<sup>th</sup> day of January 2016

CPX/01

**ENFIELD**  
Council



**Mr Samuel Lewis**  
**Positive**  
**Licensing Department**  
**90 Green Lanes**  
**Newington Green**  
**London**  
**N16 9EJ**

**Environment, Street Scene & Parks**

Please reply to : Mark Galvayne  
: Licensing Unit  
: PO Box 57, Civic Centre  
: Silver Street, Enfield, Middx. EN1 3XH  
Tel : 020 8379 3578  
Fax : 020 8379 5120  
Minicom : 020 8379 4419  
Email : [licensing@enfield.gov.uk](mailto:licensing@enfield.gov.uk)  
My ref : LN/200600789  
Your Ref : EN3 5BL  
Date : 22nd February 2007

Dear Mr Samuel Lewis

**Licensing Act 2003**

**Premises : Hertford Food & Wine, 236 Hertford Road, Enfield, EN3 5BL**

This letter concerns the application for a New 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 clerical errors within 28 days of the licence being issued.

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 premises 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 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.

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.

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

Yours sincerely

Mark Galvayne  
Licensing Officer

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

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number : **LN/200600789**

**Part 1 – Premises Details**

Postal address of premises :

Premises name : **Hertford Food & Wine**

Telephone number : **Not provided**

Address : **236 Hertford Road Enfield EN3 5BL**

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**

<b>Sunday :</b>	<b>08:00 - 00:00</b>
<b>Monday :</b>	<b>08:00 - 00:00</b>
<b>Tuesday :</b>	<b>08:00 - 00:00</b>
<b>Wednesday :</b>	<b>08:00 - 00:00</b>
<b>Thursday :</b>	<b>08:00 - 00:00</b>
<b>Friday :</b>	<b>08:00 - 01:00</b>
<b>Saturday :</b>	<b>08:00 - 01:00</b>

**(2) Supply of Alcohol - Off supplies**

<b>Sunday :</b>	<b>08:00 - 00:00</b>
<b>Monday :</b>	<b>08:00 - 00:00</b>
<b>Tuesday :</b>	<b>08:00 - 00:00</b>
<b>Wednesday :</b>	<b>08:00 - 00:00</b>
<b>Thursday :</b>	<b>08:00 - 00:00</b>
<b>Friday :</b>	<b>08:00 - 01:00</b>
<b>Saturday :</b>	<b>08:00 - 01:00</b>

**Part 2**

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

**Name :** Mr Sefer Govtepe

**Telephone number :** Not provided

**e-mail :** Not provided

**Address :** 43 Merlin House, 2 Napier Road, Enfield, Middx, EN3 4QJ

**Registered number of holder (where applicable) :**

Not applicable

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

**Name :** Not applicable

**Telephone number :**

**Address :**

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

**Name :** Mr Sefer Govtepe

**Telephone number :** Not provided

**e-mail :** Not provided

**Address :** 43 Merlin House, 2 Napier Road, Enfield, Middx, EN3 4QJ

**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/200600017

**Issuing Authority :** London Borough of Enfield

**Premises Licence LN/200600789 was first granted on 22 February 2007.**

**Signed :** .....

**Date :** 22nd February 2007

**for and on behalf of the**

**London Borough of Enfield**

**Licensing Unit, Civic Centre, Silver Street, Middx. EN1 3XH**

**Telephone : 020 8379 3578**

**ENFIELD**  
Council



### **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. Clear and legible notices shall be displayed within the premises reminding customers to leave the premises quietly.**
- 5. A register of refused-sales shall be maintained at the premises.**
- 6. A Closed Circuit Television (CCTV) system shall be installed, operated and maintained at the premises. The CCTV system shall conform to the following points :**
  - (a) If the CCTV equipment is inoperative or not working to the satisfaction of the Police and Licensing Authority, the premises shall not be used for licensable activities unless with prior agreement from the Police;**
  - (b) Cameras must be sited to observe the entrance door, the bar and till area and eating areas;**
  - (c) Be capable of visually confirming the nature of the crime committed;**
  - (d) Be capable of identifying the suspected criminal(s) visually for purposes of evidence and connect them with the crime;**
  - (e) Provide evidence-supporting detail relating to the circumstances;**
  - (f) Provide a linked record of the date, time and place of any image;**
  - (g) Provide good quality colour images;**
  - (h) Capture full frame shots of the heads and shoulders of all people exiting the premises from both entry and exit routes;**
  - (i) Have the capability to record a full-length view of a person 1.92m tall, to occupy at least 60% of the image height, in at least one of the captured images;**
  - (j) Operate under existing light levels within the premises;**
  - (k) Have the recording device located in a secure area or locked cabinet;**
  - (l) Have a monitor to review images and recorded picture quality;**
  - (m) Record images as near to real time as possible and where practical, personal attack buttons should be connected via the CCTV system, to change any time-lapse recording to real time;**
  - (n) Be regularly maintained to ensure continuous quality of image capture and retention;**
  - (o) Comply with the Data Protection Act (DPA) and any applicable British Security Industry Association (BSIA) codes of practice;**
  - (p) Have signage displayed in the customer area to advise that CCTV is in operation;**
  - (q) Be operated by the correct procedures, to ensure an evidence trail is recorded and can be retrieved for evidential purposes;**
  - (r) If the system is analogue, a library of 31 video tapes are required for storage and rotation;**
  - (s) Checks should be frequently undertaken to ensure that the equipment performs properly and that all the cameras are operational and a log kept;**
  - (t) If tapes are used it should be ensured that they are good quality and in good condition and in any case must be changed every 12 months;**
  - (u) The medium on which the**

images are captured should be cleaned so that images are not recorded on top of the images recorded previously; (v) The medium on which the images have been recorded should not be used when it has become apparent that the quality of the images has deteriorated; (w) Access to recorded images should be restricted to those staff that need to have access in order to achieve the purposes of using the equipment; (x) All access to the medium on which the images are recorded should be documented; (y) Police will have access to images at any reasonable time; (z) Disclosure of the recorded images to third parties should only be made in limited and prescribed circumstances, law enforcement agencies, Prosecution agencies, relevant legal representatives and people whose images have been recorded and retained.

7. The premises must be fitted with a monitored alarm system to EU50131 and have a panic button facility at the counter area.

8. The premises must operate the current local authority or similar 'proof of age' scheme and display the relevant literature. Only photo driving licences, passports and PASS logo ID cards must be accepted.

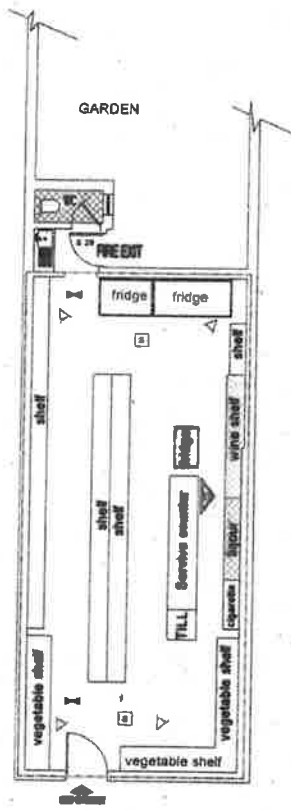
9. Unaccompanied children under 14 shall not be allowed to enter or remain on the premises after 21:00.

10. There shall be displayed on the exit doors a sign stating, "you are entering a drinking control area and no open alcoholic drinks are to be taken off the premises".

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

**Not applicable**

Annex 4 – Plans



**LEGEND**

- WC AREA
- FRIDGES
- WINE SHELF
- LIQUOR SHELF
- AMBIT OF LICENSED PREMISES
- SAFETY LIGHTS
- SMOKE DETECTOR
- CARBON DIOXIDE FIRE EXTINGUISHER
- 9 LT. WATER FIRE EXTINGUISHER
- FIRE ESCAPE KEEP CLEAR
- CCTV
- INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
- FIRE BLANKET
- EASY BREAK GLASS MANUAL ALARM CALL-POINT
- FIRE ALARM BELL
- FIRE DOOR

public pavement                                  public pavement



<b>HERTFORD SUPERMARKET</b>	236 HERTFORD RD ENFIELD EN3 5BL
<b>PROPOSED GROUND FLOOR</b>	
SCALE 1/100@A4	DATE: 18/01/07
REF. NO : 18012007-03	
<b>POSITIVE</b> business consultancy/training 90 Green Lanes LONDON N16 9EJ Tel : 020 7241 3636(4line) www.act2003.com	



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

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number : **LN/200600789**

**Part 1 – Premises Details**

Postal address of premises :

Premises name : **Hertford Food & Wine**

Telephone number : **Not provided**

Address : **236 Hertford Road Enfield EN3 5BL**

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**

<b>Sunday :</b>	<b>08:00 - 00:00</b>
<b>Monday :</b>	<b>08:00 - 00:00</b>
<b>Tuesday :</b>	<b>08:00 - 00:00</b>
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<b>Friday :</b>	<b>08:00 - 01:00</b>
<b>Saturday :</b>	<b>08:00 - 01:00</b>

**(2) Supply of Alcohol - Off supplies**

<b>Sunday :</b>	<b>08:00 - 00:00</b>
<b>Monday :</b>	<b>08:00 - 00:00</b>
<b>Tuesday :</b>	<b>08:00 - 00:00</b>
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<b>Friday :</b>	<b>08:00 - 01:00</b>
<b>Saturday :</b>	<b>08:00 - 01:00</b>

**Part 2**

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

**Name :** Mr Sefer Govtepe

**Address :** 43 Merlin House, 2 Napier Road, Enfield, Middx, EN3  
4QJ

**Registered number of holder (where applicable) :**

Not 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 Sefer Govtepe

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

Restricted

**Premises Licence LN/200600789 was first granted on 22 February 2007.**

**Date : 22nd February 2007**

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



CPX/02

**ENFIELD**  
Council



**Mr Stevens Allen**  
**N A R T S**  
**Licensing Dept**  
**507 Green Lanes**  
**Palmers Green**  
**London**  
**N13 4BS**

**Environment, Street Scene & Parks**  
Please reply to : **Mark Galvayne**  
: **Licensing Unit**  
: **PO Box 57, Civic Centre**  
: **Silver Street, Enfield, Middx. EN1 3XH**  
Tel : **020 8379 3578**  
Fax : **020 8379 5120**  
Minicom : **020 8379 4419**  
Email : **licensing@enfield.gov.uk**  
My ref : **LN/200800470**  
Your Ref : **NOT PROVIDED**  
Date : **13th August 2008**

Dear Mr Stevens Allen

**Licensing Act 2003**

**Premises : Hertford Food & Wine, 236 Hertford Road, Enfield, EN3 5BL**

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 clerical errors within 28 days of the licence being issued.

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 premises 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 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.

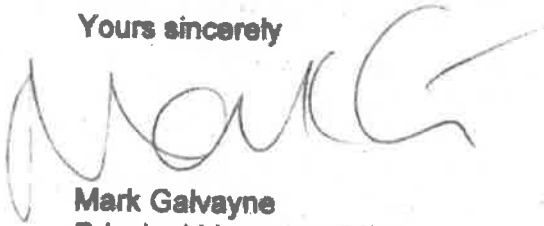
Should you wish to change the operation of the premises in the future by adding new licensable activities or by changing the hours or removing conditions then you will need to apply for a variation of the licence. Please contact us for further advice.

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.

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

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mark Galvayne', written in a cursive style.

**Mark Galvayne**  
**Principal Licensing Officer**

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

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number : **LN/200800470**

**Part 1 – Premises Details**

Postal address of premises :

Premises name : **Hertford Food & Wine**

Telephone number : **020 8804 9554**

Address : **236 Hertford Road Enfield EN3 5BL**

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**

<b>Sunday :</b>	<b>00:00 - 00:00</b>
<b>Monday :</b>	<b>00:00 - 00:00</b>
<b>Tuesday :</b>	<b>00:00 - 00:00</b>
<b>Wednesday :</b>	<b>00:00 - 00:00</b>
<b>Thursday :</b>	<b>00:00 - 00:00</b>
<b>Friday :</b>	<b>00:00 - 00:00</b>
<b>Saturday :</b>	<b>00:00 - 00:00</b>

**(2) Supply of Alcohol - Off Supplies**

<b>Sunday :</b>	<b>00:00 - 00:00</b>
<b>Monday :</b>	<b>00:00 - 00:00</b>
<b>Tuesday :</b>	<b>00:00 - 00:00</b>
<b>Wednesday :</b>	<b>00:00 - 00:00</b>
<b>Thursday :</b>	<b>00:00 - 00:00</b>
<b>Friday :</b>	<b>00:00 - 00:00</b>
<b>Saturday :</b>	<b>00:00 - 00:00</b>

**Part 2**

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

**Name :** Mr Sefer Govtepe

**Telephone number :** 020 8804 1296

**e-mail :** Not provided

**Address :** 43 Merlin House, 2 Napier Road, Enfield, EN3 4QJ

**Registered number of holder (where applicable) :**

Not applicable

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

**Name :** Not provided

**Telephone number :**

**Address :**

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

**Name :** Mr Sefer Govtepe

**Telephone number :** 020 8804 1296

**e-mail :** Not provided

**Address :** 43 Merlin House, 2 Napier Road, Enfield, EN3 4QJ

**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/200600017

**Issuing Authority :** London Borough of Enfield

**Premises Licence LN/200800470 was first granted on 13 August 2008.**

**Signed** 

**Date : 13th August 2008**

**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. An alarm system, to BSEN50131, shall be installed, operated and maintained at the premises.
5. A digital CCTV must be installed in the premises complying with the following criteria : (1) Cameras must be sited to observe the entrance and exit doors both inside and outside, the alcohol displays and floor areas; (2) Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification; (3) Cameras viewing till areas must capture frames not less than 50% of screen; (4) Cameras overlooking floor areas should be wide angled to give an overview of the premises; (5) Be capable of visually confirming the nature of the crime committed; (6) Provide a linked record of the date, time and place of any image; (7) Provide good quality colour images; (8) Operate under existing light levels within and outside the premises; (9) Have the recording device located in a secure area or locked cabinet; (10) Have a monitor to review images and recorded picture quality; (11) Be regularly maintained to ensure continuous quality of image capture and retention. Maintenance contracts must be made available to Police on request; (12) Have signage displayed in the customer area to advise that CCTV is in operation; (13) Digital images must be kept for 31 days; (14) Police will have access to images at any reasonable time; (15) The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police on request.
6. A Raid Control system must be installed in the premises complying with the following criteria : (1) A time delay safe is fitted under the counter; (2) A separate covert real time camera is fitted above the front door monitoring customers exiting. (Raid Cam); (3) A smoke note system is installed; (4) All staff must be fully trained as to Raid Controls use and a signed written record of all training kept. This must be made available to Police or council officers on request; (5) Cash must be minimised in the till and the safe utilised.

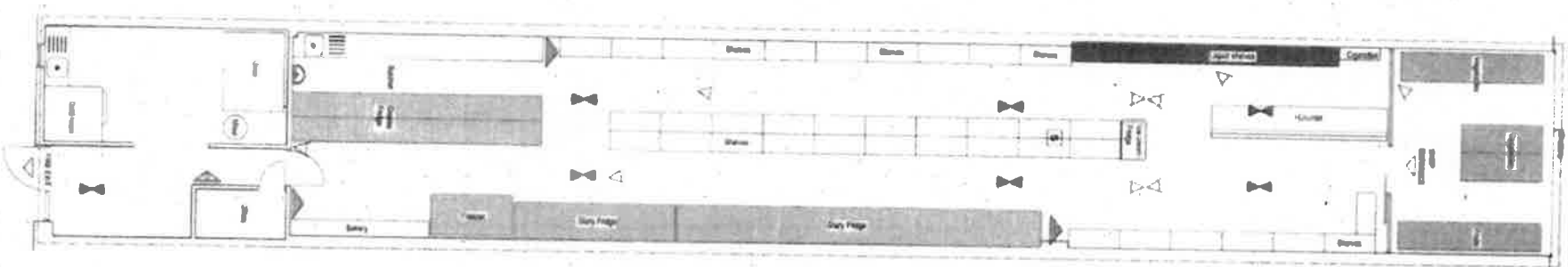
7. **Suitable steps shall be provided at the premises to allow the rear fire exit to be used safely in an emergency.**
8. **At least 2 members of staff shall be present on the shop-floor of the premises between 22:00 and 06:00.**
9. **The premises must operate the Local Authority or similar proof of age scheme and display the relevant material. Only passport, photographic driving licences or ID with the P.A.S.S. logo (Proof of Age Standards Scheme) shall be accepted.**
10. **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 they can be read by those leaving the premises.**
11. **A written record of refused sales must be kept on the premises and completed when necessary. It must be made available to Police and/or the Local Authority upon request.**
12. **All staff must receive induction and refresher training, relating to the sale of alcohol.**
13. **All training relating to the sale of alcohol shall be documented and records kept. This record must be made available to the Police and/or Local Authority upon request.**
14. **Children under the age of 14 shall not be permitted on the premises after 21:00 unless accompanied by an adult.**
15. **Signs shall be prominently displayed on the exit doors advising customers that the premises is in a 'Drinking Control Area' and that alcohol should not be consumed in the street. These notices shall be positioned at eye level and in a location where they can be read by those leaving the premises.**
16. **Deliveries will not be made to the premises between the hours of 22:00 and 06:00.**
17. **Deliveries shall not cause a noise nuisance to local residents.**

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

**Not applicable**



Annex 4 - Plans



LEGEND

- 324 PROPOSED
- VEGETABLES & FRUITS
- LIQUOR SHELVES
- ANBIT OF LICENSED PREMISES
- SAFETY LIGHTS
- SMOKE DETECTOR
- CCTV
- 2kg CARBON DIOXIDE FIRE EXTINGUISHER
- 9kg POWDER FIRE EXTINGUISHER

PROPOSED  
GROUND FLOOR PLAN

SCALE: Vertical DATE: 20/08/2013

ACT 2003  
80 Queen Victoria Road  
LONDON  
W1G 9LJ  
Tel: 020 7341 3262  
www.ard.co.uk

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

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number : **LN/200800470**

**Part 1 – Premises Details**

Postal address of premises :

Premises name : **Hertford Food & Wine**

Telephone number : **020 8804 9554**

Address : **236 Hertford Road Enfield EN3 5BL**

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**

<b>Sunday :</b>	<b>00:00 - 00:00</b>
<b>Monday :</b>	<b>00:00 - 00:00</b>
<b>Tuesday :</b>	<b>00:00 - 00:00</b>
<b>Wednesday :</b>	<b>00:00 - 00:00</b>
<b>Thursday :</b>	<b>00:00 - 00:00</b>
<b>Friday :</b>	<b>00:00 - 00:00</b>
<b>Saturday :</b>	<b>00:00 - 00:00</b>

**(2) Supply of Alcohol - Off Supplies**

<b>Sunday :</b>	<b>00:00 - 00:00</b>
<b>Monday :</b>	<b>00:00 - 00:00</b>
<b>Tuesday :</b>	<b>00:00 - 00:00</b>
<b>Wednesday :</b>	<b>00:00 - 00:00</b>
<b>Thursday :</b>	<b>00:00 - 00:00</b>
<b>Friday :</b>	<b>00:00 - 00:00</b>
<b>Saturday :</b>	<b>00:00 - 00:00</b>

**Part 2**

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

**Name :** Mr Sefer Govtape  
**Address :** 43 Merlin House, 2 Napier Road, Enfield, EN3 4QJ

**Registered number of holder (where applicable) :** Not applicable

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

**Name :** Not provided  
**Address :**

**Name of designated premises supervisor (where the licence authorises the supply of alcohol) :** Mr Sefer Govtape

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

**Premises Licence LN/200800470 was first granted on 13 August 2008.**

**Date : 13th August 2008**

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



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

CPX/03

**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 **Ellie Green, Principal Trading Standards Officer - Licensing Enforcement**

**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**

Hertford Food Centre

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>	
236 Hertford Road	
<b>Post town</b> Enfield	<b>Post code (if known)</b> EN3 5BL.

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>
Mr Sefer Govtepe, 43 Merlin House, 2 Napier Road, Enfield, EN3 4QJ.

<b>Number of premises licence or club premises certificate (if known)</b>
LN/200600789

**Part 2 - Applicant details**

I am

**Please tick yes**

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

below)

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

Please tick

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

**Surname**

**First names**

I am 18 years old or over

Please tick yes

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

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address  
(optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address Ellie Green Enfield Trading Standards (Weights and Measures) London Borough of Enfield PO Box 57 Civic Centre Silver Street EN1 3XH
Telephone number: 020 8379 8543
E-mail address: ellie.green@enfield.gov.uk

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

Please tick one or more boxes

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

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

Enfield Trading Standards is seeking to review this premises licence on the grounds that the premises layout is substantially different to the plan attached to the licence. Following an extension at the premises a new licence with new plans was applied for and granted for the same address (LN/200800470) and was issued on 13<sup>th</sup> August 2008 with the extension included on the plan. However, the original licence has not been surrendered. The premises licence holder has been paying the annual fee for two licences unnecessarily. Due to the new layout the original licence can no longer legally be used.

This review is based on the prevention of crime and disorder licensing objective.

This review application is to revoke this premises licence. Trading Standards are also reviewing the new premises licence (LN/200800470) with a view to revocation.

**Background Information:**

A new premises licence (LN/200600789) was issued to Mr Sefer Govtepe, 43 Merlin House, 2 Napier Road, Enfield, EN3 4QJ as both the Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) on 22/2/2007.

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

Not applicable.

Trading Standards (Weights and Measures) reserve the right to give evidence on any further incidents relating to breaches of the licensing objectives which may take place at, or in the vicinity of the premises, between the submission of this representation and the hearing or during the time allowed for any appeal proceedings. Additionally, Trading Standards reserve the right to present details of the outcome of any Court hearings between the submission of this representation and the hearing.

<b>Suspension of Licence:</b>	<b>N</b>
<b>Revocation of Licence:</b>	<b>Y</b>
<b>Recommended period of suspension ( max 3 months):</b>	
<b>Reasons for Revocation</b>	
This premises licence cannot legally be used as the plan is incorrect. A new licence showing the correct plans has already been issued and this licence is therefore of no value.	

**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

Day Month Year

--	--	--	--	--	--	--	--	--	--

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

**Please tick yes**

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

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

**Part 3 – Signatures** (please read guidance note 3)

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

**Signature**





**Date** 10<sup>th</sup> May 2011

**Capacity** **Principal Trading Standards Officer - Licensing Enforcement**  
Trading Standards (Weights and Measures)

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

**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.

CPX/04

**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 **Ellie Green, Principal Trading Standards Officer - Licensing Enforcement**

**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**

Hertford Food Centre

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>	
236 Hertford Road	
<b>Post town</b> Enfield	<b>Post code (if known)</b> EN3 5BL.
<b>Name of premises licence holder or club holding club premises certificate (if known)</b>	
Mr Sefer Govtepe, 43 Merlin House, 2 Napier Road, Enfield, EN3 4QJ.	
<b>Number of premises licence or club premises certificate (if known)</b> LN/200800470	

**Part 2 - Applicant details**

I am

**Please tick yes**

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

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

**Please tick**

Mr

Mrs

Miss

Ms

Other title  
(for example, Rev)

**Surname**

**First names**

**I am 18 years old or over**

**Please tick yes**

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

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address  
(optional)**

**(B) DETAILS OF OTHER APPLICANT**

**Name and address**

**Telephone number (if any)**

**E-mail address (optional)**

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address Ellie Green Enfield Trading Standards (Weights and Measures) London Borough of Enfield PO Box 57 Civic Centre Silver Street EN1 3XH
Telephone number: 020 8379 8543
E-mail address: ellie.green@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 | <input checked="" type="checkbox"/> |
| 2) public safety                        |                                     |
| 3) the prevention of public nuisance    | x                                   |
| 4) the protection of children from harm | x                                   |

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

Enfield Trading Standards is seeking a review of the premises licence on the grounds that the premises has been found to be selling non duty paid alcohol. The premises also has a history of offences breaching the Licensing Act 2003, namely breaching conditions.

This review is primarily based on the prevention of crime and disorder licensing objective, but also supports the protection of children from harm and prevention of public nuisance licensing objectives.

The review application is to revoke the premises licence.

**Background Information:**

A new premises licence (LN/200600789) was issued to Mr Sefer Govtepe, 43 Merlin House, 2 Napier Road, Enfield, EN3 4QJ as both the Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) on 22/2/2007.

A further new premises licence application was made in June 2008 as the premises had extended the licensable area. The premises licence (LN/200800470) was issued again to Mr Sefer Govtepe, 43 Merlin House, 2 Napier Road, Enfield, EN3 4QJ as both the Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) on 13/08/2008.

To date LN/200600789 has not been surrendered although it cannot be used as the plan is no longer accurate. Trading Standards are also seeking to revoke this licence in a separate application.

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

### **History of Premises**

The history of the premises will include information under the LN/200600789 as it is exactly the same person named on the licence, and therefore relevant to this application.

9/4/08 – Complaint alleging noise disturbance from deliveries being made late at night until early morning to the premises' storage at number 232 Hertford Road. The Enviro Crime Officer advised Mr Sefer Govtepe with assistance from an employee Besime Koker, as Mr Govtepe was unable to fully understand English. Mr Govtepe denied these allegations.

9/6/08 – Complaint received alleging shop sells out of date food and alcohol to underage children. Food officers visited and identified food displayed for sale beyond the use by dates. Advice was given.

11/8/08 – LBE became aware that the Fire Service had served a Fire Improvement Notice on the premises.

7/11/08 – Food officers checked for counterfeit vodka, none found.

12/12/08 – Licensing Enforcement officers visited premises to carry out a full compliance inspection, and spoke to Mr Govtepe. The following conditions were found to be in breach: 6 – Insufficient raid control and training; 10 - Leave quietly sign not next to exit; 11 - No refusals book; 13 - Training records need to be kept for all staff; 15 - Drinking control signs required. 21 days were given to bring breaches into compliance, and an inspection report with advice was issued.

02/01/09 - Revisit carried out to check outstanding licence, however Mr Govtepe was not on the premises and staff requested a re-visit when manager there as they do not know where records are kept. Officers noted out of date meat in the fridge and had it removed from sale.

10/01/09 – Revisit carried out to check outstanding licence conditions. The following conditions were found to be in breach: 6- raid control not in place but officers told it was on order; 13 - no training records; 11 - refusals book on site but not been used.

19/01/09 – Complaint received that the premises stays open all night, and that they also use 232 Hertford Road as storage. The storage doors are continuously opened and closed using shutters, which are very noisy and caused the complainant to lose sleep.

05/02/09 – As part of the Trading Standards Tobacco project, cigarettes were tested for authenticity – no problems found. Checked outstanding licensing conditions, the following were found to be in breach: 13 - training records unavailable; 11 - refusals book available but no entry since 10/1/09.

06/03/09 - Checked outstanding licensing conditions, 11 and 13 still found to be in breach. A warning letter was sent to the premises.

22/06/09 – Complaint received that raw meat from the premises is disposed of into the commercial waste bin, and creating unpleasant smells. Officers visited and established this was a problem, and advice was given.

06/08/09 – Complaint alleging that the disposal of raw meat continues to be a problem. Officers visited and saw that the raw meat was still disposed of into the commercial waste bin, and the premises was given a verbal warning.

24/08/09 – The LBE alcohol training material was sent to the premises.

28/08/09 – Complaint alleging noise disturbance from deliveries to the premises, very early in the morning.

16/10/09 – Police received information that the staff at the premises give out fake £1 coins in change and sell fake packets of rizzla. Trading Standards visited and advised. A selection of Rizla papers were purchased in order to be tested, and results showed they were genuine.

18/12/09 – Food officers visited the premises to check for counterfeit spirits. 5 x 70cl suspect counterfeit Glen's vodka found on shelf behind serving counter, and were seized under the Trade Marks Act. A formal sample was taken from one bottle and the owner of the business, Mr Sefer Govtepe, was served with a seizure notice. He said that he bought the Glen's from Dhamecha in Crown Road about a month ago. The officer informed him that he would be asked to produce invoice.

18/05/10 – Full compliance check carried out. The outstanding conditions were: 11 – no refusals book; 13 – no training records; 15 – no drinking control sign. All relevant material issued to Mr Govtepe.

03/06/10 – An attempted test purchase of alcohol using an underage Trading Standards volunteer was refused.

11/08/10 – An attempted test purchase of alcohol using an underage Trading Standards volunteer was refused.

26/11/10 – Complaint relating to overflowing bins at premises, and leaving overflow of rubbish which attracts rats. The waste contract was cancelled due to non payment of fees, and council officers identified the premises rubbish in residential bins. Advice given to Mr Govtepe.

24/01/11 – Information received from Enviro Crime Officer who suspected possible duty free cigarettes were being sold from under the counter in the premises. The officer witnessed the cashier serve a customer items from under the counter making sure they were in a black bag, which was closed.

01/02/11 - Trading Standards, the Police and Her Majesty's Revenue and Customs (HMRC) carried out joint visits to premises in the borough to see if non duty paid alcohol or tobacco were being sold. The visits were only made to premises with EN postcodes as the HMRC team that was involved in the operation only cover those addresses in the borough. The list was compiled using intelligence from both Trading Standards and HMRC. HMRC identified the following products as being non duty paid in Hertford Food Centre: 33.75 litres of assorted wines and 39.45 litres of assorted spirits were seized. These products were seized by HMRC. The revenue on these goods seized is £449.60.

Additionally, the premises next door but one, Internet Service, 232 Hertford Road, Enfield, EN3 5BL and its storage was also checked, as it is owned by Mr Govtepe. 235.2 litres of Vodka, 121.5 litres of various wines, 109.2 litres of Brandy and 41.7 litres of other spirits were seized as they were also identified as non duty paid. The revenue due on the goods seized at Internet Service is £5,401.40.

No receipts were produced for the goods at the time the goods were seized. The owners were given 28 days to produce the receipts for the goods seized to prove that they were bought at a wholesaler and that the duty had been paid. That period has now expired and the receipts have not been provided.

11/02/11 – As a result of the recent seizures, a full licence inspection was attempted at the premises, however, the only person present at the premises could not understand the officers, so the inspection did not take place.

14/02/11 – Further information from the same Enviro Crime Officer: that the premises and internet cafe continues to sell tax free cigarettes. The owners at these two premises are also linked to Hertford Discount Store on the same parade, and that there are more storage units at the rear of all these premises.

18/02/11 – Officers visited premises to carry out the licence inspection, and met with Mr Mehmet Govtepe, employee, however on the officers' arrival, he indicated that he was Mr Sefer Govtepe, the PLH and DPS. Conditions found to be in breach were: 5 - CCTV clock was 50 minutes later than correct time; No CCTV sign displayed; Monitor had error message 'No HDD Connected'. Mr Mehmet Govtepe could not operate the system so officers were unable to establish whether the CCTV was recording or compliant; 6 - No raid control; 11 - No refusals book; 12 - No training evident; 13 - No training records available. Mr Mehmet Govtepe stated that Mr Sefer Govtepe was on the premises daily. 14 days were given to address the non compliances, and an inspection report with advice was signed by and left with Mr Mehmet Govtepe. Further verbal advice relating to raid control was given by Martyn Fisher, Police Licensing Officer following this visit.

23/02/2011 Revisit to premises carried out as part of joint operation with HMRC, Trading Standards, and the Police. HMRC officers seized 13.6kg of shisha tobacco, and 3.15 litres of various spirits, as they were found to be non duty paid. No receipts were produced for the goods at the time the goods were seized. The owners were given 28 days to produce the receipts for the goods seized to prove that they were bought at a wholesaler and that the duty had been paid. That period has now expired and the receipts have not been provided. The goods seized amounted to total duty evaded of £1503.44.

Paul Cumberland from HMRC has produced two statements relating to the said seizures – see Appendix A and B.

11/03/11 – Officers carried out licensing revisit inspection with Mr Sefer Govtepe. The following conditions were still found to be in breach: 6 - Raid Control system not in place fully; 12 - No training carried out; 13 - Training records not completed. An inspection report was left advising a further 21 days to bring the outstanding issues into compliance.

08/04/2011 – Officers carried out licensing revisit. Checked outstanding conditions. Training carried out and records seen. Raid control seems to have been installed - smoke notes seen, there was a box near the door that the owner claimed was a camera but the officers were not 100% convinced, matter referred to police licensing officer.

13/04/11 – Trading Standards attempted a test purchase of cigarettes with child E. The child was asked his age and the sale was refused.

**Additional Information:**

DCMS Guidance (11.26) states that there are certain criminal activities that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. The list includes the sale of smuggled tobacco and alcohol (ie non duty paid products).

DCMS guidance (11.27) goes on to say that it is envisaged that responsibility 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.

If the licensing committee is not minded to revoke the premises licence completely, Trading Standards (Weights and Measures) asks that consideration be given to suspend the licence until such time that a vary Designated Premises Supervisor application has been submitted and issued and the Licensing Enforcement Team are confident that all licence conditions are being complied with. Trading Standards do not believe that the current DPS is a suitable person to be named as the DPS, given that non duty paid goods were found on the second visit, after such a short timeframe in between visits, and the history of non compliant conditions. If the licence is not revoked Trading Standards (Weights and Measures) also recommend modifying the times and conditions of the licence, as detailed below, to help to prevent crime and disorder associated with the sale of counterfeit and non-duty paid items on the premises in the future.

Activity	Current Times	Proposed Times
Opening	24 hours daily	07:00 – 23:00 daily
Alcohol	24 hours daily	0:00 – 23:00 daily

No.	Current Condition	TS Agree	Amended to read
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.	Y	
4	An alarm system, to BSEN50131, shall be installed, operated and maintained at the premises.	Y	
5	A digital CCTV must be installed in the premises complying with the following criteria : (1) Cameras must be sited to observe the entrance and exit doors both inside and outside, the alcohol displays and floor areas; (2) Cameras on the entrances must capture full frame shots of the heads and shoulders of all people	N	A digital CCTV system must be installed in the premises complying with the following criteria: (1) Cameras must be sited to observe the entrance and exit doors both inside and outside, the alcohol displays, and floor areas; (2) Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of



	<p>entering the premises i.e. capable of identification; (3) Cameras viewing till areas must capture frames not less than 50% of screen; (4) Cameras overlooking floor areas should be wide angled to give an overview of the premises; (5) Be capable of visually confirming the nature of the crime committed; (6) Provide a linked record of the date, time and place of any image; (7) Provide good quality colour images; (8) Operate under existing light levels within and outside the premises; (9) Have the recording device located in a secure area or locked cabinet; (10) Have a monitor to review images and recorded picture quality; (11) Be regularly maintained to ensure continuous quality of image capture and retention. Maintenance contracts must be made available to Police on request; (12) Have signage displayed in the customer area to advise that CCTV is in operation; (13) Digital images must be kept for 31 days; (14) Police will have access to images at any reasonable time; (15) The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police on request.</p>		<p>identification; (3) Cameras viewing till areas must capture frames not less than 50% of screen; (4) Cameras overlooking floor areas should be wide angled to give an overview of the premises; (5) Be capable of visually confirming the nature of the crime committed; (6) Provide a linked record of the date, time, and place of any image; (7) Provide good quality images - colour during opening times; (8) Operate under existing light levels within and outside the premises; (9) Have the recording device located in a secure area or locked cabinet; (10) Have a monitor to review images and recorded picture quality; (11) Be regularly maintained to ensure continuous quality of image capture and retention; (12) Have signage displayed in the customer area to advise that CCTV is in operation; (13) Digital images must be kept for 31 days; (14) <b>Police and authorised officers of the council</b> will have access to images at any reasonable time; (15) The equipment must have a suitable export method, e.g. CD/DVD writer so that the police and / or authorised officer of the council can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police on request.</p>
6	<p>A Raid Control system must be installed in the premises complying with the following criteria : (1) A time delay safe is fitted under the counter; (2) A separate covert real time camera is fitted above the front door monitoring customers exiting. (Raid Cam); (3) A smoke note system is installed; (4) All staff</p>	Y	

	must be fully trained as to Raid Controls use and a signed written record of all training kept. This must be made available to Police or council officers on request; (5) Cash must be minimised in the till and the safe utilised.		
7	Suitable steps shall be provided at the premises to allow the rear fire exit to be used safely in an emergency.	Y	
8	At least 2 members of staff shall be present on the shop-floor of the premises between 22:00 and 06:00.	N	At least 2 members of staff shall be present on the shop floor of the premises at all times the premises are open for licensable activities.
9	The premises must operate the Local Authority or similar proof of age scheme and display the relevant material. Only passport, photographic driving licences or ID with the P.A.S.S. logo (Proof of Age Standards Scheme) shall be accepted.	N	The Local Authority or similar proof of age scheme shall be operated and relevant material shall be displayed at the premises. Only passport, photographic driving licences or ID with the P.A.S.S. logo (Proof of Age Standards Scheme) may be accepted.
10	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 they can be read by those leaving the premises.	Y	
11	A written record of refused sales must be kept on the premises and completed when necessary. It must be made available to Police and/or the Local Authority upon request.	N	A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.
12	All staff must receive induction and refresher training, relating to the sale of alcohol.	N	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.
13	All training relating to the sale of alcohol shall be documented and records kept. This record must be made available to the Police and/or Local Authority upon request.	N	All training relating to the sale of alcohol and times and conditions of the 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.

14	Children under the age of 14 shall not be permitted on the premises after 21:00 unless accompanied by an adult.	N	Children under 14 years, not accompanied by an adult, are not permitted to remain at or enter the premises after 21:00 hours.
15	Signs shall be prominently displayed on the exit doors advising customers that the premises is in a 'Drinking Control Area' and that alcohol should not be consumed in the street. These notices shall be positioned at eye level and in a location where they can be read by those leaving the premises.	Y	
16	Deliveries will not be made to the premises between the hours of 22:00 and 06:00.	N	Deliveries will not be made to the premises between the hours of 21:00 and 07:00.
17	Deliveries shall not cause a noise nuisance to local residents.	N	Remove – covered by other legislation
	<b>Annex 3 Proposed Conditions - additional</b>	<b>Agreed by Applicant</b>	
	The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers unless they are from a bona fide company.		
	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. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year. include. Receipts shall show the following details: i) Seller's name and address ii) Seller's company details, if applicable iii) Seller's VAT details, if applicable iv) Seller's vehicle details, if applicable. Copies of these documents shall be retained on the premises and made available to police or authorised officers of the council on request within one week of the request.		

	An ultra violet light will be used at the store to check the authenticity of all stock purchased which bears a customs stamp.		
	The premises licence holder shall ensure that the pavement from the building line to the kerb edge immediately outside the premises, including the gutter/channel at its junction with the kerb edge, is kept clean and free from litter at all material times to the satisfaction of the Licensing Authority.		
	Waste collections shall not be made from the premises between the hours of 21:00 and 07:00.		
	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.		

The posters, training material, training records and refusals book are all available from Trading Standards.

Trading Standards (Weights and Measures) reserve the right to give evidence on any further incidents relating to breaches of the licensing objectives which may take place at, or in the vicinity of the premises, between the submission of this representation and the hearing or during the time allowed for any appeal proceedings. Additionally, Trading Standards reserve the right to present details of the outcome of any Court hearings between the submission of this representation and the hearing.

<b>Suspension of Licence:</b>	<b>N</b>
<b>Revocation of Licence:</b>	<b>Y</b>
<b>Recommended period of suspension ( max 3 months):</b>	
<b>Reasons for Revocation</b>	
<p>A significantly large quantity of non duty paid products has been sized from this premises following numerous complaints alleging that the premises sells illegal tobacco and alcohol. After two seizures within one month, the revenue due on the goods seized totals at £7,354.44.</p> <p>The Secretary of State believes that the sale of smuggled tobacco and alcohol should be treated particularly seriously and that where licence review are submitted and the licensing authority determines that the crime prevention objective is being undermined revocation of the licence, even in the first instance should be seriously considered.</p> <p>There is a continued history of illegal activity at the premises. Advice to compliance has been given on the number of occasions and despite this illegal activity continued. Trading Standards have no confidence in the ability of the PLH/DPS to manage the premises in accordance with the licence and other Trading Standards and HMRC</p>	

requirements.

**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

Day Month Year

n/a

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

**Please tick yes**

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

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

**Part 3 – Signatures** (please read guidance note 3)

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



**Signature**

**Date** 10<sup>th</sup> May 2011

**Capacity** **Principal Trading Standards Officer - Licensing Enforcement**  
Trading Standards (Weights and Measures)

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

**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.

**WITNESS STATEMENT**  
**ENGLAND AND WALES ONLY**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.27, CP Rules Part 27.1)

Statement of: Paul Terence Cumberland

Age if under 18:

(If over 18 insert 'over 18')

Occupation: H M Revenue and Customs

This statement (consisting of 1 page(s) each signed by me is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature: 

Date: 4th April 2011

I am an Officer of H M Revenue & Customs based in Haven House, Ipswich, Suffolk, IP4 1DN. In my role as a Law Enforcement Coordinator my duties include being responsible for exchanging information with the Police and other Agencies relating to matters of mutual interest.

I have been asked by Ellie Green, Principal Trading Standards Officer, Environmental Protection & Regulation, London Borough of Enfield, to supply details of inspections made by HM Revenue & Customs Officers, on 1<sup>st</sup> February and 23<sup>rd</sup> February 2011 at Hertford Food Centre, 236 Hertford Road, Enfield, EN3 5 BL, for the purpose of supporting an action being taken by the Licensing Team at Enfield Trading Standards.

I have examined the reports concerning the visit and can confirm that on the 1<sup>st</sup> February Officers seized a total of 33.75 litres of assorted wine and 39.45 Litres of assorted spirits, from the owner of the shop Mr Sefer Govtepe as liable to forfeiture by virtue of the Customs & Excise Acts. They were satisfied that due to the proprietors inability to produce invoices or receipts to prove duty payment, that United Kingdom Excise Duty had not been paid on said goods.

The Revenue on the goods seized is £ 449.60

I have examined the reports concerning the visit and can confirm that on the 23<sup>rd</sup> February Officers seized a total of 13.60 kg Shisha flavoured tobacco and 3.15 litres of various spirits.

The revenue due on the seized goods is £1503.44

The goods were seized as liable to forfeiture under Customs & Excise Acts.

No notice of claim against the forfeiture was received within the statutory time limit therefore the Spirits and Wine are condemned as forfeited in accordance with PP5 of schedule 3 to CEMA

Date: 4<sup>th</sup> April 2011

Signature: 

(signature of witness)

Signature: 

(signature witnessed by)

**STATEMENT OF WITNESS: ENGLAND AND WALES ONLY**

**WITNESS STATEMENT**

**ENGLAND AND WALES ONLY**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.27, CP Rules Part 27.1)

Statement of: Paul Terence Cumberland

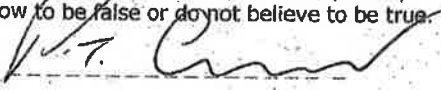
Age if under 18:

(If over 18 insert 'over 18')

Occupation: H M Revenue and Customs

This statement (consisting of 1 page(s) each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature:



Date: 4th April 2011

I am an Officer of H M Revenue & Customs based in Haven House, Ipswich, Suffolk, IP4 1DN. In my role as a Law Enforcement Coordinator my duties include being responsible for exchanging information with the Police and other Agencies relating to matters of mutual interest.

I have been asked by Ellie Green, Principle Trading Standards Officer, Enfield Trading Standards, to supply details of inspections made by HM Revenue & Customs Officers, on 1<sup>st</sup> February 2011 at Internet Café , 232 Hertford Road, Enfield ,which is associated to Hertford Food Centre 236 Hertford Road, Enfield EN3 5 BL for the purpose of supporting an action being taken by the Licensing Team at Enfield Trading Standards

I have examined the reports concerning the visit and can confirm that Sefer Govtepe, the owner of Hertford Food Centre was present on the 1<sup>st</sup> February 2011 when Officers seized a total of 235.2 litres of Vodka ,121.5 Litres of various wines, 109.2 litres of Brandy and 41.7 Litres of other spirits, as liable to forfeiture by virtue of the Customs & Excise Acts, from him. They were satisfied that due to the proprietors inability to produce invoices or receipts to prove duty payment, that United Kingdom Excise Duty had not been paid on said goods.

The revenue due on the seized goods is £5,401.40

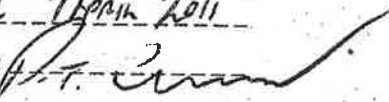
The goods were seized as liable to forfeiture under Customs & Excise Acts.

No notice of claim against the forfeiture was received within the statutory time limit therefore the spirits and wine are condemned as forfeited in accordance with PP5 of schedule 3 to CEMA

Date:

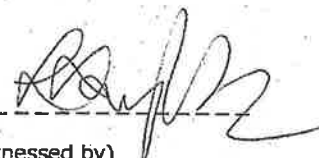
4<sup>th</sup> April 2011

Signature:



(signature of witness)

Signature:



(signature witnessed by)

**STATEMENT OF WITNESS: ENGLAND AND WALES ONLY**



LONDON BOROUGH OF ENFIELD LICENSING AUTHORITY  
LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005  
DECISION NOTICE



**LICENSING SUB-COMMITTEE – 13 JULY 2011**

Applications were made by **TRADING STANDARDS SERVICE** for review of the Premises Licences held by **MR SEFER GOVTEPE** at the premises known as and situated at **HERTFORD FOOD CENTRE, 236 HERTFORD ROAD, EN3.**

The Licensing Sub-Committee **RESOLVED** that it considers the steps listed below to be necessary for the promotion of the licensing objectives :

**(1) Licence Number LN/200600789 – no step was necessary.**

The Chairman made the following statement :

"In the first instance, we will deal with Licence Number LN/200600789. The licence holder and his representative indicated during the hearing that they acknowledge that the licence no longer carries weight, and, as in both the written and verbal representations from Trading Standards, is unlawful. As such, the representative indicated his client's preparedness to surrender this licence with immediate effect. Therefore, the Licensing Sub-Committee has no decision to make."

**(2) Licence Number LN/200800470 – to revoke the licence.**

The Chairman made the following statement :

"With regard to the current Licence Number LN/200800470, being still in operation, having read and then heard all the evidence, the sub-committee was not persuaded by the arguments given by the licence holder to the case brought by Trading Standards for the review of the licence. The panel has resolved to revoke the licence with immediate effect.

The answers that were provided to a range of questions from all the panel members were both inconsistent and unconvincing, and ran counter to the evidence of and presented by Trading Standards, who, we considered, made its case in full.

Over an extended period of time, dating back to December 2008, Trading Standards officers have made numerous and repeated attempts to assist the licence holder to comply with the conditions of the licence. Full inspection reports were provided, and were signed off on site, and follow-up advice given on all occasions. The advice was not heeded, which was of concern to the sub-committee, especially when bearing in mind that some of the same conditions were repeatedly being breached and not remediated. The first hint of any desire to comply with the licence conditions came forward only in March 2011.

Despite the fact that progress has started to be made by the licence holder, there is insufficient evidence to support this, and the history of the premises shows reluctance to accept, heed, or act upon advice.

The Licensing Sub-Committee was somewhat shocked that the licence holder is continuing to purchase and sell goods from a supplier they allege had supplied them in the past with counterfeit and non duty paid goods. This is in spite of having goods seized on two

occasions during February 2011, where the combined duty value of these goods exceeded £7,000.

Furthermore, the licence holder continued to sell non duty paid goods which he claims HM Revenue and Customs had failed to discover during its raid on 1 February 2011, even though by the time that such sales were made, he must have been aware that the sale of those goods was illegal.

The licence holder, through his representatives, continually asserted that the sub-committee needs to be presented with evidence that the duty was not paid. However, the sub-committee members were not actually presented with any evidence that the duty had been paid. In fact, the panel was shocked that invoices were not routinely kept and / or demanded from the supplier.

The licence holder also failed to demonstrate what steps he took or was taking to ensure he was only purchasing from reputable suppliers.

The Licensing Sub-Committee considered the summary point raised by the licence holder's representative relating to the Guidance at Section 6.7. However, the sub-committee is more persuaded by the guidance points 11.26 and 11.27, and considers that the licensing objective – the prevention of crime and disorder has been seriously undermined by the scale of the seizure of non duty paid goods; and that the licensing objectives have been further undermined by persistent breaches of the licence conditions.

As a result, Licensing Sub-Committee reaffirms that it has resolved to revoke Licence Number LN/200800470, and considers this decision to be both necessary and proportionate for the promotion of the licensing objectives."

Date Notice Sent : 15 July 2011

Signed :



Principal Licensing Officer

### APPEAL

Under the Licensing Act 2003 you have a right of appeal against this decision within 21 days of receiving this notice. Any appeal should be made in writing to the Enfield Magistrates Court. The contact details for Enfield Magistrates are as follows:

Enfield Magistrates Court,  
The Court House, Lordship Lane, Tottenham, London, N17 6RT.  
Tel: 020 8808 5411 or Fax: 020 8885 4343



Please reply to Mark Galvayne  
: Licensing Unit  
PO Box 57, Civic  
Centre  
Silver Street, Enfield,  
Middx EN1 3XH  
E-mail : [licensing@enfield.gov.uk](mailto:licensing@enfield.gov.uk)  
Phone : 020 8379 3578  
Textphone : 020 8379 4419  
Fax : 020 8379 2190  
My Ref : LN/201100396  
Your Ref : NOT PROVIDED  
Date : 6th September 2011

**Sirs**  
**Licensing Department**  
**NARTS**  
**55 Stoke Newington High Street**  
**London**  
**N16 7XB**

Dear Sirs

**Licensing Act 2003**

**Premises : Hertford Food Centre, 236 Hertford Road, Enfield, EN3 5BL**

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.

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

Phone: 020 8379 1000  
Website: [www.enfield.gov.uk](http://www.enfield.gov.uk)

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

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.

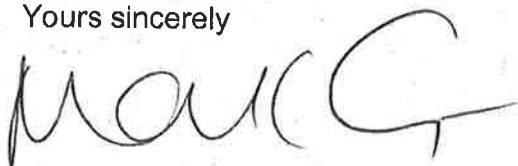
You must notify the licensing authority of any change in the name and/or address of either the premises licence holder or the designated premises supervisor.

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

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/](http://www.ukba.homeoffice.gov.uk/employers/preventillegalworking/)

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

Yours sincerely



Mark Galvayne  
Principal Licensing Officer



Licensing Act 2003

**PART A – PREMISES LICENCE**

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number : LN/201100396

**Part 1 – Premises Details**

Postal address of premises :

Premises name : Hertford Food Centre

Telephone number : 020 8804 9554

Address : 236 Hertford Road Enfield EN3 5BL

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 :	08:00 - 01:00
Monday :	08:00 - 01:00
Tuesday :	08:00 - 01:00
Wednesday :	08:00 - 01:00
Thursday :	08:00 - 01:00
Friday :	08:00 - 01:00
Saturday :	08:00 - 01:00

(2) **Supply of Alcohol - Off Supplies**

Sunday :	08:00 - 01:00
Monday :	08:00 - 01:00
Tuesday :	08:00 - 01:00
Wednesday :	08:00 - 01:00
Thursday :	08:00 - 01:00
Friday :	08:00 - 01:00
Saturday :	08:00 - 01:00

**Part 2**

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

**Name :** Mr Suleyman Erdogan

**Telephone number :** Not provided

**e-mail :** Not provided

**Address :** 256A Hertford Road, Enfield, EN3 5BL

**Registered number of holder (where applicable) :**

Not applicable

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

**Name :** Not applicable

**Telephone number :**

**Address :**

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

**Name :** Mr Suleyman Erdogan

**Telephone number :** Not provided

**e-mail :** Not provided

**Address :** 256A Hertford Road, Enfield, EN3 5BL

**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/201100192

**Issuing Authority :** London Borough of Enfield

Premises Licence LN/201100396 was first granted on 6 September 2011.

Signed



Date : 6th September 2011

for and on behalf of the

London Borough of Enfield

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

Telephone : 020 8379 3578

**ENFIELD**  
Council



**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. Suitable steps shall be provided at the premises to allow the rear fire exit to be used safely in an emergency.
5. The premises must operate the Local Authority or similar proof of age scheme and display the relevant material. Only passport, photographic driving licences or ID with the P.A.S.S. logo (Proof of Age Standards Scheme) shall be accepted.
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 they can be read by those leaving the premises.
7. Children under the age of 14 shall not be permitted on the premises after 21:00 unless accompanied by an adult.
8. Signs shall be prominently displayed on the exit doors advising customers that the premises is in a 'Drinking Control Area' and that alcohol should not be consumed in the street. These notices shall be positioned at eye level and in a location where they can be read by those leaving the premises.
9. Deliveries will not be made to the premises between the hours of 22:00 and 06:00.
10. Deliveries shall not cause a noise nuisance to local residents.
11. Stock control shall be introduced, so that the licensee can identify when/where alcohol goods were purchased.
12. If any spirits bought by the Company have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to Trading Standards and HMRC as soon as possible.

13. A digital CCTV system must be installed in the premises complying with the following criteria : (1) Cameras must be sited to observe the entrance and exit doors both inside and outside, the alcohol displays, and floor areas; (2) Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification; (3) Cameras viewing till areas must capture frames not less than 50% of screen; (4) Cameras overlooking floor areas should be wide angled to give an overview of the premises; (5) Cameras must capture a minimum of 16 frames per second; (6) Be capable of visually confirming the nature of the crime committed; (7) Provide a linked record of the date, time, and place of any image; (8) Provide good quality images - colour during opening times; (9) Operate under existing light levels within and outside the premises; (10) Have the recording device located in a secure area or locked cabinet; (11) Have a monitor to review images and recorded picture quality; (12) Be regularly maintained to ensure continuous quality of image capture and retention; (13) Have signage displayed in the customer area to advise that CCTV is in operation; (14) Digital images must be kept for 31 days; (15) Police will have access to images at any reasonable time; (16) The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police or authorised local authority employees on request.

14. If the premises remain open after 01:00, a Raid Control system must be installed and procedures carried out : (1) A time delay safe is fitted and secured under the counter to ensure cash is minimised in the till; (2) A separate covert real time camera is fitted above the front door (Raid Cam); (3) A smoke note system is installed; (4) All staff must be fully trained as to its use and a signed written record kept of all training carried out and signed and dated by those receiving it; (5) Signs must be displayed at the entrance advertising Raid Control is fitted in the premises.

15. At least two members of staff shall be present on the shop-floor of the premises between 22:00 and 01:00.

16. 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.

17. 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.

18. All training relating to the sale of alcohol and times and conditions of the 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.



19. The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers unless they are from a bona fide company.

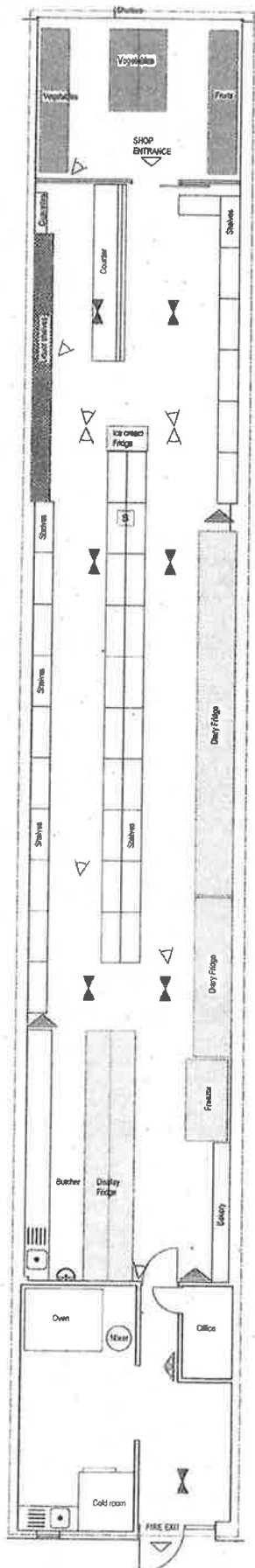
20. The premises licence holder shall ensure that all receipts for goods bought are kept together in a file or folder as evidence that they have been brought into the UK through legal channels. These records shall be made available to the Police, Local Authority and/or HMRC upon request and shall be kept for at least one year. 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; (4) Seller's vehicle details, if applicable. Copies of these documents shall be retained on the premises and made available to police or authorised officers of the council on request within five working days of the request.

21. An ultra violet light will be used at the store to check the authenticity of all stock which bears a customs stamp as soon as practical after they have been purchased.

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

Not applicable

Annex 4 - Plans



**LEGEND**

- FRIDGES
- VEGETABLES & FRUITS
- LIQUOR SHELVES
- AMBIT OF LICENSED PREMISES
- SAFETY LIGHTS
- SMOKE DETECTOR
- CCTV
- 2 kg CARBON DIOXIDE FIRE EXTINGUISHER
- 6 kg POWDER FIRE EXTINGUISHER

**HERTFORD FOOD CENTRE** 238 HERTFORD ROAD  
ENFIELD, LONDON EN3 5BL

**PROPOSED GROUND FLOOR PLAN**

SCALE : 1/100@A3 DATE : 20/05/08

REF. NO : O200508

**ACT 2003**  
90 Green Lanes LONDON  
N16 9EJ

Tel : 020 7241 3838(4line)  
www.act2003.com

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

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number :

**Part 1 – Premises Details**

Postal address of premises :

Premises name :

Telephone number :

Address :

Where the licence is time-limited, the dates :

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 :	08:00 - 01:00
Monday :	08:00 - 01:00
Tuesday :	08:00 - 01:00
Wednesday :	08:00 - 01:00
Thursday :	08:00 - 01:00
Friday :	08:00 - 01:00
Saturday :	08:00 - 01:00

(2) **Supply of Alcohol - Off Supplies**

Sunday :	08:00 - 01:00
Monday :	08:00 - 01:00
Tuesday :	08:00 - 01:00
Wednesday :	08:00 - 01:00
Thursday :	08:00 - 01:00
Friday :	08:00 - 01:00
Saturday :	08:00 - 01:00

**Part 2**

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

**Name :** Mr Suleyman Erdogan

**Address :** 256A Hertford Road, Enfield, EN3 5BL

**Registered number of holder (where applicable) :**

Not 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 Suleyman Erdogan

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

Restricted

**Premises Licence LN/201100396 was first granted on 6 September 2011.**

**Date : 6th September 2011**

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



CPX107

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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

I **Charlotte Palmer Licensing Enforcement Officer**

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

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, Ordnance Survey map reference or description</b> Hertford Food Centre, 236 Hertford Road	
<b>Post town</b> Enfield	<b>Post code (if known)</b> EN3 5BL
<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Mr Suleyman Erdogan	
<b>Number of premises licence or club premises certificate (if known)</b> LN/201100396	

**Part 2 - Applicant details**

I am

**Please tick yes**

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

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

Please tick

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

**Surname**

**First names**

I am 18 years old or over

Please tick yes

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

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address (optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address  Charlotte Palmer Licensing Authority London Borough of Enfield PO Box 57 Civic Centre Silver Street EN1 3XH
Telephone number: 020 8379 3965
E-mail address: charlotte.palmer@enfield.gov.uk

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

Please tick one or more boxes

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

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

Enfield Licensing Authority is seeking a review of the premises licence on the grounds that the premises have been found to be selling non duty paid alcohol and tobacco.

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

**Background Information:**

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

**Complaint and Visit History of Premises**

A new premises licence (LN/200600789) was issued to Mr Sefer Govtepe, as both the Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) on 22/2/2007.

A further new premises licence application was made in June 2008 as the premises had extended the licensable area. The premises licence (LN/200800470) was issued again to Mr Sefer Govtepe, as both the Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) on 13/08/2008.

LN/200800470 was revoked on 13/07/11 following a review application (relating to the sale of non-duty paid alcohol) being submitted by Trading Standards – **See Appendix 1 and 2**

LN/200600789 was surrendered at the review hearing as it could not be used as the plan was no longer accurate.

A new premises licence application was submitted on 14/07/11 naming the Premises Licence Holder and Designated Premises Supervisor (DPS) as Mr Suleyman Erdogan. There did not appear to be any evidence to link Mr Erdogan with the premises under the old licence and a new licence was granted. Trading Standards did however make representation in relation to times and conditions – **see Appendix 3.**

Many of the same issues that lead to the previous revocation have reoccurred at this premises and it has become apparent that the previous Premises Licence Holder / DPS is still the owner of this premises and has admitted buying non-duty paid products to sell in this premises.

**02/12/11** – 22:20 – 22:45 – Out of Hours Licensing Enforcement Officers (JF/CLB) visited the premises to carry out a full licence inspection with PLH / DPS. Several areas of non-compliance.

Condition 12/21 - New UV light needed as one on the premises was not working when tested.

Condition 16 - Refusals book not being used

C17/18 - Training book on premises not being used, reminded to carry out refresher training with all staff.

Whilst being on the premises officers witnessed an attempted age related sale by three females, which was refused. When they left the officers reminded the PLH to place the occurrence in the refusals book. As he did not appear to know what to do the officers showed him what to do.

**13/12/12** – 09:20 – 09:30 (JF) Revisit inspection with PLH / DPS to check outstanding conditions. All Compliant

**15/05/12** - Trading Standards responded to an allegation that the premises were selling grey import of Dove Essential Nutrients that can cause burns. Premises were non-compliant and 20 Dove cream cleansers were seized and signed over for destruction.

**26/11/13** – Trading Standards received a complaint alleging that the premises was selling Lithuanian cigarette, alcohol and meat.

**12/03/14** - Trading Standards & HMRC joint visit to check for counterfeit/duty diverted products.

Seized counterfeit back labels on 73 bottles:

5 x Smirnoff Vodka 100cl

5 x Smirnoff Vodka 70cl

10 x Famous Grouse 70cl

15 x High Commissioner 100cl

5 x High Commissioner 70cl

10 x Bells 70cl

3 x Barcardi 100cl

14 x E&J Brandy 70cl

1 x Wyborowa 700ml

1 x Wodka Zoladkowa 700ml

1 x Gorzka 700ml

1 x Sobieski 700ml

1 x De-lux Zoladkowa 700ml

1 x Gorzka 700ml



**22/05/14** – Trading Standards received police intelligence that the premises were selling counterfeit alcohol and cigarettes and under aged sales.

**23/05/14** – 13:05 – 13:30 - Full licence inspection carried out.

Condition 4: Fire exit not clear & bins obstructing exit

Condition 17: Refresher training not carried out every 3 months. Last recorded refresher training was carried out in May 2013.

Condition 21: Ultra violet light not available on premises.

Officers also advised on poster Condition 6 - leave quietly poster to be moved to where those leaving the premises can read it.

**23/05/14** – Trading Standards age related sales test purchase carried out. Male volunteer aged 16 years and 66 days attempted to purchase alcohol. The sale was refused.

**29/05/14** - Trading Standards received a further allegation that the owner called Sefer (surname not known by informant) of the Hertford Food Store, 236 Hertford Road, Enfield EN35BL sells imported tobacco and alcohol. The informant stated that the cigarettes and alcohol are from Poland and that the owner also sells to underage persons.

**02/06/14** - Multi-agency operation involved Trading Standards, HMRC Living Wage and Immigration Enforcement. The premises were compliant on matters of interest to HMRC Living Wage and Immigration Enforcement. Trading Standards checked licence conditions. Condition 21 – ultra violet light was not available. The premises were provided with an Inspection Report and given 7 days to comply.

**24/06/14** - 22.13 - 22.23 Out of Hours Licencing Enforcement Officers visited the premises to check outstanding conditions. Condition 21 ultra violet light equipment not available at time of inspection.

**01/07/14** – Trading Standards received a complaint alleging that the premises was selling duty diverted and counterfeit products.

**22/07/14** - Trading Standards age related sales test purchase carried out. Female volunteer aged 15 years 169 days Cigarettes and alcohol – no sale.

**15/8/14** - 20:40 – Licensing Enforcement Officer (NJ) visited the premises and carried out a licence inspection. Unable to check Condition 13: CCTV present but not accessible. Condition 17 and 18 - Staff training records not available for inspection and therefore no proof of training taking place. Condition 20 - No sales receipts for alcohol. Several bottles checked using a UV device, no counterfeit found. Two packets of non-duty paid cigarettes seized.

**15/08/14** – Non duty paid tobacco test purchase attempt - no sale made.

**09/09/14** – A warning letter was sent to the premises licence holder in relation to the alcohol found at the premises in March 2014. The letter stated:

‘Having carefully considered the facts of the case, Trading Standards have decided not to take any formal action against you on this occasion.

However, you should take this letter as a warning as to your future conduct. Should similar matters be brought to our attention again, it is unlikely that we shall adopt such a lenient approach’.

**24/02/15** – 10:52 - 11:35 - A Licensing Enforcement Officer (CPX), two HM Revenue and Customs Officers and an Officer and dog from Operation Wagtail visited the premises to check for any counterfeit or non-duty paid tobacco or alcohol. Three non-duty paid bottles of vodka were seized along with 93 packets of Marlboro Gold cigarettes (20 cigarettes per packet), 1 Marlboro Red cigarettes (20 cigarette per packet) and 7 x 50g Golden Virginia hand rolling tobacco. All of the tobacco was found concealed in a set of drawers. The drawers appeared to contain bags of plastic bags but the dog indicated that there was something there and once a wooden panel (a false bottom to the drawers) was pushed back the tobacco was found. There were two drawers like this. **See Appendix 4 – Photos** When questioned under caution a male called Sefer Govtepe claimed to own the premises. He said that his cousin was the licence holder. Sefer Govtepe admitted that he had bought the tobacco and had originally bought 20 boxes of cigarettes, each containing 10 packets of 20 (he had therefore already sold more than half of what he had bought). He also admitted that he had built and installed the drawers containing the cigarettes. Before leaving the Licensing Enforcement Officer advised him that a licence review would be submitted and that this matter could lead to the licence being revoked. The officer noted that a Think 21 poster was on display, posters advising customers not to buy alcohol for children on display, Part B on display, No ID no sale poster on display, alcohol zone poster on display, leave quietly poster on display, CCTV signage on display.

**27/02/15** - A letter was hand delivered to the premises inviting the premises licence holder in for a meeting.

**03/03/15** – Licensing Enforcement Officer Charlotte Palmer and Police Licensing Officer Martyn Fisher held a meeting with the Premises Licence Holder – Mr Suleyman Erdogan. Also in attendance was Mr Sefer Govtepe and Ms Umit Yigit who they had brought along as a translator. During the meeting Mr Govtepe confirmed that he and Mr Erdogan are business partners and cousins and that the company they run is called Hertford Food Centre Limited. Mr Govtepe confirmed that he is the Director and that Mr Erdogan use to be the director of the company. Mr Govtepe claimed that the 3 bottles of vodka were given to him but that he didn't want them so put them on sale. He was advised that further visits would probably be made to the shop and to ensure that there was nothing else on sale which shouldn't be. He stated that it had all been taken. He went on to say that it had been a genuine mistake but also commented that it was because 'everything was so expensive'. Charlotte Palmer stated that they obviously knew it was wrong otherwise it would not have been hidden in secret drawers. The officers explained that a review application would be submitted and that all of the paperwork would be addressed to Mr Erdogan as the premises licence holder. He was strongly advised to get independent legal advice.

**04/03/15** – Company information was checked on the Companies House website. This confirms that Mr Sefer Govtepe is the current Director and Mr Suleyman Erdogan was the director until 20/05/14. **See Appendix 5.**

### **Cumulative Impact Policy (CIP):**

These premises are located in the Enfield Highway Cumulative Impact Policy Area.

The CIP states the core hours that should not be exceeded for each type of premises in particular locations. These are:

Sale/supply of alcohol (off supplies only): Monday – Sunday 08:00 – 24:00

The current licensed hours for this premises are:

08:00 – 01:00 Mon – Sun

**Additional Information:**

DCMS Guidance (11.26) states that there are certain criminal activities that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. The list includes the sale of smuggled tobacco and alcohol (i.e. non duty paid products).

DCMS guidance (11.27) goes on to say that it is envisaged that responsibility authorities will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

**Conclusion:**

Enfield Licensing Authority is seeking a review of the premises licence on the grounds that the premises have been found to be selling alcohol with counterfeit back labels in March 2014, non-duty paid cigarettes in August 2014 and non-duty paid alcohol and tobacco in February 2015. A previous licence has already been revoked in 2011 for similar offences. The previous licence holder and the current licence holder are business partners so the previous history of the premises is relevant to this case. Despite already having lost one licence the same illegal activity has continued to take place at this premises resulting in the Licensing Authority having no confidence in those running the premises.

The Licensing Authority therefore recommends that this licence be revoked.

**Suggested additional condition:**

If the Licensing Committee does not deem it necessary to revoke the licence in its entirety I would recommend the hours be reduced in line with the Cumulative Impact Policy, the DPS be removed from the licence, the licence be suspended for or 3 months and the following conditions be attached to the premises licence:

- 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.
- All tobacco products which are not on the tobacco display shall be stored in a container clearly marked 'Tobacco Stock'. This container shall be kept within the store room or behind the sales counter.
- Tobacco products shall only be taken from the tobacco display behind the sales counter in order to make a sale.

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

<b>Suspension of Licence:</b>	<b>N</b>
<b>Revocation of Licence:</b>	<b>Y</b>

**Recommended period of suspension (max 3 months):**

The conditions attached to the premises licence already include most of the conditions that the Licensing Authority would seek for an off licence premises.

There is a significant history of illegal activity at this premises.

Having regard to all this information, and taking into account the DCMS guidance that, this leaves little option other than for the Licensing Authority to seek total revocation of the premises licence.

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.

**Please tick yes**

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

If yes please state the date of that application

Day Month Year

10<sup>th</sup> May 2011

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

Eleanor Green, Trading Standards, review application submitted and licence revoked July 2011. The prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm. The review was submitted on the ground that the premises had been found selling non duty paid alcohol. Premises licence holder and DPS was Sefer Govtepe at that time.

New premises licence application submitted by Suleyman Erdogan in July 2011 and Trading Standards representation made by Eleanor Green recommended strengthening conditions and reduced hours. Granted.

**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: 10<sup>th</sup> March 2015

Capacity: Licensing Enforcement Officer

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

**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.

**LICENSING AUTHORITY REPRESENTATION**

**ADDITIONAL INFORMATION**

**Name and address of premises:** Hertford Food Centre  
236 Hertford Road  
Enfield  
EN3 5BL

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

**This document includes additional information, not previously mentioned in the review application. It also includes all Officer Observations and Inspections carried out since the review was submitted on 10<sup>th</sup> March 2015:**

**20/05/14** – A letter was sent to the premises setting out the new updated Mandatory Licence Conditions. At the end of the list of conditions was advice from Trading Standards stating:

‘You must buy tobacco, alcohol and any product that belongs to a registered brand (trade mark) holder from a reputable supplier.

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

I must remind you that Trading Standards operate a zero tolerance policy that includes prosecution, revocation of the licence and other enforcement disposals against any individual or any premises found to have counterfeit alcohol, tobacco or any other product belonging to a registered brand holder on the premise and associated buildings/vehicles or on your person’. **See Appendix 6.**

**08/04/15** – The Premises Licence Holder / DPS attended a meeting at his request with his agent, Barrister and council officers. They provided officers with travel documents claiming that the PLH/DPS was out of the country when the officers visited the premises and seized good in February 2015 however the documents showed that he flew to Istanbul on 11<sup>th</sup> January and returned to London on 22<sup>nd</sup> February (6 week trip). The visit by officers was made on 24<sup>th</sup> February 2015 and the PLH / DPS was seen at the premises during the visit. The Licensing Act 2003 does not require the DPS to be at the premises every day but the guidance does suggest they normally have day to day responsibility for running the premises (section 4.18). At no point during this or any other conversation with officers has the PLH/DPS claimed that he was unaware that non-duty paid goods were being sold at the premises.

**24/4/15** - 22:55 hours – Licensing Enforcement Officers (EVG/CLB) visited the premises and carried out a full licence inspection with Mr Suleyman Erdogan (Designated Premises Supervisor) Areas of noncompliance. C13 (14) CCTV does not hold records for 31 days. Staff advised officers that the system is new and claimed it did not yet hold 31 days of footage. Staff were unable to supply invoices for the last months alcohol purchases. The officers requested copies of these be provided. Inspection report completed. Given 14 days to comply.

A copy of the warning letter sent on 09/09/14 which is referred to in the review application is attached as **Appendix 7**.

Duly Authorised: Charlotte Palmer, Licensing Enforcement Officer

Contact: [charlotte.palmer@enfield.gov.uk](mailto:charlotte.palmer@enfield.gov.uk)

Signed:



Date: 27/04/2015

Appendix 1

**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 Ellie Green, Principal Trading Standards Officer - Licensing Enforcement

**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**

Hertford Food Centre

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>	
236 Hertford Road	
<b>Post town</b> Enfield	<b>Post code (if known)</b> EN3 5BL.
<b>Name of premises licence holder or club holding club premises certificate (if known)</b>	
Mr Sefer Govtepe, 43 Merlin House, 2 Napier Road, Enfield, EN3 4QJ.	
<b>Number of premises licence or club premises certificate (if known)</b>	
LN/200800470	

**Part 2 - Applicant details**

I am

**Please tick yes**

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



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

Please tick

Mr

Mrs

Miss

Ms

Other title  
(for example, Rev)

**Surname**

**First names**

I am 18 years old or over

Please tick yes

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

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address  
(optional)**

**(B) DETAILS OF OTHER APPLICANT**

**Name and address**

**Telephone number (if any)**

**E-mail address (optional)**

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address Ellie Green Enfield Trading Standards (Weights and Measures) London Borough of Enfield PO Box 57 Civic Centre Silver Street EN1 3XH
Telephone number: 020 8379 8543
E-mail address: ellie.green@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 | <input checked="" type="checkbox"/> |
| 2) public safety                        |                                     |
| 3) the prevention of public nuisance    | x                                   |
| 4) the protection of children from harm | x                                   |

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

Enfield Trading Standards is seeking a review of the premises licence on the grounds that the premises has been found to be selling non duty paid alcohol. The premises also has a history of offences breaching the Licensing Act 2003, namely breaching conditions.

This review is primarily based on the prevention of crime and disorder licensing objective, but also supports the protection of children from harm and prevention of public nuisance licensing objectives.

The review application is to revoke the premises licence.

**Background Information:**

A new premises licence (LN/200600789) was issued to Mr Sefer Govtepe, 43 Merlin House, 2 Napier Road, Enfield, EN3 4QJ as both the Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) on 22/2/2007.

A further new premises licence application was made in June 2008 as the premises had extended the licensable area. The premises licence (LN/200800470) was issued again to Mr Sefer Govtepe, 43 Merlin House, 2 Napier Road, Enfield, EN3 4QJ as both the Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) on 13/08/2008.

To date LN/200600789 has not been surrendered although it cannot be used as the plan is no longer accurate. Trading Standards are also seeking to revoke this licence in a separate application.

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

**History of Premises**

The history of the premises will include information under the LN/200600789 as it is exactly the same person named on the licence, and therefore relevant to this application.

9/4/08 – Complaint alleging noise disturbance from deliveries being made late at night until early morning to the premises' storage at number 232 Hertford Road. The Enviro Crime Officer advised Mr Sefer Govtepe with assistance from an employee Besime Koker, as Mr Govtepe was unable to fully understand English. Mr Govtepe denied these allegations.

9/6/08 – Complaint received alleging shop sells out of date food and alcohol to underage children. Food officers visited and identified food displayed for sale beyond the use by dates. Advice was given.

11/8/08 – LBE became aware that the Fire Service had served a Fire Improvement Notice on the premises.

7/11/08 – Food officers checked for counterfeit vodka, none found.

12/12/08 – Licensing Enforcement officers visited premises to carry out a full compliance inspection, and spoke to Mr Govtepe. The following conditions were found to be in breach: 6 – Insufficient raid control and training; 10 – Leave quietly sign not next to exit; 11 – No refusals book; 13 – Training records need to be kept for all staff; 15 – Drinking control signs required. 21 days were given to bring breaches into compliance, and an inspection report with advice was issued.

02/01/09 – Revisit carried out to check outstanding licence, however Mr Govtepe was not on the premises and staff requested a re-visit when manager there as they do not know where records are kept. Officers noted out of date meat in the fridge and had it removed from sale.

10/01/09 – Revisit carried out to check outstanding licence conditions. The following conditions were found to be in breach: 6- raid control not in place but officers told it was on order; 13 – no training records; 11 – refusals book on site but not been used.

19/01/09 – Complaint received that the premises stays open all night, and that they also use 232 Hertford Road as storage. The storage doors are continuously opened and closed using shutters, which are very noisy and caused the complainant to lose sleep.

05/02/09 – As part of the Trading Standards Tobacco project, cigarettes were tested for authenticity – no problems found. Checked outstanding licensing conditions, the following were found to be in breach: 13 – training records unavailable; 11 – refusals book available but no entry since 10/1/09.

06/03/09 – Checked outstanding licensing conditions, 11 and 13 still found to be in breach. A warning letter was sent to the premises.

- 22/06/09 – Complaint received that raw meat from the premises is disposed of into the commercial waste bin, and creating unpleasant smells. Officers visited and established this was a problem, and advice was given.
- 06/08/09 – Complaint alleging that the disposal of raw meat continues to be a problem. Officers visited and saw that the raw meat was still disposed of into the commercial waste bin, and the premises was given a verbal warning.
- 24/08/09 – The LBE alcohol training material was sent to the premises.
- 28/08/09 – Complaint alleging noise disturbance from deliveries to the premises, very early in the morning.
- 16/10/09 – Police received information that the staff at the premises give out fake £1 coins in change and sell fake packets of rizzla. Trading Standards visited and advised. A selection of Rizla papers were purchased in order to be tested, and results showed they were genuine.
- 18/12/09 – Food officers visited the premises to check for counterfeit spirits. 5 x 70cl suspect counterfeit Glen's vodka found on shelf behind serving counter, and were seized under the Trade Marks Act. A formal sample was taken from one bottle and the owner of the business, Mr Sefer Govtepe, was served with a seizure notice. He said that he bought the Glen's from Dhamecha in Crown Road about a month ago. The officer informed him that he would be asked to produce invoice.
- 18/05/10 – Full compliance check carried out. The outstanding conditions were: 11 – no refusals book; 13 – no training records; 15 – no drinking control sign. All relevant material issued to Mr Govtepe.
- 03/06/10 – An attempted test purchase of alcohol using an underage Trading Standards volunteer was refused.
- 11/08/10 – An attempted test purchase of alcohol using an underage Trading Standards volunteer was refused.
- 26/11/10 – Complaint relating to overflowing bins at premises, and leaving overflow of rubbish which attracts rats. The waste contract was cancelled due to non payment of fees, and council officers identified the premises rubbish in residential bins. Advice given to Mr Govtepe.
- 24/01/11 – Information received from Enviro Crime Officer who suspected possible duty free cigarettes were being sold from under the counter in the premises. The officer witnessed the cashier serve a customer items from under the counter making sure they were in a black bag, which was closed.
- 01/02/11 - Trading Standards, the Police and Her Majesty's Revenue and Customs (HMRC) carried out joint visits to premises in the borough to see if non duty paid alcohol or tobacco were being sold. The visits were only made to premises with EN postcodes as the HMRC team that was involved in the operation only cover those addresses in the borough. The list was compiled using intelligence from both Trading Standards and HMRC. HMRC identified the following products as being non duty paid in Hertford Food Centre: 33.75 litres of assorted wines and 39.45 litres of assorted spirits were seized. These products were seized by HMRC. The revenue on these goods seized is £449.60.

Additionally, the premises next door but one, Internet Service, 232 Hertford Road, Enfield, EN3 5BL and its storage was also checked, as it is owned by Mr Govtepe. 235.2 litres of Vodka, 121.5 litres of various wines, 109.2 litres of Brandy and 41.7 litres of other sprits were seized as they were also identified as non duty paid. The revenue due on the goods seized at Internet Service is £5,401.40.

No receipts were produced for the goods at the time the goods were seized. The owners were given 28 days to produce the receipts for the goods seized to prove that they were bought at a wholesaler and that the duty had been paid. That period has now expired and the receipts have not been provided.

11/02/11 – As a result of the recent seizures, a full licence inspection was attempted at the premises, however, the only person present at the premises could not understand the officers, so the inspection did not take place.

14/02/11 – Further information from the same Enviro Crime Officer: that the premises and internet cafe continues to sell tax free cigarettes. The owners at these two premises are also linked to Hertford Discount Store on the same parade, and that there are more storage units at the rear of all these premises.

18/02/11 – Officers visited premises to carry out the licence inspection, and met with Mr Mehmet Govtepe, employee, however on the officers' arrival, he indicated that he was Mr Sefer Govtepe, the PLH and DPS. Conditions found to be in breach were: 5 - CCTV clock was 50 minutes later than correct time; No CCTV sign displayed; Monitor had error message 'No HDD Connected'. Mr Mehmet Govtepe could not operate the system so officers were unable to establish whether the CCTV was recording or compliant; 6 - No raid control; 11 - No refusals book; 12 - No training evident; 13 - No training records available. Mr Mehmet Govtepe stated that Mr Sefer Govtepe was on the premises daily. 14 days were given to address the non compliances, and an inspection report with advice was signed by and left with Mr Mehmet Govtepe. Further verbal advice relating to raid control was given by Martyn Fisher, Police Licensing Officer following this visit.

23/02/2011 Revisit to premises carried out as part of joint operation with HMRC, Trading Standards, and the Police. HMRC officers seized 13.6kg of shisha tobacco, and 3.15 litres of various spirits, as they were found to be non duty paid. No receipts were produced for the goods at the time the goods were seized. The owners were given 28 days to produce the receipts for the goods seized to prove that they were bought at a wholesaler and that the duty had been paid. That period has now expired and the receipts have not been provided. The goods seized amounted to total duty evaded of £1503.44.

Paul Cumberland from HMRC has produced two statements relating to the said seizures – see Appendix A and B.

11/03/11 – Officers carried out licensing revisit inspection with Mr Sefer Govtepe. The following conditions were still found to be in breach: 6 - Raid Control system not in place fully; 12 - No training carried out; 13 - Training records not completed. An inspection report was left advising a further 21 days to bring the outstanding issues into compliance.

08/04/2011 – Officers carried out licensing revisit. Checked outstanding conditions. Training carried out and records seen. Raid control seems to have been installed - smoke notes seen, there was a box near the door that the owner claimed was a camera but the officers were not 100% convinced, matter referred to police licensing officer.

13/04/11 – Trading Standards attempted a test purchase of cigarettes with child E. The child was asked his age and the sale was refused.

**Additional Information:**

DCMS Guidance (11.26) states that there are certain criminal activities that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. The list includes the sale of smuggled tobacco and alcohol (ie non duty paid products).

DCMS guidance (11.27) goes on to say that it is envisaged that responsibility 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.

If the licensing committee is not minded to revoke the premises licence completely, Trading Standards (Weights and Measures) asks that consideration be given to suspend the licence until such time that a vary Designated Premises Supervisor application has been submitted and issued and the Licensing Enforcement Team are confident that all licence conditions are being complied with. Trading Standards do not believe that the current DPS is a suitable person to be named as the DPS, given that non duty paid goods were found on the second visit, after such a short timeframe in between visits, and the history of non compliant conditions. If the licence is not revoked Trading Standards (Weights and Measures) also recommend modifying the times and conditions of the licence, as detailed below, to help to prevent crime and disorder associated with the sale of counterfeit and non-duty paid items on the premises in the future.

Activity	Current Times	Proposed Times
Opening	24 hours daily	07:00 – 23:00 daily
Alcohol	24 hours daily	0:00 – 23:00 daily

No.	Current Condition	TS Agree	Amended to read
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.	Y	
4	An alarm system, to BSEN50131, shall be installed, operated and maintained at the premises.	Y	
5	A digital CCTV must be installed in the premises complying with the following criteria : (1) Cameras must be sited to observe the entrance and exit doors both inside and outside, the alcohol displays and floor areas; (2) Cameras on the entrances must capture full frame shots of the heads and shoulders of all people	N	A digital CCTV system must be installed in the premises complying with the following criteria: (1) Cameras must be sited to observe the entrance and exit doors both inside and outside, the alcohol displays, and floor areas; (2) Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of

<p>entering the premises i.e. capable of identification; (3) Cameras viewing till areas must capture frames not less than 50% of screen; (4) Cameras overlooking floor areas should be wide angled to give an overview of the premises; (5) Be capable of visually confirming the nature of the crime committed; (6) Provide a linked record of the date, time and place of any image; (7) Provide good quality colour images; (8) Operate under existing light levels within and outside the premises; (9) Have the recording device located in a secure area or locked cabinet; (10) Have a monitor to review images and recorded picture quality; (11) Be regularly maintained to ensure continuous quality of image capture and retention. Maintenance contracts must be made available to Police on request; (12) Have signage displayed in the customer area to advise that CCTV is in operation; (13) Digital images must be kept for 31 days; (14) Police will have access to images at any reasonable time; (15) The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police on request.</p>		<p>identification; (3) Cameras viewing till areas must capture frames not less than 50% of screen; (4) Cameras overlooking floor areas should be wide angled to give an overview of the premises; (5) Be capable of visually confirming the nature of the crime committed; (6) Provide a linked record of the date, time, and place of any image; (7) Provide good quality images - colour during opening times; (8) Operate under existing light levels within and outside the premises; (9) Have the recording device located in a secure area or locked cabinet; (10) Have a monitor to review images and recorded picture quality; (11) Be regularly maintained to ensure continuous quality of image capture and retention; (12) Have signage displayed in the customer area to advise that CCTV is in operation; (13) Digital images must be kept for 31 days; (14) <b>Police and authorised officers of the council will have</b> access to images at any reasonable time; (15) The equipment must have a suitable export method, e.g. CD/DVD writer so that the police and / or authorised officer of the council can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police on request.</p>
<p>6 A Raid Control system must be installed in the premises complying with the following criteria : (1) A time delay safe is fitted under the counter; (2) A separate covert real time camera is fitted above the front door monitoring customers exiting. (Raid Cam); (3) A smoke note system is installed; (4) All staff</p>	<p>Y</p>	

	must be fully trained as to Raid Controls use and a signed written record of all training kept. This must be made available to Police or council officers on request; (5) Cash must be minimised in the till and the safe utilised.		
7	Suitable steps shall be provided at the premises to allow the rear fire exit to be used safely in an emergency.	Y	
8	At least 2 members of staff shall be present on the shop-floor of the premises between 22:00 and 06:00.	N	At least 2 members of staff shall be present on the shop floor of the premises at all times the premises are open for licensable activities.
9	The premises must operate the Local Authority or similar proof of age scheme and display the relevant material. Only passport, photographic driving licences or ID with the P.A.S.S. logo (Proof of Age Standards Scheme) shall be accepted.	N	The Local Authority or similar proof of age scheme shall be operated and relevant material shall be displayed at the premises. Only passport, photographic driving licences or ID with the P.A.S.S. logo (Proof of Age Standards Scheme) may be accepted.
10	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 they can be read by those leaving the premises.	Y	
11	A written record of refused sales must be kept on the premises and completed when necessary. It must be made available to Police and/or the Local Authority upon request.	N	A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.
12	All staff must receive induction and refresher training, relating to the sale of alcohol.	N	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.
13	All training relating to the sale of alcohol shall be documented and records kept. This record must be made available to the Police and/or Local Authority upon request.	N	All training relating to the sale of alcohol and times and conditions of the 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.



14	Children under the age of 14 shall not be permitted on the premises after 21:00 unless accompanied by an adult.	N	Children under 14 years, not accompanied by an adult, are not permitted to remain at or enter the premises after 21:00 hours.
15	Signs shall be prominently displayed on the exit doors advising customers that the premises is in a 'Drinking Control Area' and that alcohol should not be consumed in the street. These notices shall be positioned at eye level and in a location where they can be read by those leaving the premises.	Y	
16	Deliveries will not be made to the premises between the hours of 22:00 and 06:00.	N	Deliveries will not be made to the premises between the hours of 21:00 and 07:00.
17	Deliveries shall not cause a noise nuisance to local residents.	N	Remove – covered by other legislation
<b>Annex 3 Proposed Conditions - additional</b>		<b>Agreed by Applicant</b>	
	The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers unless they are from a bona fide company.		
	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. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year. include. Receipts shall show the following details: i) Seller's name and address ii) Seller's company details, if applicable iii) Seller's VAT details, if applicable iv) Seller's vehicle details, if applicable. Copies of these documents shall be retained on the premises and made available to police or authorised officers of the council on request within one week of the request.		

	An ultra violet light will be used at the store to check the authenticity of all stock purchased which bears a customs stamp.		
	The premises licence holder shall ensure that the pavement from the building line to the kerb edge immediately outside the premises, including the gutter/channel at its junction with the kerb edge, is kept clean and free from litter at all material times to the satisfaction of the Licensing Authority.		
	Waste collections shall not be made from the premises between the hours of 21:00 and 07:00.		
	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.		

The posters, training material, training records and refusals book are all available from Trading Standards.

Trading Standards (Weights and Measures) reserve the right to give evidence on any further incidents relating to breaches of the licensing objectives which may take place at, or in the vicinity of the premises, between the submission of this representation and the hearing or during the time allowed for any appeal proceedings. Additionally, Trading Standards reserve the right to present details of the outcome of any Court hearings between the submission of this representation and the hearing.

<b>Suspension of Licence:</b>	<b>N</b>
<b>Revocation of Licence:</b>	<b>Y</b>
<b>Recommended period of suspension ( max 3 months):</b>	
<b>Reasons for Revocation</b>	
<p>A significantly large quantity of non duty paid products has been seized from this premises following numerous complaints alleging that the premises sells illegal tobacco and alcohol. After two seizures within one month, the revenue due on the goods seized totals at £7,354.44.</p> <p>The Secretary of State believes that the sale of smuggled tobacco and alcohol should be treated particularly seriously and that where licence review are submitted and the licensing authority determines that the crime prevention objective is being undermined revocation of the licence, even in the first instance should be seriously considered.</p> <p>There is a continued history of illegal activity at the premises. Advice to compliance has been given on the number of occasions and despite this illegal activity continued. Trading Standards have no confidence in the ability of the PLH/DPS to manage the premises in accordance with the licence and other Trading Standards and HMRC</p>	

requirements.

**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

Day Month Year

n/a

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

**Please tick yes**

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

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

**Part 3 – Signatures** (please read guidance note 3)

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

**Signature**



**Date** 10<sup>th</sup> May 2011

**Capacity** **Principal Trading Standards Officer - Licensing Enforcement**  
Trading Standards (Weights and Measures)

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

**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.

Appendix A.

**WITNESS STATEMENT**  
**ENGLAND AND WALES ONLY**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.27, CP Rules Part 27.1)

Statement of: Paul Terence Cumberland

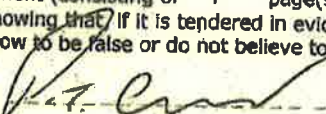
Age if under 18:

(If over 18 insert 'over 18')

Occupation: H M Revenue and Customs

This statement (consisting of 1 page(s) each signed by me is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature:



Date: 4th April 2011

I am an Officer of H M Revenue & Customs based in Haven House, Ipswich, Suffolk, IP4 1DN. In my role as a Law Enforcement Coordinator my duties include being responsible for exchanging information with the Police and other Agencies relating to matters of mutual interest.

I have been asked by Ellie Green, Principal Trading Standards Officer, Environmental Protection & Regulation, London Borough of Enfield, to supply details of inspections made by HM Revenue & Customs Officers, on 1<sup>st</sup> February and 23<sup>rd</sup> February 2011 at Hertford Food Centre, 236 Hertford Road, Enfield, EN3 5 BL, for the purpose of supporting an action being taken by the Licensing Team at Enfield Trading Standards.

I have examined the reports concerning the visit and can confirm that on the 1<sup>st</sup> February Officers seized a total of 33.75 litres of assorted wine and 39.45 Litres of assorted spirits, from the owner of the shop Mr Sefer Govtepe as liable to forfeiture by virtue of the Customs & Excise Acts. They were satisfied that due to the proprietors inability to produce invoices or receipts to prove duty payment, that United Kingdom Excise Duty had not been paid on said goods.

The Revenue on the goods seized is £ 449.60

I have examined the reports concerning the visit and can confirm that on the 23<sup>rd</sup> February Officers seized a total of 13.60 kg Shisha flavoured tobacco and 3.15 litres of various spirits.

The revenue due on the seized goods is £1503.44

The goods were seized as liable to forfeiture under Customs & Excise Acts.

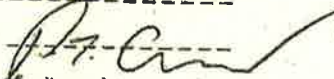
No notice of claim against the forfeiture was received within the statutory time limit therefore the Spirits and Wine are condemned as forfeited in accordance with PP5 of schedule 3 to CEMA

Date:

4<sup>th</sup> April 2011

Signature:

(signature of witness)



Signature:

(signature witnessed by)



STATEMENT OF WITNESS: ENGLAND AND WALES ONLY

Appendix B

**WITNESS STATEMENT**  
**ENGLAND AND WALES ONLY**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.27, CP Rules Part 27.1)

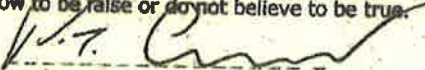
Statement of: Paul Terence Cumberland

Age if under 18:

(If over 18 Insert 'over 18')

Occupation: H M Revenue and Customs

This statement (consisting of 1 page(s) each signed by me is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature: 

Date: 4th April 2011

I am an Officer of H M Revenue & Customs based in Haven House, Ipswich, Suffolk, IP4 1DN. In my role as a Law Enforcement Coordinator my duties include being responsible for exchanging information with the Police and other Agencies relating to matters of mutual interest.

I have been asked by Ellie Green, Principle Trading Standards Officer, Enfield Trading Standards, to supply details of inspections made by HM Revenue & Customs Officers, on 1<sup>st</sup> February 2011 at Internet Café, 232 Hertford Road, Enfield, which is associated to Hertford Food Centre 236 Hertford Road, Enfield EN3 5 BL for the purpose of supporting an action being taken by the Licensing Team at Enfield Trading Standards

I have examined the reports concerning the visit and can confirm that Sefer Govtepe, the owner of Hertford Food Centre was present on the 1<sup>st</sup> February 2011 when Officers seized a total of 235.2 litres of Vodka, 121.5 Litres of various wines, 109.2 litres of Brandy and 41.7 Litres of other spirits, as liable to forfeiture by virtue of the Customs & Excise Acts, from him. They were satisfied that due to the proprietors inability to produce invoices or receipts to prove duty payment, that United Kingdom Excise Duty had not been paid on said goods.

The revenue due on the seized goods is £5,401.40

The goods were seized as liable to forfeiture under Customs & Excise Acts.

No notice of claim against the forfeiture was received within the statutory time limit therefore the spirits and wine are condemned as forfeited in accordance with PP5 of schedule 3 to CEMA

Date: 4<sup>th</sup> April 2011

Signature: 

(signature of witness)

Signature: 

(signature witnessed by)

**STATEMENT OF WITNESS: ENGLAND AND WALES ONLY**

Property Index number: «UKEY»

**ENFIELD**  
Council

www.enfield.gov.uk



**TRADING STANDARDS (WEIGHTS AND MEASURES) REVIEW APPLICATION:  
ADDITIONAL INFORMATION**

This review application is made by the Enfield's Trading Standards Service (inspectors of Weights & Measures) and is made in consultation with and on behalf of the Health & Safety authority, the Environmental Health authority and the Child Protection Board.

I confirm I am authorised to speak at any hearing on behalf of the Health & Safety authority, the Environmental Health authority, the Child Protection Board and Enfield's Trading Standards Service (inspectors of Weights & Measures).

**Name and address of premises:** Hertford Food Centre,  
236 Hertford Road,  
Enfield,  
EN3 5BL.

**Type of Application:** Review of Licence (Trading Standards)

**The Review Application**

I am confident that you have read the report that has been provided to you in relation to this Trading Standards review application.

I would like to take this opportunity to summarise and emphasise the main areas of concern which has led us here today, for the revocation of Hertford Food Centre premises licence.

The report shows that Mr Govtepe, the premises licence holder and DPS has been involved with the premises since 2007, which indicates that Mr Govtepe has had plenty of experience in running an off licence.

However, a number of alleged non compliances have been highlighted in the report.

The premises has breached 7 of their licence conditions on 7 occasions since December 2008, despite advice and warnings being issued, a total of 23 breaches of conditions – which is an alarmingly frequent figure.

One previous seizure of counterfeit alcohol at this premises was carried out by LBE, in 2009.

More recently, two allegations that tax free cigarettes were being sold from the premises, which were actually observed by an LBE Enviro Crime Officer.

As a result of this previous history, on 1<sup>st</sup> February 2011, the premises was targeted for a visit during the joint operation with Trading Standards, the Police and HMRC. HMRC identified 33.75 litres of assorted wines and 39.45 litres of assorted spirits as being non duty paid, and were subsequently seized by HMRC. The revenue on these goods seized is £449.60.

Additionally, the premises next door but one, Internet Service, 232 Hertford Road, Enfield, EN3 5BL and its storage was also checked, as it is also owned by Mr Govtepe. 235.2 litres of Vodka, 121.5 litres of various wines, 109.2 litres of Brandy and 41.7 litres

Property Index number: «UKEY»

of other spirits were seized as they were also identified as non duty paid. The revenue due on the goods seized at Internet Service is £5,401.40.

Despite all these seizures on 1<sup>st</sup> February 2011, a revisit was carried out at Hertford Food Centre as a continuation of the joint operation. HMRC officers seized 13.6kg of shisha tobacco, and 3.15 litres of various spirits, as they were found to be non duty paid. The goods seized amounted to total duty evaded of £1503.44.

Paul Cumberland from HMRC has produced two statements relating to these seizures – see Appendix A and B. However to sum up, no receipts were produced for the goods at the time any of the goods were seized. The owners were given 28 days to produce the receipts for the goods seized to prove that they were bought at a wholesaler and that the duty had been paid. That period has now expired and the receipts have not been provided.

The total revenue due on goods for sale by Mr Govtepe is £7,354.44 – an extortionate amount! It raises even further concerns that Mr Govtepe persisted in selling non duty paid goods, even after the first large seizure, when he was fully aware of the law.

However, on 1<sup>st</sup> June 2011, I received an email from NARTS on behalf of Mr Govtepe, who stated that he will voluntarily impose some of the conditions proposed by Trading Standards in the review application, as from 3<sup>rd</sup> June 2011. The wording of voluntary conditions were slightly different to those as given by Trading Standards, however, we still believe the wording of our conditions to be appropriate.

*Conditions offered:*

- 1. No alcoholic goods will ever be purchased from sellers calling to the shop.*
- 2. Invoices (or copies) for all alcoholic goods on the premises will be kept at the shop and made available to officers from the council, police or HMRC upon request.*
- 3. A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.*
- 4. An ultra-violet light will be available at the premises for the purpose of checking the UK Duty Stamp on spirits as soon as practical after they have been purchased.*
- 5. If any spirits bought by the company have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to Trading Standards Department and HMRC as soon as possible.*
- 6. Any alcohol and tobacco purchases will be kept in the stock room and will be checked by the premises licence holder or DPS for compliance of conditions number 2, 3, 4 & 5 stated above.*

On 10<sup>th</sup> June 2011, licensing enforcement officers were tasked to carry out a check of the current licence and to check whether the voluntary conditions actually had been imposed. The officers spoke to Mr Mehmet Govtepe, part owner, and were able to



Property Index number: «UKEY»

establish that the voluntary conditions offered had been implemented. No other outstanding conditions were established, and officers checked bottles for authenticity – no problems found. Officers saw receipts dated 4, 5 and 10 June 2011 from Dhamecha Foods Ltd, 28 Crown Road, Enfield EN1 1TH that had a list of different alcoholic spirits including vodka, Jack Daniels, whisky and named wine on it. The officers also tested the ultra violet light against a bottle of spirits on the shelf and again, no problems found.

Should the committee be minded to amend conditions, please bear in mind that the Trading Standards review application initially proposed a condition relating to deliveries. In light of the Planning representation, Trading Standards now seek to amend this proposed condition to bring it into line with Planning:

**Deliveries and collections to and from the premises shall only take place between the hours of 0800hrs to 1900hrs Monday to Saturday and none at all on Sundays or Bank Holidays.**

The report directs us to the Home Office Guidance (11.26) which states that there are certain criminal activities that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. The list includes the sale of smuggled tobacco and alcohol (i.e. non duty paid products).

Home Office guidance (11.27) goes on to say that it is envisaged that responsible authorities will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

The committee may comment that the police did not support the Trading Standards review application. I would like to take this opportunity to remind you that the Home Office Guidance states that the police are the main source of advice on Crime and Disorder matters, but not the only authority. It also states that the police are expected to have a key role in advising premises on the prevention of crime and disorder, but Trading Standards, as a responsible authority, may also take measures to deter criminal activity, it is not restricted to the police only. Therefore we urge you not to give any less consideration in your decision making process as the police did not support the review application on this occasion.

Conclusion:

A significantly large quantity of non duty paid products has been seized from Hertford Food Centre and a related property, not once but twice. There have also been continuous breaches of licence conditions, even after plenty of officer advice. Therefore Trading Standards believe that the crime prevention objective is being seriously undermined, and we are not confident with the current management of the premises that such activities will cease.

Trading Standards therefore believe that it is necessary to revoke the premises licence in its entirety in order to fully support the prevention of crime and disorder licensing objective.

Property Index number: «UKEY»

**Old Licence**

This is a simple revocation application on the grounds that this licence is out of date in that the plan does not match the layout, therefore cannot be legally used.

Appendix 2.

**LONDON BOROUGH OF ENFIELD LICENSING AUTHORITY  
LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005  
DECISION NOTICE**



**LICENSING SUB-COMMITTEE – 13 JULY 2011**

Applications were made by **TRADING STANDARDS SERVICE** for review of the Premises Licences held by **MR SEFER GOVTEPE** at the premises known as and situated at **HERTFORD FOOD CENTRE, 236 HERTFORD ROAD, EN3.**

The Licensing Sub-Committee **RESOLVED** that it considers the steps listed below to be necessary for the promotion of the licensing objectives :

**(1) Licence Number LN/200600789 – no step was necessary.**

The Chairman made the following statement :

"In the first instance, we will deal with Licence Number LN/200600789. The licence holder and his representative indicated during the hearing that they acknowledge that the licence no longer carries weight, and, as in both the written and verbal representations from Trading Standards, is unlawful. As such, the representative indicated his client's preparedness to surrender this licence with immediate effect. Therefore, the Licensing Sub-Committee has no decision to make."

**(2) Licence Number LN/200800470 – to revoke the licence.**

The Chairman made the following statement :

"With regard to the current Licence Number LN/200800470, being still in operation, having read and then heard all the evidence, the sub-committee was not persuaded by the arguments given by the licence holder to the case brought by Trading Standards for the review of the licence. The panel has resolved to revoke the licence with immediate effect.

The answers that were provided to a range of questions from all the panel members were both inconsistent and unconvincing, and ran counter to the evidence of and presented by Trading Standards, who, we considered, made its case in full.

Over an extended period of time, dating back to December 2008, Trading Standards officers have made numerous and repeated attempts to assist the licence holder to comply with the conditions of the licence. Full inspection reports were provided, and were signed off on site, and follow-up advice given on all occasions. The advice was not heeded, which was of concern to the sub-committee, especially when bearing in mind that some of the same conditions were repeatedly being breached and not remediated. The first hint of any desire to comply with the licence conditions came forward only in March 2011.

Despite the fact that progress has started to be made by the licence holder, there is insufficient evidence to support this, and the history of the premises shows reluctance to accept, heed, or act upon advice.

The Licensing Sub-Committee was somewhat shocked that the licence holder is continuing to purchase and sell goods from a supplier they allege had supplied them in the past with counterfeit and non duty paid goods. This is in spite of having goods seized on two

occasions during February 2011, where the combined duty value of these goods exceeded £7,000.

Furthermore, the licence holder continued to sell non duty paid goods which he claims HM Revenue and Customs had failed to discover during its raid on 1 February 2011, even though by the time that such sales were made, he must have been aware that the sale of those goods was illegal.

The licence holder, through his representatives, continually asserted that the sub-committee needs to be presented with evidence that the duty was not paid. However, the sub-committee members were not actually presented with any evidence that the duty had been paid. In fact, the panel was shocked that invoices were not routinely kept and / or demanded from the supplier.

The licence holder also failed to demonstrate what steps he took or was taking to ensure he was only purchasing from reputable suppliers.

The Licensing Sub-Committee considered the summary point raised by the licence holder's representative relating to the Guidance at Section 6.7. However, the sub-committee is more persuaded by the guidance points 11.26 and 11.27, and considers that the licensing objective – the prevention of crime and disorder has been seriously undermined by the scale of the seizure of non duty paid goods; and that the licensing objectives have been further undermined by persistent breaches of the licence conditions.

As a result, Licensing Sub-Committee reaffirms that it has resolved to revoke Licence Number LN/200800470, and considers this decision to be both necessary and proportionate for the promotion of the licensing objectives."

**Date Notice Sent : 15 July 2011**

**Signed :**



**Principal Licensing Officer**

### **APPEAL**

Under the Licensing Act 2003 you have a right of appeal against this decision within 21 days of receiving this notice. Any appeal should be made in writing to the Enfield Magistrates Court. The contact details for Enfield Magistrates are as follows:

Enfield Magistrates Court,  
The Court House, Lordship Lane, Tottenham, London, N17 6RT.  
Tel: 020 8808 5411 or Fax: 020 8885 4343

Appendix 3

**ENFIELD**  
Council  
www.enfield.gov.uk



**TRADING STANDARDS (WEIGHTS AND MEASURES) REPRESENTATION**

This representation is made by the Enfield's Trading Standards Service (inspectors of Weights & Measures) and is made in consultation with and on behalf of the Planning authority, the Health & Safety authority, the Environmental Health authority and the Child Protection Board.

I confirm I am authorised to speak at any hearing on behalf of the Planning authority, the Health & Safety authority, the Environmental Health authority, the Child Protection Board and Enfield's Trading Standards Service (inspectors of Weights & Measures).

**Name and address of premises:** Hertford Food Centre,  
236 Hertford Road,  
Enfield,  
EN3 5BL.

**Type of Application:** New Premises Licence

I certify that I have considered the application shown above and I wish to make **representations** that the likely effect of the grant of the application is detrimental to the Council's Licensing Objectives for the following reasons:

**Background History:**

This is a new application to allow the premises, which is a supermarket to be open and sell alcohol (off sales) for 24 hours daily.

The premises was until recently already licensed for these activities and for these times, however the licence (LN/200800470) was revoked by the licensing committee on 13/7/2011 following a Trading Standards review application. However, on 2<sup>nd</sup> August 2011, Hertford Food Centre submitted an appeal of this decision to Enfield Magistrates Court. Due to the short period of time between the revocation decision and the new application (14/7/2011), Trading Standards feel that it is necessary to refer to their review application for further background information – see Appendix A. The decision notice is also attached as Appendix B. *NB - In this 2015 review these documents are Appendix 1 & 2.*

In the new application, the premises licence holder and Designated Premises Supervisor (DPS) are both named as Mr Suleyman Erdogan. Trading Standards are not aware of his involvement with the premises under the old licence.

Since 13/7/11, Council records show no trading standards or licensing complaints in relation to this premises.

The appeal period for the revocation decision expired on 5/8/11. The last date for representations for the new application is 11/8/11. Therefore there is a period when the premises are not lawfully permitted to sell alcohol.

On Tuesday 9<sup>th</sup> August 2011, an officer (EVG) visited the premises. It was noted that the blue notice was displayed correctly. EVG spoke to Mr Mehmet Govtepe, the person in charge at the premises, and Ms Besime Koker, who interpreted on behalf of Mr Govtepe. Ms Koker stated that she has been an employee at the premises for nearly three years, and that Mr Suleyman Erdogan is the night time manager at the premises,

and has been working there approximately one year. Ms Koker stated she did not know Mr Sefer Govtepe, the named premises licence holder and designated premises supervisor under the revoked premises licence.

### **Prevention of Nuisance:**

The premises is located on a commercial stretch of Hertford Road close to the junction with Green Street. There are many licensed premises in the vicinity including:

- Co-op - alcohol (latest 23:00)
- Hertford Food Centre – alcohol (24 hours)
- Hare Wines - alcohol (latest 23:00)
- Hertford Discount £ Store – alcohol (latest 23:00)
- Highway Supermarket - alcohol (latest 23:00)
- TFC - alcohol (latest 23:00)
- Hare Wines - alcohol (latest 23:00)
- Efe Food and Wine House - alcohol (latest 01:00)
- Sirwan - alcohol (latest 23:00)
- Favourite Chicken and Ribs – LNR (latest 01:00)
- Speedo Pizza – LNR (latest 01:00)
- Akar Kebab – LNR (latest 01:00)
- Mega Pizza – LNR (latest 00:00)
- Sporting Green – alcohol, indoor sporting events, recorded music (latest 01:00), live music, facilities for making music (latest 00:30).
- The Black Horse - alcohol, films, recorded music (latest 03:00), late night refreshment (latest 03:30), facilities for making music, live music, indoor sporting events (latest 01:00)
- The Offy and General Stores – alcohol (latest 01:00)

### **Residents:**

There is a mixture of residential and commercial premises in this location, with residential streets running off Hertford Road. There are also residential premises above some of the shops.

**In summary I wish to make representation on the following:**

- Prevention of Public Nuisance
- The Protection of Children from Harm

I have no objection to the activities applied for. However, I do object in part to the hours applied for, and recommend the following times:

<b>Activity</b>	<b>Applied for Hours</b>	<b>TS Suggested Hours</b>
<b>Open</b>	24 hours daily	08:00 – 01:00 daily
<b>Alcohol (off sales)</b>	24 hours daily	08:00 – 01:00 daily

I would also recommend the following conditions be attached to the licence to promote the licensing objectives. These conditions amend the proposed conditions in Annex 2 as indicated.

	Proposed Conditions – Annex 2	TS Agree	Amended to Read / Suggestion
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.	Y	
4	An alarm system, to BSEN50131, shall be installed, operated and maintained at the premises.	Y	
5	A digital CCTV must be installed in the premises complying with the following criteria : (1) Cameras must be sited to observe the entrance and exit doors both inside and outside, the alcohol displays and floor areas; (2) Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification; (3) Cameras viewing till areas must capture frames not less than 50% of screen; (4) Cameras overlooking floor areas should be wide angled to give an overview of the premises; (5) Be capable of visually confirming the nature of the crime committed; (6) Provide a linked record of the date, time and place of any image; (7) Provide good quality colour images; (8) Operate under existing light levels within and outside the premises; (9) Have the recording device located in a secure area or locked cabinet; (10) Have a monitor to review images and recorded picture quality; (11) Be regularly maintained to ensure continuous quality of image capture and retention. Maintenance contracts must be made available to Police on request; (12) Have signage displayed in the customer area to advise that CCTV is in operation; (13) Digital images must be kept for 31 days; (14) Police will have access to images at any reasonable time; (15) The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a	N	Amend the following section:  <b>(14) Police and authorised officers of the council will have access to images at any reasonable time;</b>

	standard computer. Copies must be made available to Police on request.		
6	A Raid Control system must be installed in the premises complying with the following criteria : (1) A time delay safe is fitted under the counter; (2) A separate covert real time camera is fitted above the front door monitoring customers exiting. (Raid Cam); (3) A smoke note system is installed; (4) All staff must be fully trained as to Raid Controls use and a signed written record of all training kept. This must be made available to Police or council officers on request; (5) Cash must be minimised in the till and the safe utilised.	Y	
7	Suitable steps shall be provided at the premises to allow the rear fire exit to be used safely in an emergency.	Y	
8	At least 2 members of staff shall be present on the shop-floor of the premises between 22:00 and 06:00.	N	At least two members of staff shall be present on the shop-floor of the premises between 22:00 and 01:00.  NB. This end time reflects the TS recommendation for the reduction of hours.
9	The premises must operate the Local Authority or similar proof of age scheme and display the relevant material. Only passport, photographic driving licences or ID with the P.A.S.S. logo (Proof of Age Standards Scheme) shall be accepted.	Y	
10	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 they can be read by those leaving the premises.	Y	
11	A written record of refused sales must be kept on the premises and completed when necessary. It must be made available to Police and/or the Local Authority upon request.	N	A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the



			Local Authority upon request and shall be kept for at least one year from the date of the last entry.
12	All staff must receive induction and refresher training, relating to the sale of alcohol.	N	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.
13	All training relating to the sale of alcohol shall be documented and records kept. This record must be made available to the Police and/or Local Authority upon request.	N	All training relating to the sale of alcohol and times and conditions of the 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.
14	Children under the age of 14 shall not be permitted on the premises after 21:00 unless accompanied by an adult.	Y	
15	Signs shall be prominently displayed on the exit doors advising customers that the premises is in a 'Drinking Control Area' and that alcohol should not be consumed in the street. These notices shall be positioned at eye level and in a location where they can be read by those leaving the premises.	Y	
16	Deliveries will not be made to the premises between the hours of 22:00 and 06:00.	Y	
17	Deliveries shall not cause a noise nuisance to local residents.	Y	
18	No alcohol goods shall be purchased from sellers calling to the shop.	N	The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers unless they are

			from a bona fide company.
19	Invoices/Copies for alcohol goods shall be kept at the Premises and will be made available to Officers from the Council, Police or HMRC upon request.	N	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. These records shall be made available to the Police, Local Authority and/or HMRC upon request and shall be kept for at least one year. 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; (4) Seller's vehicle details, if applicable. Copies of these documents shall be retained on the premises and made available to police or authorised officers of the council on request within five working days of the request.
20	Stock control shall be introduced, so that the licensee can identify when/where alcohol goods were purchased.	Y	
21	An ultra-violet light shall be available at the Premises for the purpose of checking the UK Duty Stamp on spirits as soon as practical after they have been purchased.	N	An ultra violet light will be used at the store to check the authenticity of all stock which bears a customs stamp as soon as practical after they have been purchased.
22	If any spirits bought by the Company have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to Trading Standards and HMRC as soon as possible.	Y	

Additional Conditions to be Added in Annex 3	Applicant Agree	
N/A		

Trading Standards reserve the right to provide further information to support this representation.

If these conditions and hours were accepted in full I WOULD withdraw my representation.

Duly Authorised: Ellie Green, Principal Trading Standards Officer – Licensing Enforcement

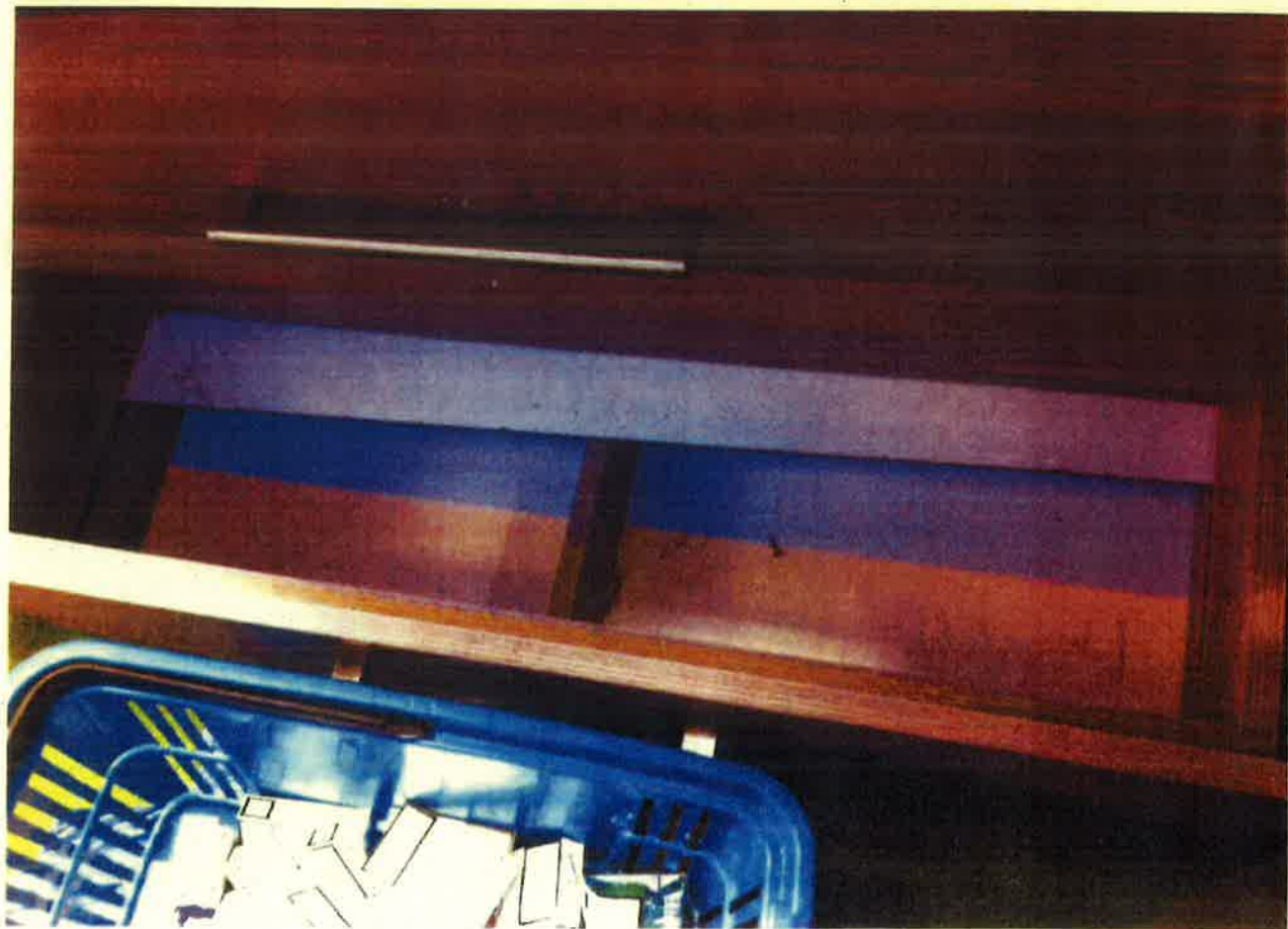


Signed:

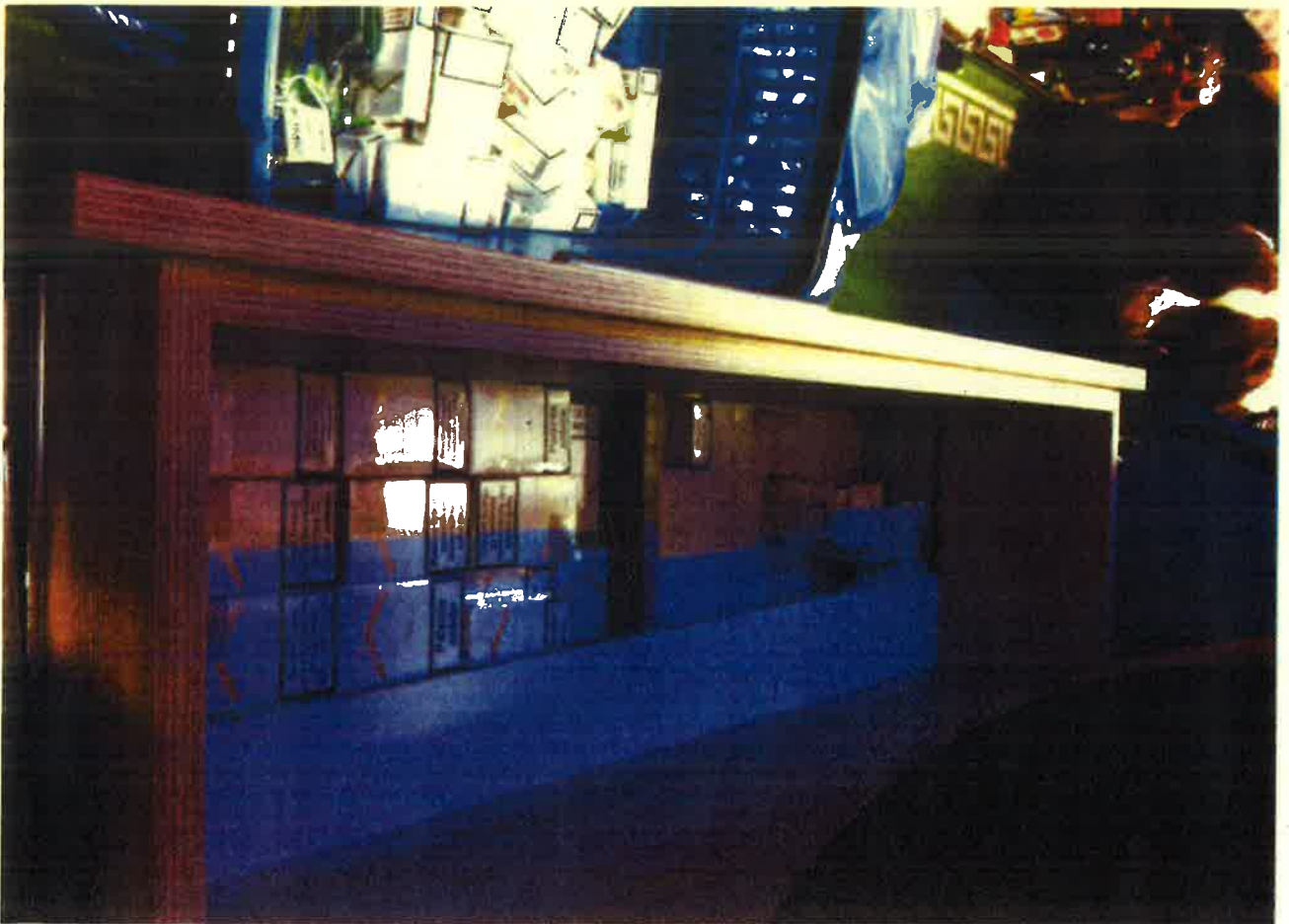
Date: 09/08/2011

Tel: 0208 379 8543 / [ellie.green@enfield.gov.uk](mailto:ellie.green@enfield.gov.uk)

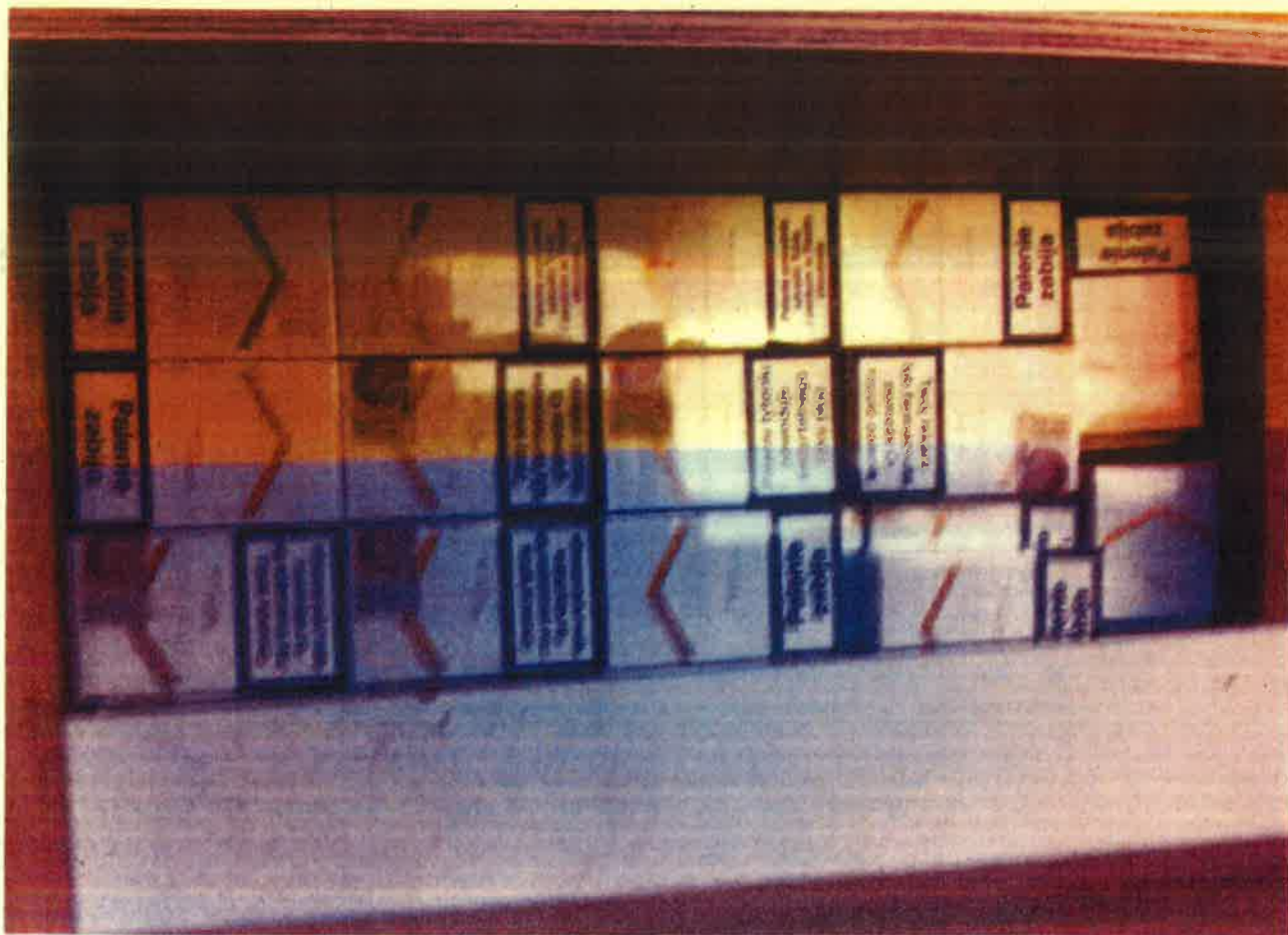
Appendix 4















Appendix 5



**Current Appointments Report for:  
HERTFORD FOOD CENTRE LIMITED  
07216126**

**Created: 04/03/2015 16:08:35**

Companies House is a registry of corporate information. We carry out basic checks to make sure that documents have been fully completed and signed, but we do not have the statutory power or capability to verify the accuracy of the information that corporate entities send to us. We accept all information that such entities deliver to us in good faith and place it on the public record. The fact that the information has been placed on the public record should not be taken to indicate that Companies House has verified or validated it in any way.

## Company Register Information

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<b>Company Number:</b>	07216126	<b>Date of Incorporation:</b> 08/04/2010
<b>Company Name:</b>	HERTFORD FOOD CENTRE LIMITED	
<b>Registered Office:</b>	236 HERTFORD ROAD ENFIELD EN3 5BL	
<b>Company Type:</b>	Private Limited Company	
<b>Country of Origin:</b>	United Kingdom	
<b>Status:</b>	Active	
<b>Nature Of Business (SIC):</b>	47240 - Retail sale of bread, cakes, flour confectionery and sugar confectionery in specialised stores	
<b>Number of Charges:</b>	( 0 outstanding / 0 part satisfied / 0 satisfied)	

### Previous Names

No previous name information has been recorded over the last 20 years.

### Key Filing Dates

<b>Accounting Reference Date:</b>	31/03
<b>Last Accounts Made Up To:</b>	31/03/2014 (TOTAL EXEMPTION SMALL)
<b>Next Accounts Due:</b>	31/12/2015
<b>Last Return Made Up To:</b>	08/04/2014
<b>Next Return Due:</b>	06/05/2015
<b>Last members list:</b>	08/04/2014
<b>Last Bulk Shareholders List:</b>	Not available

## Current Appointments

Number of current appointments: 1

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<b>DIRECTOR:</b>	GOVTEPE, SEFER MR	
<b>Appointed:</b>	01/04/2014	<b>Date of Birth:</b> 10/10/1973
<b>Nationality:</b>	BRITISH	
<b>No. of Appointments:</b>	1	
<b>Address:</b>	236 HERTFORD ROAD ENFIELD UNITED KINGDOM EN3 5BL	
<b>Country/State of Residence:</b>	ENGLAND	

This Report excludes resignations

## Recent Filing History

Documents filed since 05/07/2013

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DATE	FORM	DESCRIPTION
30/10/2014	AA	31/03/14 TOTAL EXEMPTION SMALL
22/05/2014	AR01	08/04/14 FULL LIST
22/05/2014	LATEST SOC	22/05/14 STATEMENT OF CAPITAL;GBP 20000
20/05/2014	AP01	DIRECTOR APPOINTED MR SEFER GOVTEPE
20/05/2014	TM01	APPOINTMENT TERMINATED, DIRECTOR SULEYMAN ERDOGAN
04/11/2013	AA	31/03/13 TOTAL EXEMPTION SMALL
05/07/2013	AR01	08/04/13 FULL LIST

This Report excludes 99(2) Share Allotment documents

Mr S. Erdogan  
Hertford Food Centre  
236 Hertford Road  
Enfield  
EN3 5BL

Please reply to: **Sheila Lahey**  
**Trading Standards**  
PO Box 57, Civic Centre  
Silver Street, Enfield, Middx. EN1 3XH  
Tel: 020 8379 8527  
Fax:  
Textphone:: 020 8379 4419  
Email: [Sheila.lahey@enfield.gov.uk](mailto:Sheila.lahey@enfield.gov.uk)  
My Ref: WK/214047247  
Your Ref:  
Date: 9th September 2014

Dear Mr Erdogan

In March 2014, Enfield Trading Standards and HMRC visited the premises and seized a quantity of alcohol showing counterfeit back labels. This is a criminal offence.

Having carefully considered the facts of the case, Trading Standards have decided not to take any formal action against you on this occasion.

However, you should take this letter as a warning as to your future conduct. Should similar matters be brought to our attention again, it is unlikely that we shall adopt such a lenient approach.

If you have any further queries. Please feel free to contact me on 020 8379 8527

Yours sincerely,

Sheila Lahey  
Fair Trading Officer



**Mr Suleyman Erdogan**  
**256A Hertford Road**  
**ENFIELD**  
**EN3 5BL**

**Regeneration & Environment**

Please reply to : Licensing Team  
: PO Box 57  
: Civic Centre, Silver Street  
: Enfield, Middx. EN1 3XH  
Tel : 020 8379 3578  
Fax : 020 8379 2190  
Minicom : 020 8379 4419  
Email : [licensing@enfield.gov.uk](mailto:licensing@enfield.gov.uk)  
My ref : Mandatory Conditions  
Your ref : LN/201100396  
Date : From 28 May 2014

**IMPORTANT – PLEASE READ**

**THIS LETTER CONCERNS YOUR NEW LEGAL RESPONSIBILITIES AND ANY FAILURE TO ACT ON THESE MATTERS COULD LEAD TO YOUR PROSECUTION**

Dear Mr Suleyman Erdogan

**Re: Hertford Food Centre, 236 Hertford Road, ENFIELD, EN3 5BL**

I refer to your Premises Licence and/or Club Premises Certificate, under the Licensing Act 2003, in respect of the above premises/club premises.

If your licence/certificate authorises the sale/supply of alcohol then you must comply with the contents of this letter. If alcohol is *not* authorised under the licence/certificate please disregard this letter.

As you are aware, you must ensure that the operation of the premises/club premises, complies with the conditions set out in Annexes 1, 2 and 3 of the licence/certificate document.

I am writing to advise that new Mandatory Conditions have been attached to your licence/certificate by Parliament. You must ensure that the operation of the premises/club premises, under the licence/certificate, *also* complies with the Mandatory Conditions, even though they are *not* printed on your licence/certificate document.

Failure to comply with the conditions of your licence/certificate and/or the Mandatory Conditions is a criminal offence with a maximum penalty, on conviction, of 6 months imprisonment and a £20,000 fine.

The Mandatory Conditions are set out below:

- (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(a);

(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(b).

(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.

2. (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

(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 (other than any promotion or discount available to an individual



- in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- (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;
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on –
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - (e) 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.
3. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) 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 a holographic mark.
6. The responsible person shall 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; and
  - (b) customers are made aware of the availability of these measures.

NB. The “responsible person” means—

- (a) in relation to licensed premises—
  - (i) the holder of a premises licence in respect of the premises,
  - (ii) the designated premises supervisor (if any) under such a licence, or
  - (iii) any individual aged 18 or over who is authorised for the purposes of this section by such a holder or supervisor,
- (b) 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 him to prevent the supply in question.

The Home Office have produced Guidance (on banning the sale of alcohol below the cost of duty plus VAT) and a Permitted Price Calculator. These documents may be viewed, down-loaded and printed via the following web-link: <https://www.gov.uk/government/publications/banning-the-sale-of-alcohol-below-the-cost-of-duty-plus-vat>

**TRADING STANDARDS ADVICE :**

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

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

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

Yours sincerely



pp. The Licensing Team

**LONDON BOROUGH OF ENFIELD LICENSING AUTHORITY  
LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005  
DECISION NOTICE**



**LICENSING SUB-COMMITTEE – 13 MAY 2015**

Application was made by the **LICENSING AUTHORITY** for a review of the Premises Licence held by **MR SULEYMAN ERDOGAN** at the premises known as and situated at **HERTFORD FOOD CENTRE, 236 HERTFORD ROAD, ENFIELD, EN3 5BL**.

The Licensing Sub-Committee **RESOLVED** that it considers the step listed below to be appropriate for the promotion of the licensing objectives :

**(a) to revoke the licence.**

**Reasons:**

The Chairman made the following statement :

“Having considered all the written submissions and listened attentively to all the oral submissions at the hearing, the Licensing Sub-Committee (LSC) determined that the appropriate step to be taken in response to the application to review the licence, and for the promotion of the licensing objectives, is to revoke the licence.

The Council's Licensing Policy and statutory guidance are clear that in the event of criminal activity, by way of counterfeit or non-duty paid goods being acquired and sold, revocation even in the first instance should be seriously considered.

We have heard the history of these premises, which includes revocation of a previous licence for the same reasons – and at a time when the current Premises Licence Holder / Designated Premises Supervisor was involved as an employee of the business; and that Mr Erdogan made an application for a new licence the very next day. This was made in full knowledge of the reasons for the revocation.

We further heard that a significant seizure of counterfeit goods was carried out on 12<sup>th</sup> March 2014; and that there have been two further episodes of a different scale since that time.

The licence holder, through his representative, admitted that each of these incidents undermined the prevention of crime and disorder licensing objective, as well as the former revocation doing so.

Even if the LSC were persuaded that Mr Erdogan was ignorant of the actions of his business partner – Mr Sefer Govtepe – he has failed to demonstrate any capability to control those actions as they impact on his responsibilities to operate his licence lawfully.

Alternatively, he knew exactly what was going on with regard to the sale of non-duty paid goods and chose either to condone it or turn a blind eye.

By the licence holder's own admission, he has more than once been out of the country for long periods, and this further hampers his ability to assert control of the business.

When questioned about the failure to supply invoices pertaining to the purchase of duty

paid goods as recently as April 2015, it again demonstrated his lack of ability to even obtain invoices from his own accountant despite being in the knowledge he faced a review of his licence.

The LSC was not satisfied by the answers given, and believed it to be an aggravating factor to the litany of failures, and breaches of other conditions of the licence.

Therefore, the LSC finds that the applicant has made its case in full, and that revocation is appropriate for the promotion of the licensing objectives.”

**Date Notice Sent : 13 May 2015**

**Signed :**



**Principal Licensing Officer**

**APPEAL**

Under the Licensing Act 2003 you have a right of appeal against this decision within 21 days of receiving this notice. Any appeal should be made in writing to the North London Magistrates Court at the following address :

North London Magistrates Court  
Highbury Corner, 51 Holloway Road, London, N7 8JA

CPX109

**IN THE ENFIELD MAGISTRATES' COURT  
BETWEEN: -**

**SULEYMAN ERDOGAN  
(Hertford Food Centre)**

**Appellant**

**-v-**

**THE LONDON BOROUGH OF ENFIELD**

**Respondent**

**APPEAL UNDER S.181 & PARAGRAPH 8(2) SCHEDULE 5 OF THE  
LICENSING ACT 2003 AGAINST A DECISION BY THE LICENSING SUB-  
COMMITTEE OF THE LONDON BOROUGH OF ENFIELD ON 13<sup>th</sup> MAY  
2015 relating to the premises known as HERTFORD FOOD CENTRE, 236  
HERTFORD ROAD, ENFIELD EN3 5BL**

**CONSENT ORDER**

**AND UPON** the parties having reached agreement to the terms set out below:

**BY CONSENT IT IS ORDERED THAT:**

1. The appellant withdraws his appeal against the decision of the licensing sub-committee dated 13 May 2015.
2. The appellant pays forthwith the respondent's costs as described in Annex 1, appended hereto.
3. The hearing listed for 10 November 2015 be vacated.

Signed: *CM Farlane*  
 London Borough of Enfield  
 PO Box 50, Civic Centre  
 Enfield,  
 Middx EN1 3XN  
 Tel: 020 8379 6420  
 Fax: 020 8379 6492  
 DX: 90615 Enfield 1  
 Ref: LS/C/CM/153056

**Solicitors for the Respondent**

Signed: *Mahir Kilic*  
 Mahir Kilic trading as  
 NARTS  
 53 Stoke Newington High Street,  
 London  
 N16 8EL  
 Tel: 020 7241 3636  
 Fax: 0871 661 5283  
 Ref:

**Representative for the Appellant**

ANNEX 1

**IN THE ENFIELD MAGISTRATES' COURT  
BETWEEN: -**

**SULEYMAN ERDOGAN  
(Hertford Food Centre)  
Appellant**

**-v-**

**THE LONDON BOROUGH OF ENFIELD  
Respondent**

**APPEAL UNDER S.181 & PARAGRAPH 8(2) SCHEDULE 5 OF THE  
LICENSING ACT 2003 AGAINST A DECISION BY THE LICENSING SUB-  
COMMITTEE OF THE LONDON BOROUGH OF ENFIELD ON 13<sup>th</sup> MAY  
2015 relating to the premises known as HERTFORD FOOD CENTRE, 236  
HERTFORD ROAD, ENFIELD EN3 5BL**

Legal Costs incurred to date of settlement on 28<sup>th</sup> September 2015

Investigation costs

£19.38

Legal costs

Solicitor's time, charged at £85 per hour:

Paralegal's time, charged at £40 per hour:

Solicitor 11 hours 24 minutes

Paralegal 0 hours 0 minutes

£969.00

**Total**

**£988.38**

---



**Mr S. Weizmann**

## Payment confirmed

We received your payment request at 16:01 on 30/09/2015.

**From**

**Platinum** (30-64-72, 28089968)

**New balance:** £3,271.40 (available funds: £3,471.40) [?]

**To**

**ENFIELD BOROUGH COUNCIL** (40-20-23, 81228307)

**Reference:** S ERDOGAN

**Payment amount**

**£988.38**

**Payment date**

**ASAP This payment will usually reach the recipient's account within the next 2 hours**

**We've successfully processed your payment to ENFIELD BOROUGH COUNCIL for £988.38. The money will usually reach the recipient's account within 2 hours.**



**Mr Mahir kilic**  
**NARTS**  
**53 Stoke Newington High Street**  
**London**  
**N16 8EL**

Please reply to Ellie Green  
: Licensing Unit  
PO Box 57, Civic  
Centre  
Silver Street, Enfield,  
Middx EN1 3XH  
E-mail : [licensing@enfield.gov.uk](mailto:licensing@enfield.gov.uk)  
Phone : 020 8379 3578  
Textphone : 020 8379 4419  
Fax : 020 8379 2190  
My Ref : LN/201500517  
Your Ref : NOT PROVIDED  
Date : 18th September 2015

Dear Mr Mahir kilic

**Licensing Act 2003**

**Premises : Zilan Food Centre, 236 Hertford Road, ENFIELD, EN3 5BL**

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.

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

Phone: 020 8379 1000  
Website: [www.enfield.gov.uk](http://www.enfield.gov.uk)

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



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](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](http://ppluk.com) and [prsformusic.com](http://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/](http://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 stroke 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/201500517

**Part 1 – Premises Details**

**Postal address of premises :**

**Premises name :** Zilan Food Centre

**Telephone number :** Not provided

**Address :** 236 Hertford Road ENFIELD EN3 5BL

**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**

<b>Sunday :</b>	<b>08:00 - 01:00</b>
<b>Monday :</b>	<b>08:00 - 01:00</b>
<b>Tuesday :</b>	<b>08:00 - 01:00</b>
<b>Wednesday :</b>	<b>08:00 - 01:00</b>
<b>Thursday :</b>	<b>08:00 - 01:00</b>
<b>Friday :</b>	<b>08:00 - 01:00</b>
<b>Saturday :</b>	<b>08:00 - 01:00</b>

**(2) Supply of Alcohol - Off supplies**

<b>Sunday :</b>	<b>08:00 - 00:00</b>
<b>Monday :</b>	<b>08:00 - 00:00</b>
<b>Tuesday :</b>	<b>08:00 - 00:00</b>
<b>Wednesday :</b>	<b>08:00 - 00:00</b>
<b>Thursday :</b>	<b>08:00 - 00:00</b>
<b>Friday :</b>	<b>08:00 - 00:00</b>
<b>Saturday :</b>	<b>08:00 - 00:00</b>

**Part 2**

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

**Name :** Mr Deniz Altun

**Telephone number :** Not provided

**e-mail :** info@narts.org.uk

**Address :** 14 Downland House, Goat Lane, 4 Holbrook Close,  
London, EN1 4UU

**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 Deniz Altun

**Telephone number :** Not provided

**e-mail :** info@narts.org.uk

**Address :** 14 Downland House, Goat Lane, 4 Holbrook Close,  
London, EN1 4UU

**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/201300562

**Issuing Authority :** London Borough of Enfield

**Premises Licence LN/201500517 was first granted on 18 September 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 : 18th September 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 contain the date and time of the refusal, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. 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. The Designated Premises Supervisor shall regularly check the refusals book to ensure it is being consistently used by all staff.**
- 9. 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.**
- 10. Prominent, clear and legible notices shall be displayed at all public exits from the premises requesting customers respect the surrounding area and dispose of litter in a responsible manner. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.**
- 11. The premises licence holder shall ensure that the pavement from the building line to the kerb edge immediately outside the premises, including the**

**gutter/channel at its junction with the kerb edge, is kept clean and free from litter at all material times to the satisfaction of the Licensing Authority.**

**12. Alcohol and cigarette stock shall only be purchased from registered wholesalers.**

**13. Only the Premises Licence Holder or Designated Premises Supervisor shall purchase alcohol and cigarette stock.**

**14. 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.**

**15. 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.**

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

**17. 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.**

**18. All cans of beer, lager and cider must be indelibly marked to show the trading name of the shop to address the problem of street drinking and associated crime and anti-social behaviour.**

**19. The premises licence holder shall immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol.**

**20. A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased**

**21. An ultra-violet light shall be available at the premises for the purpose of checking the UK Duty Stamp on spirit stock.**

**22. If any spirits bought by the business have UK Duty Stamps that do not fluoresce under ultraviolet light, or are otherwise suspicious, the premises licence holder shall report the supplier to Trading Standards.**

**23. No deliveries or waste collections shall take place between 08:00 - 20:00 hours.**

**24. Neither Mr Sefer Govtepe or Mr Suleyman Erdogan or their immediate family shall 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.**

**25. No spirits shall be purchased in a resealed box, without thorough checks being made to ensure it is legal to sell.**

**26. Appropriate signage will be displayed, in a prominent position, informing customers they are being recorded on CCTV.**

**27. CCTV covering areas inside and outside of the premises should be installed and maintained to police recommendations with properly maintained log arrangements. All images will be stored for a minimum of 31 days.**

**28. CCTV is to comply with Data Protection Act 1998 and is to be working and recording correctly when the premises are open to the public.**

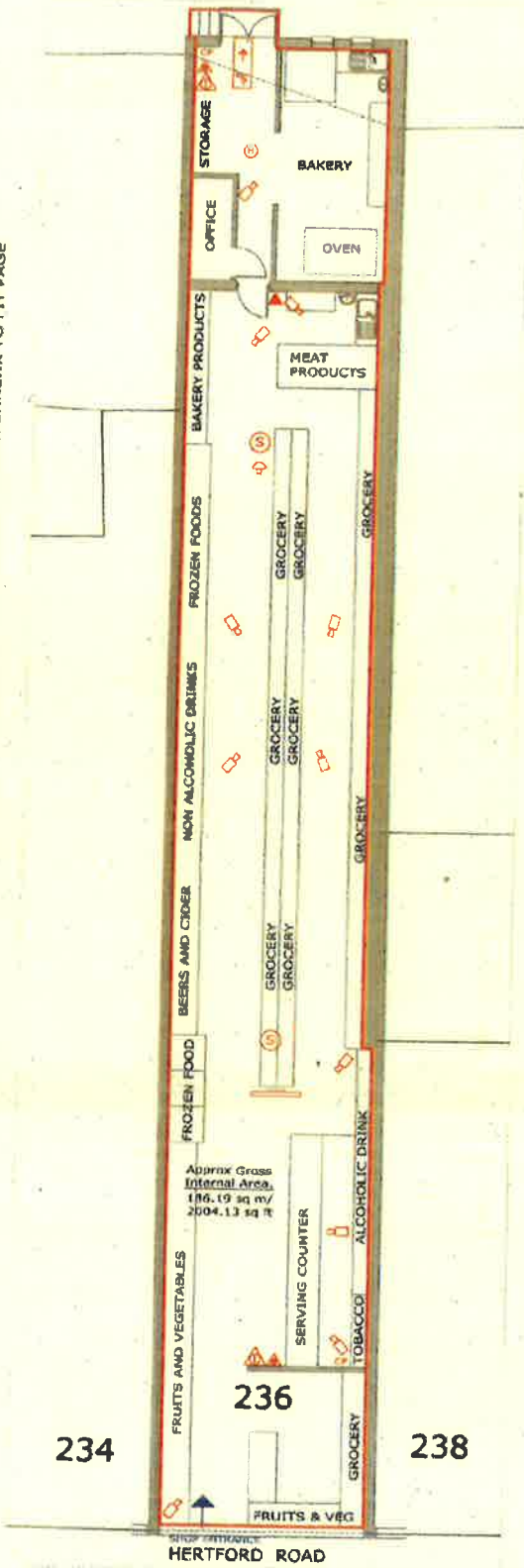
**29. A staff member from the premises that is conversant with the operation of the CCTV system will be on the premises at all times that the premises are open to the public. This staff member will be able to show police recent data footage with the minimum of delay when requested. This data or footage reproduction should be almost instantaneous.**

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

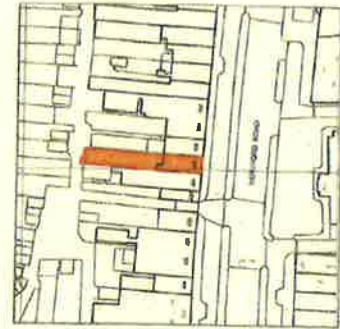
**Not applicable**

Annex 4 – Plans

PLEASE NOTE - A3 PLANS TO BE PRINTED "AS IN DOCUMENT" NOT ENLARGED OR SHRUNK TO FIT PAGE



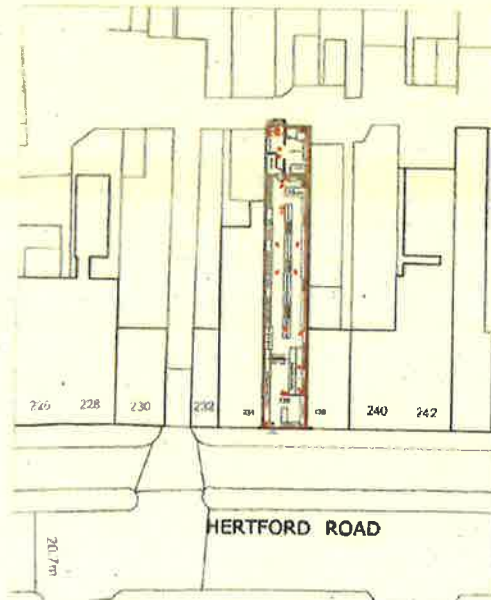
GROUND FLOOR PLAN  
SCALE 1:100



LOCATION PLAN  
SCALE 1:1250

**KEY**

- CCTV
- FIRE EXTINGUISHER - WATER
- FIRE ALARM CALL POINT
- SMOKE DETECTOR
- FIRE EXIT
- FIRE ALARM SOUNDER
- FIRE BLANKET
- FIRE EXTINGUISHER - CARBON DIOXIDE
- FIRE EXTINGUISHER - DRY POWDER
- FIRE EXTINGUISHER - FOAM
- CCTV MONITOR SCREEN
- HEAT DETECTOR



BLOCK PLAN  
SCALE 1:500

BOHAM CONSULT LTD © COPYRIGHT PROTECTED 2015

336 HERTFORD ROAD ENFIELD, HORN LANE EN5 8BB	SCHEMATIC PLAN	05-AUG-2015	1:100	A3	
		BOC05-01			



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

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number : **LN/201500517**

**Part 1 – Premises Details**

Postal address of premises :

Premises name : **Zilan Food Centre**

Telephone number : **Not provided**

Address : **236 Hertford Road ENFIELD EN3 5BL**

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 :	08:00 - 01:00
Monday :	08:00 - 01:00
Tuesday :	08:00 - 01:00
Wednesday :	08:00 - 01:00
Thursday :	08:00 - 01:00
Friday :	08:00 - 01:00
Saturday :	08:00 - 01:00

(2) **Supply of Alcohol - Off supplies**

Sunday :	08:00 - 00:00
Monday :	08:00 - 00:00
Tuesday :	08:00 - 00:00
Wednesday :	08:00 - 00:00
Thursday :	08:00 - 00:00
Friday :	08:00 - 00:00
Saturday :	08:00 - 00:00

**Part 2**

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

**Name :** Mr Deniz Altun

**Address :** 14 Downland House, Goat Lane, 4 Holbrook Close,  
London, EN1 4UU

**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 Deniz Altun

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

Not Restricted

**Premises Licence LN/201500517 was first granted on 18 September 2015.**

**Date : 18th September 2015**

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



REF: WK/

LICN\_1

**LICENSING ENFORCEMENT INSPECTION REPORT**

Premises Name	Zilon	
Premises Address	236 Hertford Road, Enfield, EN3 5BL	
Time of Visit:	Start: 14.33	Finish:

During an inspection of your premises on ... 3rd September ... 20.15 ... , the following was checked:

Part B of Premises Licence displayed? Yes  No

Address & tel no. of PLH & DPS on licence correct? Yes  No  (If incorrect, insert new details below)

Conditions of licence checked? Yes  No

No. of condition not in compliance	Evidence/Advice
	Visit to check for counterfeit or smuggled goods - nothing of concern has been found.

Any other matter(s) that need addressing: .....

.....

.....

.....

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

LICENSING ENFORCEMENT	RECIPIENT OF NOTICE
Signature of Officer on visit: <i>Palmer</i>	Signature: <i>[Signature]</i>
Print Name: CPALMER	Print Name & Position: Devon - Alder

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

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

Download the appropriate application forms at [http://www.enfield.gov.uk/info/200007/licensing\\_and\\_registration](http://www.enfield.gov.uk/info/200007/licensing_and_registration).

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

CPX12

REF: WK/

LICN\_1

215043047 LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	Zilan Food Centre.	
Premises Address	236 Hatford Rd EN3 5BL	
Time of Visit:	Start: 18:25	Finish: 19:30

During an inspection of your premises on ..... 2 ..... 10 ..... 20.15....., 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
6.	Thick 25 posters to be displayed instead of thick 21.
7.	Refusals book must be signed by staff.
8	DPS to regularly checked refusals book
4.5 <del>16</del>	Ensure trainings is done every 3 months
10.	Litter notices must be displayed.

17. Alcohol time sales signage not displayed  
 Any other matter(s) that need addressing:

18. Beer larger + cider must be labelled with the shop address.

26 CCTV signage must be displayed

15 Box of spare tobacco must be labelled spare stock.

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

20 A stock control system must be introduced.

LICENSING ENFORCEMENT	RECIPIENT OF NOTICE
Signature of Officer on visit: <i>Palmer</i>	Signature: <i>[Signature]</i>
Print Name: CHARLOTTE PALMER.	Print Name & Position: Deirdre Altun

21 uv light needs new battery.

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

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

Download the appropriate application forms at [http://www.enfield.gov.uk/info/200007/licensing\\_and\\_registration](http://www.enfield.gov.uk/info/200007/licensing_and_registration).

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

27 - unable to check CCTV.

MY COPY  
CPX13

**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 Zilan Food Centre, 236 Hertfrod Road, Enfield, EN3 5BL  
 Type of Premises Retail Occupier Deniz Altun

**POWER UNDER WHICH SEARCH MADE (TICK WHICH APPLIES)**

**WARRANT** (Officers powers are summarised overleaf)

under \_\_\_\_\_ Act \_\_\_\_\_ Date granted \_\_\_\_\_ By \_\_\_\_\_

**STATUTORY POWER** (These powers are summarised overleaf)

Statutory powers under: Trade Description Act 1968 / Consumer Protection Act 1987.

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

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

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

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

Signature [Signature] Name (Capitals) DENIZ ALTUN  
 Status relative to premises PH / OPS

**OFFICER IN CHARGE OF SEARCH**

Name: Charlotte Palmer  
 Position: Senior Licensing Enforcement Officer

Date 02/10/15  
 Time Start 18.25 Finish 19.30

**Premises Searched Record**

**OFFICERS PRESENT AT SEARCH**

(Show Name & Organisation)

Charlotte Palmer - LBE

Claire Tomaso - LBE

Jitesh Mistry - Home Office

**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:

## **L.B. ENFIELD TRADING STANDARDS INFORMATION TO THE OCCUPIER**

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

### **SUMMARY OF POWERS OF SEARCH**

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

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

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

### **SEIZE AND SIFT**

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

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

### **RIGHTS OF THE OCCUPIER**

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

### **POLICE AND CRIMINAL EVIDENCE ACT 1984 CODES OF PRACTICE**

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

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

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

# NOTICE OF SEIZURE

No 1526

CPX14

**ENFIELD**  
Council  
www.enfield.gov.uk



Name: Zilan food centre

Address: 236 Hertford Rd,  
Enfield, EN3 5BL

Trading Standards  
Civic Centre  
Silver Street  
Enfield  
EN1 3XH

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:

Trade Descriptions Act 1968 and Consumer Protection Act 1987

Tobacco found under Butchers chopping board at back of premises in drawer.  
9 x Golden Virginia 50g packs.  
40 x Marlboro gold 20 per pack

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. TOMASE

Date: 2.10.15.

Signature: [Signature]

Direct Dial: 02083793660.

Received by: [Signature]

Position in Business: PH/DPS.

### **APPEALS PROCEDURE**

1. If you consider that this notice or any of its requirements are unfair or unlawful, you may appeal against it. Within 7 days of the date of issue, telephone, write to or e-mail the Head of Business Regulation giving details of the requirement(s) of the notice you wish to appeal against together with the reason for your appeal
2. The Head of Business Regulation will review the notice and your objections to it within 7 days of your appeal. They may wish to discuss the matter with you or visit your premises in making a decision.
3. The Head of Business Regulation will confirm in writing the decision of the appeal. If any changes to the requirements of the notice are agreed, these will be notified in writing at this stage.
4. If you are dissatisfied with the outcome of the appeal, you may within 7 days of notification of the outcome appeal to the Assistant Director, Planning and Environmental Protection, who will re-examine the matter and notify you in writing of their decision.





1914 - 1918



Mr Deniz Altun  
Zilan Food Centre  
236 Hertford Road  
Enfield  
EN3 5BL

Please reply to: Charlotte Palmer  
Licensing Enforcement  
B Block North, Civic Centre,  
Silver Street, Enfield, EN1 3XA

E-mail : [Charlotte.palmer@enfield.gov.uk](mailto:Charlotte.palmer@enfield.gov.uk)

My Ref : LN/201500517  
Your Ref :  
Date : 20<sup>th</sup> October 2015

Dear Mr Altun

**The Tobacco (Manufacture, Presentation and Sale) (Safety) Regulations 2002  
Consumer Protection Act 1987  
Licensing Act 2003**

**Zilan Food Centre, 236 Hertford Road, Enfield, EN3 5BL – LN/201500517**

I write to you as the Premises Licence Holder and Designated Premises Supervisor for the above business.

On 2<sup>nd</sup> October 2015 your premises was searched for counterfeit and non-duty paid alcohol and tobacco. Nine packets of hand rolling tobacco and forty packets of cigarettes were found in a draw under butchers chopping table.

The tobacco and cigarette packets had foreign labelling. They were not subject to UK duty and did not bear the 'UK DUTY PAID' labelling. Also the required warning label such as: smoking harms you and others around you was in a foreign language. The Tobacco (Manufacture, Presentation and Sale) (Safety) Regulations 2002 which require English warnings were thus contravened, amounting to a criminal offence under the Consumer Protection Act 1987.

The Department for Culture, Media and Sport (DCMS) Guidance (11.26) states that there are certain criminal activities that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. The list includes the sale of smuggled tobacco and alcohol (i.e. non duty paid products).

DCMS guidance (11.27) 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

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



Website: [www.enfield.gov.uk](http://www.enfield.gov.uk)

For help with this document, please contact the above officer who will be able to assist in line with our accessible information policy

and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

The Licensing Authority has considered whether to review the premises licence and whether a prosecution investigation should take place.

Having considered all of the options available it has been decided that on this occasion you shall be issued a formal warning in relation to these alleged offences in the form of this letter.

**Please consider this letter to be a warning as to your future conduct. Should further similar offences be committed at the premises, the Licensing Authority shall take immediate action in order to have the premises licence permanently revoked, as recommended by the Secretary of State guidance and or prosecute you.**

As the new owner of the business it is your responsibility to comply with the law. You must carry out a thorough check of the premises to ensure that there are no illicit goods inside the building or any vehicle associated with it. Enclosed is a form which you must sign and return confirming that this check has been carried out. **This form must be returned to me at the above address within 14 days of the date of this letter.**

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

A full licence inspection was also carried out on 2<sup>nd</sup> October 2015 and the following conditions were being breached: Condition 4, 5, 6, 7, 8, 10, 15, 17, 18, 20, 21, 26, 27. The most recent Part B of the premises licence was not on display.

**Failing to comply with any condition attached to a Premises Licence is a criminal offence, which on conviction is punishable by a fine of up to £20,000, up to six months imprisonment or both.**

A licence re-inspection shall be arranged soon. Please ensure that you can demonstrate compliance with all of the conditions attached to the premises licence.

If you have any queries about the contents of this letter please contact me via email:  
[charlotte.palmer@enfield.gov.uk](mailto:charlotte.palmer@enfield.gov.uk)

Yours sincerely

Charlotte Palmer  
Licensing Enforcement Officer

cc: Mr Deniz Altun, 14 Downland House, Goat Lane, 4 Holbrook Close, London, EN1 4UU

**Voluntary Declaration**

Premises: Zilan Food Centre, 236 Hertford Road, EN3 5BL  
Licence number: LN/201500517  
Premises Licence Holder: Mr Deniz Altun  
Designated Premises Supervisor: Mr Deniz Altun  
Owner: Mr Deniz Altun

I, Mr Deniz Altun of 14 Downland House, Goat Lane, 4 Holbrook Close, London, EN1 4UU confirm that on .....(insert date) I thoroughly checked the above named premises and all vehicles associated with it for illicit goods.

I accept that as the PLH / DPS / owner of Zilan Food Centre, 236 Hertford Road, Enfield, EN3 5BL all items within the premises and within all vehicles associated with the premises belong to me and I will be held responsible if any non-duty paid or counterfeit products are found in the premises or within any vehicles associated it in future.

Sign.....

Date.....

CPX 16

REF: WK/215043047

LICN\_1

LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	Zion food centre	
Premises Address	236 HERRFORD ROAD, ENFIELD, EN3 5BL	
Time of Visit:	Start: 5.20	Finish:

During an inspection of your premises on 20th October 2015, the following was checked:

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

No. of condition not in compliance	Evidence/Advice
	Please phone Charlotte Palmer 0208 379 3965 to arrange a licence re-inspection to check the outstanding licence conditions. Warning letter had delivered to premises. Please return the declaration form within 14 days.

Any other matter(s) that need addressing:   
 .....  
 .....  
 .....

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

LICENSING ENFORCEMENT	RECIPIENT OF NOTICE
Signature of Officer on visit: <i>Charlotte Palmer</i>	Signature: <i>[Signature]</i>
Print Name: Charlotte.Palmer@enfield.gov.uk CHARLOTTE PALMER	Print Name & Position: Guldale

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

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

Download the appropriate application forms at [http://www.enfield.gov.uk/info/200007/licensing\\_and\\_registration](http://www.enfield.gov.uk/info/200007/licensing_and_registration).

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

**Charlotte Palmer**

CPX/17

**From:** ADA Group <info@adagroup.org.uk>  
**Sent:** 29 October 2015 09:58  
**To:** Charlotte Palmer  
**Subject:** Zilan Food Centre, EN3 5BL  
**Attachments:** Document (176).pdf  
**Categories:** Red Category

**RE: Zilan Food Centre, 236 Hertford Road, Enfield EN3 5BL**

Dear Ms Palmer,

Please find attached signed voluntary declaration form by Mr Deniz Altun.

I write in relation to your letter sent to the above property dated 20<sup>th</sup> October 2015.

We have been approached by Mr. Altun who was concerned with the outcome of your visit to the premises in his absence.

We have discussed the points in your letter and have put into action all the comments mentioned and required to ensure that all conditions are fully complied with at all times.

I can confirm that full training was given to the staff of Zilan Food Centre.

There is now a Licensing Training Pack that covers areas like Challenge 25, Incident Log Book, Refusal Register and Training Record Book and required posters that should be displayed in the premises.

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

Kind Regards,

Bektas UZUN



☎ +44 207 193 83 93    ✉ info@adagroup.org.uk  
☎ +44 207 806 08 12    🌐 www.adagroup.org.uk  
167 Stoke Newington Road, London, N16 8BP

**Voluntary Declaration**

Premises: Zilan Food Centre, 236 Hertford Road, EN3 5BL  
Licence number: LN/201500517  
Premises Licence Holder: Mr Deniz Altun  
Designated Premises Supervisor: Mr Deniz Altun  
Owner: Mr Deniz Altun

I, Mr Deniz Altun of 14 Downland House, Goat Lane, 4 Holbrook Close, London, EN1 4UU confirm that on 26.10.2015.....(insert date) I thoroughly checked the above named premises and all vehicles associated with it for illicit goods.

I accept that as the PLH / DPS / owner of Zilan Food Centre, 236 Hertford Road, Enfield, EN3 5BL all items within the premises and within all vehicles associated with the premises belong to me and I will be held responsible if any non-duty paid or counterfeit products are found in the premises or within any vehicles associated it in future.

Sign.....



Date.....

26.10.2015

REF: WK/ 215043047

CPX 18

LICN\_1

LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	Zilon Food Centre	
Premises Address	236 Hertford Road, Enfield, EN3 5BL	
Time of Visit:	Start: 20.35	Finish: 20.50

During an inspection of your premises on 6th November 2015, the following was checked:

Part B of Premises Licence displayed? Yes  No

Address & tel no. of PLH & DPS on licence correct? Yes  No  (If incorrect, insert new details below)

Conditions of licence checked? Yes  No

No. of condition not in compliance	Evidence/Advice
	<u>Request to check C4, 5, 6, 7, 8, 10, 15, 17, 18, 20, 21, 26</u>
C4 & C5	All staff must be trained + training documented.
C21	UV light not working.

Any other matter(s) that need addressing: .....

Please send copy of training records to officer.

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

LICENSING ENFORCEMENT	RECIPIENT OF NOTICE
Signature of Officer on visit: <u>Palmer</u>	Signature: <u>[Signature]</u>
Print Name: <u>Charlotte, Palmer @ enfield.gov.uk</u> <u>CPALMER</u>	Print Name & Position: <u>Deiz Allen</u>

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

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215057742 CPX 19

# INSPECTION REPORT

Name: ZILAN BOO CENTRE

Address: 236 HERTFORD ROAD

ENFIELD

EN3 5BL

Trading Standards & Licensing  
B Block North  
Civic Centre  
Silver Street  
Enfield  
EN1 3XA

trading.standards@enfield.gov.uk  
Contact Centre: 020 8379 1000

Business Email: \_\_\_\_\_

Business Telephone: \_\_\_\_\_

During an inspection of your premises on.....10/11.....20...15..., the following areas were checked/examined:

- Fair Trading
- Hallmarking
- Consumer Safety
- Explosives Storage
- Weights & Measures
- Pricing
- Other (specify)

CONSUMER RIGHTS ACT 2015

(a) The following matters were found to be incorrect/non-compliant:  
 (b) You are advised the following matters are best practice to ensure compliance:

DUTY ADD - PAID. KASAPREKO - ALOMO BITTERS 42% VOLUME 750 ML & 200 ML. (1 PER BOTTLED TAKEN AS SAMPLE)

TOTAL SEIZED BY HMRC - 200 ML X 1  
750 ML X 3

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

Authorising Officer: FRIPPIDA MARZIANO Direct dial: 0208 379 8562

Signature: [Signature]

Received by Signature: [Signature]

Position: DIRECTOR

Print Name: DENIZ ALTON

7





215057742

**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

CPX 20

Address of Premises ~~Aldermart Mini Market Limited, 178 Hertford Road, ENFIELD, LAD 5AZ.~~  
 ZILAN FOOD CENTRE  
 236 HERTFORD ROAD

Type of Premises Retail Occupier

**POWER UNDER WHICH SEARCH MADE (TICK WHICH APPLIES)**

**WARRANT** (Officers powers are summarised overleaf)

under \_\_\_\_\_ Act \_\_\_\_\_ Date granted \_\_\_\_\_ By \_\_\_\_\_

**STATUTORY POWER** (These powers are summarised overleaf)

Statutory THE CONSUMER RIGHTS ACT 2015  
 powers under The Cosmetic Products Enforcement Regulation 2013

**WRITTEN CONSENT (TICK THOSE WHICH APPLY AND OBTAIN A SIGNATURE)**  
 With the written consent of a person entitled to grant entry (only applicable if not under warrant or statutory powers)

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

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

Signature [Signature] Name (Capitals) Devis Akten  
 Status relative to premises DIRECTOR

<b>OFFICER IN CHARGE OF SEARCH</b> Name <u>Filippina Marziano</u>	Date <del>12/08/15</del> <u>10/11/15</u>
Position <u>Senior Fair Trading Officer</u>	Time Start <u>10:30</u> Finish <u>11:55</u>

**Premises Searched Record**

**OFFICERS PRESENT AT SEARCH**  
 (Show Name & Organisation)

Filippina Marziano

~~Karl Schultz~~ STELLA LAHEY

Entry Forced: YES /  If yes state reasons:

Damage – caused on entry or during search and circumstances: \_\_\_\_\_

Arrangements to Secure Premises:

Extent of Search:

Search Register No:

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- The person who has custody of control of the goods immediately prior to seizure will be provided on request a list or description of the property within a reasonable time.
- If goods or documents are seized the Officer shall inform the person from whom they were seized. That person or a representative will be allowed supervised access to the property to examine it, photograph or photocopy it, unless the Officer in charge has reasonable grounds for believing that this would prejudice the investigation of any offence.
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- P.O.Box 57, Silver Street, Enfield, EN1 3XH
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**TRANSLATIONS** You can obtain a free translation of this notice by sending a copy of it to the above address and stating which language you would like it translating into.

Cpx 21



**Current Appointments Report for:  
ENFIELD FOOD STORE LIMITED  
09960522**

**Created: 22/01/2016 10:15:28**

Companies House is a registry of corporate information. We carry out basic checks to make sure that documents have been fully completed and signed, but we do not have the statutory power or capability to verify the accuracy of the information that corporate entities send to us. We accept all information that such entities deliver to us in good faith and place it on the public record. The fact that the information has been placed on the public record should not be taken to indicate that Companies House has verified or validated it in any way.

## Company Register Information

---

<b>Company Number:</b>	09960522	<b>Date of Incorporation:</b> 20/01/2016
<b>Company Name:</b>	ENFIELD FOOD STORE LIMITED	
<b>Registered Office:</b>	UNIT 5 25-27 THEBURROUGHS LONDON UNITED KINGDOM NW4 4AR	
<b>Company Type:</b>	Private Limited Company	
<b>Country of Origin:</b>	United Kingdom	
<b>Status:</b>	Active	
<b>Nature Of Business (SIC):</b>	None Supplied	
<b>Number of Charges:</b>	( 0 outstanding / 0 part satisfied / 0 satisfied)	

### Previous Names

No previous name information has been recorded over the last 20 years.

### Key Filing Dates

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<b>Accounting Reference Date:</b>	31/01
<b>Last Accounts Made Up To:</b>	(NO ACCOUNTS FILED)
<b>Next Accounts Due:</b>	20/10/2017
<b>Last Return Made Up To:</b>	
<b>Next Return Due:</b>	17/02/2017
<b>Last Bulk Shareholders List:</b>	Not available

# Current Appointments

Number of current appointments: 1

---

<b>DIRECTOR:</b>	GOVTEPE, EBRU	
<b>Appointed:</b>	20/01/2016	<b>Date of Birth:</b> **/04/1976
<b>Nationality:</b>	BRITISH	
<b>No. of Appointments:</b>	1	
<b>Address:</b>	50 PARSONAGE LANE ENFIELD ENGLAND EN2 0AH	
<b>Country/State of Residence:</b>	ENGLAND	

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This Report excludes resignations

## Recent Filing History

Documents filed since 20/01/2016

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<b>DATE</b>	<b>FORM</b>	<b>DESCRIPTION</b>
20/01/2016	NEWINC	CERTIFICATE OF INCORPORATION GENERAL COMPANY DETAILS & STATEMENTS OF OFFICERS, CAPITAL & SHAREHOLDINGS, GUARANTEE, COMPLIANCE MEMORANDUM OF ASSOCIATION ARTICLES OF ASSOCIATION
20/01/2016	LATEST SOC	20/01/16 STATEMENT OF CAPITAL; GBP 1
20/01/2016	MODEL ARTICLES	MODEL ARTICLES ADOPTED: PRIVATE LIMITED BY SHARES (AMENDED PROVISIONS)

This Report excludes 88(2) Share Allotment documents

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C PX 22



**Current Appointments Report for:  
NEW HERTFORD FOOD STORE LIMITED  
09636302**

**Created: 28/01/2016 14:40:16**

Companies House is a registry of corporate information. We carry out basic checks to make sure that documents have been fully completed and signed, but we do not have the statutory power or capability to verify the accuracy of the information that corporate entities send to us. We accept all information that such entities deliver to us in good faith and place it on the public record. The fact that the information has been placed on the public record should not be taken to indicate that Companies House has verified or validated it in any way.

## Company Register Information

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<b>Company Number:</b>	09636302	<b>Date of Incorporation:</b> 12/06/2015
<b>Company Name:</b>	NEW HERTFORD FOOD STORE LIMITED	
<b>Registered Office:</b>	236 HERTFORD ROAD ENFIELD UNITED KINGDOM EN3 5BL	
<b>Company Type:</b>	Private Limited Company	
<b>Country of Origin:</b>	United Kingdom	
<b>Status:</b>	Active	
<b>Nature Of Business (SIC):</b>	None Supplied	
<b>Number of Charges:</b>	( 0 outstanding / 0 part satisfied / 0 satisfied)	

### Previous Names

No previous name information has been recorded over the last 20 years.

### Key Filing Dates

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<b>Accounting Reference Date:</b>	30/06
<b>Last Accounts Made Up To:</b>	(NO ACCOUNTS FILED)
<b>Next Accounts Due:</b>	12/03/2017
<b>Last Return Made Up To:</b>	
<b>Next Return Due:</b>	10/07/2016
<b>Last Bulk Shareholders List:</b>	Not available



# Current Appointments

Number of current appointments: 1

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<b>DIRECTOR:</b>	GOVTEPE, SEFER MR	
<b>Appointed:</b>	19/10/2015	<b>Date of Birth:</b> **/10/1973
<b>Nationality:</b>	BRITISH	
<b>No. of Appointments:</b>	1	
<b>Address:</b>	236 HERTFORD ROAD ENFIELD UNITED KINGDOM EN3 5BL	
<b>Country/State of Residence:</b>	ENGLAND	

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This Report excludes resignations

## Recent Filing History

Documents filed since 12/06/2015

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DATE	FORM	DESCRIPTION
19/10/2015	AP01	DIRECTOR APPOINTED MR SEFER GOVTEPE
19/10/2015	TM01	APPOINTMENT TERMINATED, DIRECTOR DENIZ ALTUN
12/06/2015	NEWINC	CERTIFICATE OF INCORPORATION GENERAL COMPANY DETAILS & STATEMENTS OF OFFICERS, CAPITAL & SHAREHOLDINGS, GUARANTEE, COMPLIANCE MEMORANDUM OF ASSOCIATION ARTICLES OF ASSOCIATION
12/06/2015	LATEST SOC	12/06/15 STATEMENT OF CAPITAL; GBP 10000
12/06/2015	MODEL ARTICLES	MODEL ARTICLES ADOPTED: PRIVATE LIMITED BY SHARES (AMENDED PROVISIONS)

This Report excludes 88(2) Share Allotment documents

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**WITNESS STATEMENT OF VICTOR KTORAKIS**

I, Victor Ktorakis of the Licensing Enforcement Team, Business Regulation, London Borough of Enfield, B Block North, Civic Centre, Silver Street, Enfield, EN1 3HX, believe that the facts of this witness statement are true and understand that it may be placed before the Court.

The following statement is a true and accurate account of that witnessed by officers Ellie Green, Charlotte Palmer and Victor Ktorakis on 21 December 2015.

**I WILL SAY AS FOLLOWS:**

1. On 21 December 2015, Licensing Enforcement Officers Charlotte Palmer, Ellie Green and I were visiting premises where intelligence had been received that the premises were selling illegal tobacco/alcohol. The Officers were working with a handler (Mr Harris) and dogs from Operation Wagtail.
2. At approximately 10.15 the officers entered Zilan Food Centre (previously known as Hertford Food Centre) 236 Hertford Road, Enfield, EN3 5BL. Charlotte Palmer introduced herself to the young Turkish looking male behind the counter and advised him that they were there to check that there were no counterfeit or non-duty paid products on the premises. She asked if Mr Altun, the Premises Licence Holder was there and he said no. She asked if he was happy for the offices to have a look around and he said yes. Whilst Charlotte Palmer completed the Part B search notice the other officers and I looked around. The male behind the counter gave his name as Eren Govtepe. Charlotte Palmer recognised this surname as being the same and that of a previous premise licence holder of the business Mr Sefer Govtepe who had had his licence revoked for non-duty paid issues. She asked him if his dad or uncle had ever owned the premises and he said that his father had owned it. Whilst doing this Mr Altun came from the back of the premises, his hands covered in dough and approached Charlotte Palmer. She asked the man behind the counter why he had said that Mr Altun was not there when he was. He did not reply but Mr Altun said that he was making bread and was

concerned about the dog searching where he was working. Charlotte Palmer went with him to the rear of the premises.

3. During the search a male member of staff, who is now known to be Mr Atas Ergun, walked towards the back of the shop. The dog handler advised the officers that he saw Mr Ergun pick up a coat from the rear room, and leave through the rear exit. Victor followed him, but was some way behind. Mr Ergun then returned to the premises through the front door of the shop, empty handed.
4. A thorough search was carried out of the premises, including the rear room which consisted of a bakery, a very small office and a few shelves of stock. The office needed to be unlocked, which was done by Mr Eren Govtepe. Victor and Ellie checked the spirits on the shelves within the shop and all appeared to be UK duty stamped. They also searched behind and under the counter, but no items of concern were found. Charlotte Palmer and I requested van keys from Mr Altun and checked that but it was empty.
5. Ellie Green and I then requested to see the CCTV footage of the actions of Mr Ergun leaving the shop with the item of clothing. Mr Altun did not know how to do the playback of the CCTV and asked Mr Eren Govtepe to assist. He tried, but couldn't show all the screens, or get the right date, so between Ellie Green and myself we made suggestions on how to operate it accordingly, and I was allowed to take control of the computer mouse and found the appropriate footage. We viewed Mr Ergun enter the rear room, have a discussion with Mr Altun, and then leave through the rear exit, turn left outside, then go down the alley next to 232 Hertford Rd/Internet Café. Then we saw him re-entering Zilan Several minutes later
6. During the search there were several men repeatedly coming in and out of the premises and going into an internet services shop. Charlotte Palmer was aware that on pervious similar operations with HMRC, HMRC had also checked the internet services shop as there used to be a connection with that shop and the previous owners of Zilan. All of the coming and going between the two shops seemed very strange. Charlotte Palmer called Esther Hughes for advice at 10:50 and it was agreed that they would amend another Part B notice and check this premises too.

7. There were two plastic carrier bags full of tobacco in the small office towards the rear of the premises which was a breach of the following licence condition: 15. 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.
8. There was another box behind the counter for tobacco stock and all of this should have been together, the contents of the bags could have fit in the box. Mr Eren Govtepe also confirmed to Ellie Green that he had not received any training – breach of licence 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.
9. Ellie Green noted these on an inspection report which both she and Deniz Altun signed. A copy was left with him. **EVG/DOC/01**. Mr Altun was also given a copy of the Part B notice which Eren Govtepe had signed **CPX/Papers/01**. Officers left at 10:55.
10. All the officers entered Logitech IT Services, 232 Hertford Road, Enfield, EN3 5BL at 10:56, which has previously been referred to as the Internet Cafe. Inside the shop were three males working there. All males later confirmed they were not connected by family or business to Mr Altun or Mr Govtepe. We were advised that Mr Govtepe is their landlord, and he owns a number of business properties in this parade and the residential flats above.
11. Charlotte Palmer introduced herself to the business owner and advised what they were doing and why they wanted to look around his shop. He agreed to let them do so but nothing was found in the main part of the shop.
12. Behind the counter, there was a door in the back right corner, tucked behind some shelves. The door was locked. All staff at this premises stated that they did not have a key to this door. At 11:05 The business owner told Charlotte Palmer that Zilan used the back of the shop as a storage area. He said that he was not sure what was in there but that staff at Zilan had a key for the back room. He went on to say that his landlord was Sefer Govtepe and he showed us a lease to that effect. He gave Charlotte Palmer amobile number

for Mr Govetepe. Ellie Green returned to 236 Hertford Road to ask for the keys, no one had them, but everyone said the new owner, Mr Sever Govtepe had them, but was in Turkey and would not be back until Wednesday.

13. The shop had CCTV so Charlotte Palmer asked the business owner to show them the footage from 10:15 onwards when I had seen Mr Ergun from Zilan bring something into the shop. He showed us the footage and Mr Ergun could be seen handing a red piece of clothing to a male in the shop which was put behind the counter. Charlotte Palmer found two sets of keys in the shop but none of these opened the door. I continued to watch the CCTV and later told Charlotte Palmer that he had also seen Mr Ergun go towards the door at the back of the shop. Staff in the shop said that he was just getting a mobile phone, which he had left to charge at the rear of the shop. I said he was there too long just to be doing that and suspected he had gone into the room at the back despite saying they didn't have the key. Charlotte Palmer said Mr Altun was the licence holder but he said that he had sold the premises back to Mr Govtepe as he couldn't run it anymore (he had previously told Charlotte Palmer that he was looking to sell it as he couldn't cope with it and it was harder than he thought) he was just working there now not in charge. Eren Govtepe came into the internet shop.
14. Charlotte Palmer phoned Esther Hughes at 11:20 to make sure that they had the power to force entry as no one would provide a key. She spoke to Heena at 11:25. Charlotte Palmer advised Heena that she had been told that the rear area was being used as storage by Zilan and she told Charlotte Palmer that in that case it fell into the definition of a container and that they could force entry. Charlotte Palmer phoned Barnet Lock and Safe at 11:32 and requested a lock smith. She was told that he would be there within an hour and that they needed a confirmation email. Charlotte Palmer phoned Esther Hughes at 11:39 and requested that this be sent.
15. At approximately 11:45 whilst Ellie Green and I waited at the premises Charlotte Palmer, Mr Harris and the dog walked up the road to check another nearby premises. They returned at approximately 12:00 and the lock smith arrived at 12:05. There were three doors into the storage area, one via the shop, one leading from a driveway to the side and one leading from an alleyway at the back of the parade of shops. The unit looked to be

approximately 15m long and 5m wide. The locksmith decided to try and open the side door and as he started Eren Govtepe came outside and stood over him as he worked. He was less than 2 foot behind the locksmith and the locksmith turned to Charlotte Palmer and asked who he was. Charlotte Palmer asked Mr Govtepe to stand back and advised him that when the door was open he would not be going in before the officers. He did not move. This behaviour was intimidating for the locksmith. Charlotte Palmer did not feel comfortable with this behaviour and as Mr Govtepe continued to stand right behind the locksmith despite being asked not to she decided to call the police (101) at 12:10 – 12:18, reference CAD3369. They said they would try and get someone to attend to prevent a breach of the peace but that they were very busy. The Locksmith appeared not to be able to open that door so moved inside to try and open the door that lead from the internet shop. He was followed by Eren Govtepe, Ellie Green, Mr Harris and the dog. Charlotte Palmer waited outside for the police.

16. Mr Eren Govtepe continued to stand very close to the locksmith as he worked and Ellie Green asked him couple of times to give him some space so he could do his job, but he did not move. Whilst waiting for the door to be opened, Ellie Green noticed a large silver baseball bat leaning against the counter. Mr A Aslan advised that it for when they play baseball.
17. Whilst waiting for the door to open, Ellie Green asked Mr Eren Govtepe to move aside and give the locksmith some more space, which he refused to do. He advised he was going to use the toilet. Ellie Green advised that he should use the facilities somewhere else where he would normally go, as he would not have got access to this toilet, given that he had no key, had we not been unlocking it.
18. When the locksmith managed to open the door, Mr Eren Govtepe said he was going in first and that there was nothing wrong with that. Ellie Green warned him again that the officers needed to go in first, and if he did not comply then he would be obstructing them. Yet again Ellie Green asked Mr Govtepe to stand back but Mr Govtepe refused, and managed to move towards the door. Ellie Green told him to stop and put her hand on his arm but he shook her off, barged past the locksmith, got through the now unlocked door and closed it

behind him. Charlotte Palmer was advised of this and called 999 to update them and ask for assistance at 12:27 – 12:28.

19. The dog handler pushed the door, and after a minute, the door was able to be opened and Mr Govtepe was standing in a corridor, near a toilet area. He said he still needed the toilet, and had just moved the trolley out of the way. He said that it wasn't against the law to use the toilet. Ellie Green said no, but it would be better if he used another facility. However, Mr Govtepe just stood there.
20. The door that had just unlocked could only be opened about a third of the way due to boxes of fresh vegetables – aubergines, cucumbers etc being stacked in this area. The door lead into a narrow corridor, to the left and along a short corridor was the door, which lead to the side alleyway. This was blocked by a shopping trolley. There was a large walk in fridge and a toilet on the left. A further door into the main store room was along the corridor, and was locked with a padlock.
21. Charlotte Palmer entered the premises at 12:30 and took a photo of Eren Govtepe in the store area and 12:32 of the broken lock and asked him what he was doing to which he replied 'I want to use the toilet'. Charlotte Palmer asked him why he had waited to use the one behind a locked door which no one claimed to have the key for instead of going somewhere else. He said there was not a toilet at Zilan. Charlotte Palmer advised him that he would have a long wait and they weren't opening any more doors until the police came. She advised him to go and use the one in a nearby pub. He did not move. 12:33 – 12:39 – Charlotte Palmer went back outside and phoned Esther Hughes to advise her what was going on. Whilst the locksmith examined the padlock to the end room Charlotte Palmer and Ellie Green waited outside for the Police.
22. Three packets of non-duty paid cigarettes (foreign labelled) were found in among one of the boxes of aubergines at approximately 12:40. 12:41 – 12:50 Charlotte Palmer Phoned Police Licensing Officer to see if he could assist or get us police support but he was unable to do so. After a little while Eren Govtepe left the internet service shop. Charlotte Palmer and Ellie Green saw



him carrying a large screw driver in his hand, as if he was trying to hide it up his arm. Charlotte Palmer followed him to see where he was going with it and he went into Zilan, a couple of minutes later Mr Altun was seen holding it and told Charlotte Palmer that he would force the end door himself. She advised him that would not be necessary.

23. At 12:55 Ellie Green asked Mr Altun to come and witness the rest of the search which he did. The door was opened by the locksmith. Mr Altun kept popping in and out of watching the search and going back to the shop, so that he could cover the till. The end section was a large store room, no tobacco was found in this section. Shelves lined the first half of the room from floor to ceiling, which were full of bottles of wine, beer, and cans of soft drink. Towards the back of the premises, several cases of beer and boxes of water and jars of vegetables were piled up. There was a lot of stock everywhere, and access was very restricted. The store room was covered by CCTV from Zilan, and could be seen on the screen close to the serving counter.
24. Although the dog kept indicating that there was something else in the middle section nothing could be found so Charlotte Palmer completed a notice of seizure (1527) for the three packets of cigarettes and placed them in evidence bag N02624089 as **CPX/01**. Mr Altun signed the form and was given a copy of it.
25. At approximately 13:24 the dog continued to indicate to Mr Harris that it could smell something around the toilet area, and this was searched. Mr Harris said that it could be high up. Charlotte Palmer looked up and saw that there was a false ceiling with a gap at the end. She pointed at it and said how about up there and the dog started to bark. I got some ladders from the storeroom and Mr Harris went up and told them he could see lots of bags. He took some photos and passed them down to the officers. There were 13 small black carrier bags each containing 10 boxes of cigarettes and 5 50g pouches of Golden Virginia hand rolling tobacco. These were counted, photographed and placed in evidence bag N02624075 and R00189275 respectively as **CPX/02** and **CPX/03**. They were noted down on seizure notice 1528 by Charlotte Palmer. Mr Altun was present at this time. At 13:41 Ellie Green spoke to Esther Hughes to update her. At 13:44 Ellie Green Spoke to Gary to update him, he could not assist as he had no vehicle.

26. At approximately 14:00 Ellie Green was checking the alcohol in the rear more carefully and noticed that several beers/lager had no English labelling. Due to the address on the cans, the products appeared to come mainly from Poland, Bulgaria or the Netherlands. This is in contravention of the food labelling regulations, therefore a breach of the Food Safety Act 1990.
27. Ellie Green advised Mr Altun that he must remove all goods from sale, and to obtain English labelling for the ingredients. Once labels applied to all cans, approval must be sought from an LBE officer before they can go out on sale. Mr Altun disappeared for a short time and reappeared with an invoice for the above beer, dated 21 December 2015. I a photo of the invoice (**VPK/1**). Mr Altun was asked if the invoice was for today, and the only person with a key was in Turkey until Wednesday, then how did the stock get in this room. Mr Altun replied 'the same way you did'.

28. The officer wanted to seize these goods, and called for backup with a van from Trading Standards colleagues. Ellie Green also called the locksmith again as the only way to move the foreign labelled goods was to be through the rear door, and as no key was available they needed the door to be unlocked. The following foreign labelled beers/lagers were found:

10 bottles of Desperados Red, 5 were placed in two evidence bags: DA0341883 (**EVG1**) and DA0341882 (**EVG2**); 24 cans Perla beer in R00897199 (**EVG3**); 24 more cans in a case of Perla beer and 6 loose cans of Perla beer, in R00897188 (**EVG4**).

29. We then realised that we would not be able to accommodate bagging up at this point all the cases of beer, so decided to place a sample (4 cans) of each brand with foreign labelling to an evidence bag, R00897190. (**EVG5**)

Total items found in store room with only foreign labels:

7 cases (NB. 1 case = 24 cans) of Perla

5 cases Debowe

10 cases Desperados

10 cases Zywiec

4 cases Tyskie  
3 cases Zubr  
12 cases Lechs  
12 cases Okaxim

30. At approximately 14:20 Charlotte Palmer and Mr Harris left the premises to continue with other visits, leaving Ellie Green and I to wait for colleagues to arrive and assist with the alcohol.

31. Ellie Green added info about the alcohol onto seizure notice 1528 which both she and Mr Altun signed. **EVG/DOC/02**. Ellie Green and I checked the alcohol in Zilan as a result of this find and more of the same was found. Ellie Green completed a Seizure notice 1529 in relation to this with both she and Deniz Altun signed – **EVG/DOC/03**.

32. George Moraitis and Kartl Schultz from the Trading Standards team arrived with the van at approximately 16:00. Ellie Green, George Moraitis and I returned to Zilan to check the alcohol on their shelves again and the following beers were noted to have foreign labelling:

26 cans and 5 bottles Zywiec  
21 cans and 5 bottles Tyksie  
1 can Bucegi  
20 cans Zubr  
11 cans and 6 bottles Debowe  
20 cans Okocim  
10 cans Perla  
12 cans Desperado  
24 cans Worka  
5 bottles Desperados Red

The same advice was given about removing goods from shop floor and not selling until LBE approval for English labels.

33. At approximately 14:30 Charlotte Palmer received a call from the police asking if they were still required. She advised they could close the call. At

14:39 Charlotte Palmer spoke to me and advised she had told the police they were no longer needed.

34. Whilst waiting for the locksmith to open the door, Ellie Green and I discussed our suspicions that more tobacco was hidden, due to Mr E Govtepe's suspicious behaviour and also the persistence of the dog's investigations in the toilet area. I checked this area again and noticed that the plywood wall in the toilet wobbled when pushed. Further examination revealed that there was a sliding door by the toilet door, which made up a partition wall of the toilet. When the partition was slid out, another partition sheet was found. Victor managed to slide this out, and there was a big grey safe, seemingly under a set of stairs given the shape of it locked by a padlock.
35. At approximately 16:25, once the rear door was opened, the locksmith was asked to cut the padlock to the safe. I filmed the opening of the safe by the locksmith which also shows that when the safe doors were open, a huge quantity of cigarettes, with foreign labelling was found (**VPK/VID/1**). I took some a photo (**VPK/PIC/27-29**) and the officers and I started removing the illegal tobacco into the van at approximately 17:00. As there weren't enough evidence bags for such a large find the officers used crates from the premises to transport them.
36. 18:06 – Charlotte Palmer, Mr Harris, Wesley Stevens, POCA Officer for the Council arrived at the premises and assisted with carrying out crates of cigarettes to the van.
37. Ellie Green listed the items found on seizure notice 1533 **EVG/DOC/04**. Each pack of cigarettes contained 20 individual cigarettes, and 10 packs were wrapped in a bigger pack. In total, 4,563 packs of cigarettes (Marlboro Gold including one packed Marlboro Red) were seized, and 30 x 50g packets of Golden Virginia tobacco were seized.
38. At 19:10 Karl Schultz, George Moraitis and Wesley Stevens took the evidence away in the van. As there was too much to put in the council evidence room and the self-storage unit was closed the evidence was stored in the van overnight in the secure council carpark.

39. At 19:15 Charlotte Palmer, Ellie Green and I went back into Zilan and requested to seize the CCTV hard drive. Charlotte and I were accompanied by Mr E Govtepe to obtain the recorders as he was still present. The internet shop had closed at approximately 17.30. The finish time on the Part B noticed was completed by Ellie Green and a copy given to Mr Altun. Mr Altun, who was now working on the till, signed the seizure notice, and said they were not his but the new owner, Mr Sever Govtepe.
40. Unfortunately Ellie Green did not get him to sign it. **CPX/Papers/02**. Ellie Green added the CCTV seizure to seizure notice 1533 **EVG/DOC/04** which both she and Deniz Altun signed. Ellie Green also took note of Mr Atas Ergun's details as he had been present in the shop all day and suspiciously took something into the Internet Café/Store room earlier that day.
41. At 19:17 all officers left the premises. Officers waited for the locksmith to return to secure the building. Another locksmith arrived to secure the rear door, under the watchful eye of Mr E Govtepe. The locksmith arrived at 19:25 and left at 19:55.
42. 19:55 - Ellie Green completed another inspection report **EVG/DOC/05**, which Mr Altun signed and then was issued a copy. This report explained that new keys had been obtained due to us entering the premises by force, as no one present, not either owner of 232 or 236 Hertford Rd. As no one was able to give us a key to open these doors, we could not give anyone other than the proved and stated owner the key. Contact times and details were provided on the report.
43. Charlotte Palmer, Ellie Green and I returned to the civic centre where the CCTV was bagged and secured in Box 35 and 36 in the evidence store. The officers left Civic Centre at 20:30.
44. On **Tuesday 22<sup>nd</sup> December**, Charlotte Palmer, Karl Schultz and Gerry Hearne took it to the storage unit and secured it in there. Charlotte Palmer noted the contents **CPX/04**
45. On **Wednesday 23<sup>rd</sup> December 2015** – Charlotte Palmer noticed that the powers were wrong so letters were written to Mr Eren Govtepe, Mr Deniz

Altun and Mr Aydin Alsan and hand delivered to the premises by Charlotte Palmer. Mr Aydin Aslan was also asked to sign the Part B notice to confirm that he had given permission for it to take place. Eren Govtepe had already signed a Part B allowing the search of Zilan. **Letters CPX/Papers/03-05**


46. I Victor Ktorakis am producing the photographs that I took on 21 December 2015 as **VPK/PIC/1-39**.

Signed:

Dated:

**L.B. ENFIELD TRADING STANDARDS INFORMATION TO THE OCCUPIER**

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

Address of Premises <u>Zilan Food Centre, 236 Hertford Road, Enfield, EN3 5BL</u>	
Type of Premises <u>Retail</u>	Occupier <u>Eren Gorkepe</u>
<b>POWER UNDER WHICH SEARCH MADE (TICK WHICH APPLIES)</b>	
<b>WARRANT</b> (Officers powers are summarised overleaf)	
<input type="checkbox"/> under _____ Act _____ Date granted _____ By _____	
<b>STATUTORY POWER</b> (These powers are summarised overleaf)	
<input type="checkbox"/> Statutory powers under: Trade Description Act 1968 / Consumer Protection Act 1987.	
<b>WRITTEN CONSENT (TICK THOSE WHICH APPLY AND OBTAIN A SIGNATURE)</b>	
With the written consent of a person entitled to grant entry (only applicable if not under warrant or statutory powers)	
<input checked="" type="checkbox"/> I HEREBY CONSENT TO OFFICERS OF THE L.B. ENFIELD TRADING STANDARDS SEARCHING THE ABOVE NAMED PREMISES. I UNDERSTAND THAT ANYTHING FOUND MAY BE USED IN COURT PROCEEDINGS.	
<input checked="" type="checkbox"/> I HEREBY CONSENT TO THE OFFICER MAKING USE OF EQUIPMENT ON THESE PREMISES, NAMELY A TILL SCANNER OR OTHER SIMILAR EQUIPMENT FOR THE PURPOSE OF CHECKING PRICES ON THESE PREMISES. I UNDERSTAND THAT ANY INFORMATION PRODUCED MAY BE USED IN COURT PROCEEDINGS.	
Signature <u></u>	Name (Capitals) <u>Eren Gorkepe</u>
Status relative to premises <u>Staff</u>	
<b>Premises Searched Record</b>	
<b>OFFICER IN CHARGE OF SEARCH</b>	
Name: Charlotte Palmer	Date <u>21/12/15</u>
Position: Senior Licensing Enforcement Officer	Time Start <u>10:20</u> Finish <u>10:55</u>
<b>OFFICERS PRESENT AT SEARCH</b> (Show Name & Organisation)	
Charlotte Palmer - LBE	
Ellie Green	
Victor Ktorakis	
Mike Harris (Operation Wagtail)	
<b>Entry Forced: YES / NO</b> – If yes state reasons:	
<b>Damage</b> – caused on entry or during search and circumstances:	
<b>Arrangements to Secure Premises:</b>	
<b>Extent of Search:</b>	
<b>Search Register No:</b>	

**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

*Real of Logitech IT services*

Address of Premises: [REDACTED]  
 232, Hefford Rd, Enfield

Type of Premises Retail Occupier Ayden Aston / Mr Deniz Altun

**POWER UNDER WHICH SEARCH MADE** (TICK WHICH APPLIES)  
**WARRANT** (Officers powers are summarised overleaf)  
 under \_\_\_\_\_ Act \_\_\_\_\_ Date granted \_\_\_\_\_ By \_\_\_\_\_

**STATUTORY POWER** (These powers are summarised overleaf)  
 Statutory powers under: Trade Description Act 1968 / Consumer Protection Act 1987.

**WRITTEN CONSENT** (TICK THOSE WHICH APPLY AND OBTAIN A SIGNATURE)  
 With the written consent of a person entitled to grant entry (only applicable if not under warrant or statutory powers)

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

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

Signature [Signature] 21<sup>st</sup> Dec 2015 Name (Capitals) Ayden Aston  
 Status relative to premises Manager Mr Deniz Altun

<b>OFFICER IN CHARGE OF SEARCH</b> Name: Charlotte Palmer Position: Licensing Enforcement Officer	Date <u>21/12/15</u> Time Start <u>10.56</u> Finish <u>19.17</u>
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**Premises Searched Record**

**OFFICERS PRESENT AT SEARCH**  
 (Show Name & Organisation)

Charlotte Palmer

Ellie Green

Victor Ktorakis

Mike Harris (Operation Wagtail)

Entry Forced:  YES /  NO - If yes state reasons: No keys available

Damage - caused on entry or during search and circumstances: 2 locks forced by Bonnet lock Safe Company lock smith

Arrangements to Secure Premises:

Extent of Search:

Search Register No:





Mr Eren Govtepe  
Zilan Food Centre  
236 Hertford Road  
Enfield  
EN3 5BL

Please reply to: Charlotte Palmer  
Licensing Enforcement Officer  
Pollution Control, Planning and  
Licensing Enforcement Team  
Regulatory Services  
Tel: 0208 379 3965  
Fax: 0208 379 2190  
Minicom:  
Email: [charlotte.palmer@enfield.gov.uk](mailto:charlotte.palmer@enfield.gov.uk)  
My Ref: WK/215068091  
Your Ref:  
Date: 23<sup>rd</sup> December 2015

Dear Mr Govtepe,

**Zilan Food Centre, 236 Hertford Road, Enfield, EN3 5BL**  
**Storage unit at the rear of 232 Hertford Road, Enfield, EN3 5BL**

I write in further to the visit made to the above premises on Monday 21<sup>st</sup> December 2015.

The statutory power on the 'Notice of the powers to search premises and the rights of occupiers Police and Criminal Evidence Act 1984 Code of Practice' should have read the 'Consumer Rights Act 2015'.

Yours sincerely

Charlotte Palmer  
Licensing Enforcement Officer

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

Phone: 020 8379 1000  
Website: [www.enfield.gov.uk](http://www.enfield.gov.uk)

CUSTOMER  
SERVICE  
EXCELLENCE



The Government Standard

Mr Deniz Altun  
Zilan Food Centre  
236 Hertford Road  
Enfield  
EN3 5BL

Please reply to: Charlotte Palmer  
Licensing Enforcement Officer  
Pollution Control, Planning and  
Licensing Enforcement Team  
Regulatory Services  
Tel: 0208 379 3965  
Fax: 0208 379 2190  
Minicom:  
Email: [charlotte.palmer@enfield.gov.uk](mailto:charlotte.palmer@enfield.gov.uk)  
My Ref: WK/215068091  
Your Ref:  
Date: 23<sup>rd</sup> December 2015

Dear Mr Altun,

**Zilan Food Centre, 236 Hertford Road, Enfield, EN3 5BL**  
**Storage unit at the rear of 232 Hertford Road, Enfield, EN3 5BL**

I write in further to the visit made to the above premises on Monday 21<sup>st</sup> December 2015.

The statutory power on the 'Notice of the powers to search premises and the rights of occupiers Police and Criminal Evidence Act 1984 Code of Practice' should have read the 'Consumer Rights Act 2015'.

Yours sincerely

Charlotte Palmer  
Licensing Enforcement Officer

REF: WK/

LICN\_1

LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	Zilan Food Centre	
Premises Address	236 Hertford Rd, EN3 5BC	
Time of Visit:	Start: 10.20	Finish: 10.55

During an inspection of your premises on ..... 21 / 12 / 2015 ....., the following was checked:

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

No. of condition not in compliance	Evidence/Advice
ALL	Tobacco stock must be kept in the box marked 'tobacco and Cigarette stock'. 2 barrier bags and loose multi-packs found on top shelf of shelving in office. Keep all stock together.

Any other matter(s) that need addressing: Eren Gantepe, son of Mr Sefer Gantepe, helping out as cashier off previous PLH. Mr Eren Gantepe did not receive any training before helping out today. Both the above are breaches of the licence.

You are required to have the above matters attended to within .....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: EVG	Signature: [Signature]
Print Name: Ellie Green	Print Name & Position: Mr Deniz Altun, PLH + DPS
Email/Tel: ellie.green@enfield.gov.uk	Email/Tel: che-deniz@hotmail.co.uk 07809488204

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

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

**NOTICE OF SEIZURE**

No 1528

**ENFIELD**  
Council  
www.enfield.gov.ukName: Zilan Storage UnitAddress: R/O Logitech IT  
Services, 232 Hertford Rd,  
Enfield, EN3 5BLTrading Standards  
Civic Centre  
Silver Street  
Enfield  
EN1 3XHtrading.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:

Trade Descriptions Act 1968 and the Consumer Protection  
Act 1987, Food Safety Act 1990

N02624075 5 x Golden Virginia Hand Rolling Tobacco cpx 102

R00189275 130 x Marlboro Gold (20) cpx 103

DA0341883

DA0341882 10 x Desperado Red 400ml EVG/01-e

EVG/02 (5 per evidence bag)

EVG3 24 cans x Pella beer (R00897199)

EVG4 24 cans + 6 cans Pella beer (R00897185)

EVG5: 4 cans DeBowe beer, 4 cans Desperados beer,

4 cans Zynico beer, 4 cans Tyskie beer, 4 cans

Zubr beer, 4 cans Lechs beer, 4 cans Okocim beer.

~~EVG~~ Total of: 9 cases (24 cans) + 1 can Pella, 5

cases DeBowe, 10 cases Desperados, 8 cases Zynico,

4 cases Tyskie, 3 cases Zubr 12 cases Lechs

12 cases Okocim. YOU MUST NOT SELL ANY OF THE

ABOVE BEER UNTIL INGREDIENTS

IN ENGLISH HAVE BEEN APPLIED TO EACH CAN + CHECKED  
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: Ellie GreenDate: 21/12/2015

Signature:

Direct Dial: ellie.green@  
enfield.gov.ukReceived by: Mr AltonPosition in Business: PLH of Zilan  
Food Centre.

# NOTICE OF SEIZURE

Page 187

EV.G/DOC/03  
No 1529

**ENFIELD**  
Council  
www.enfield.gov.uk



Name: Zilan Food Centre

Address: 236 Hertford Rd

Enfield

EN3 5BL

Trading Standards  
Civic Centre  
Silver Street  
Enfield  
EN1 3XH

trading.standards@enfield.gov.uk

Telephone: 020 8379 8505

Fax: 020 8379 8506

warned not to sell

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:

Food Safety Act 1990: foreign labelling.

In addition to the cases of beer listed on report 1528 found at the rear storage of 232 Hertford Rd, the following were found with foreign labelling:

Zywiec x 26 cans, Tyśkie x 21 cans  
Bucegi x 1 can, Zubr x 20 cans  
Debowe x 11 cans, Okacim x 20 cans  
Perla x 10 cans, Desperado x 12 cans  
Warka x 24 cans, Desperados Red x 5 bottles

You must take these products off the shop floor and not sell until English (correct) labels have been applied to each item, and approved for sale by an UBE officer.

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: Ellie Green

Date: 21/12/2015

Signature:

Direct Dial: ellie.green@

Received by: Mr Deniz Altun

enfield.gov.uk

Position in Business: PLH/DPS

# NOTICE OF SEIZURE

Page 188

No 1533

EVG/DOC/04

**ENFIELD**  
Council  
www.enfield.gov.uk



Name: Zilan Store Area

Address: R/O 232

Hertford Road, Enfield,

EN3 5BL

Trading Standards  
Civic Centre  
Silver Street  
Enfield  
EN1 3XH

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 (Manufacture, Presentation & Sale) (Safety) Regs  
Consumer Protection Act 1987,  
Licensing Act 2003. 2002

During an inspection of Zilan Food Centre, 236 Hertford Road and its associated storage, at the rear of 232 Hertford Rd, non duty paid / foreign labelled tobacco was found hidden in the toilet, and subsequently seized: 4,563 packets of Marlboro Gold and 1 x packet Marlboro Red, and 30 x 50g packets Gold Virginia tobacco. 2 x CCTV hard drives and cables. NO624093

Mr Altun stated he sold the business to Mr Sever Gantepe one month ago but has not changed the licence.

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: Ellie Green

Date: 21/12/2015 19.15

Signature: [Signature]

Direct Dial: ellie.green@enfield.gov.uk

Received by: Mr Deniz Altun

Position in Business: DPS/PLH.

Advised to seek temporary CCTV system while hard drive seized

REF: WK/

LICN\_1

LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	Zitan Food Centre	
Premises Address	236 Hertford Rd.	
Time of Visit:	Start: All day.	Finish: 19.55.

During an inspection of your premises on 21 December 2015, the following was checked:

Part B of Premises Licence displayed? Yes  No

Address & tel no. of PLH & DPS on licence correct? Yes  No  (If incorrect, insert new details below)

Conditions of licence checked? Yes  No

No. of condition not in compliance	Evidence/Advice
	*This also applies to door between internet cafe and storage.

Any other matter(s) that need addressing: After seizing goods from storage at 232 Hertford Rd, the lock at the rear of the premises has been made secure. When the owner of the storage returns, the keys can be collected from Enfield Council, contact Licensing on 0208 379 3578 9am - 12pm, Monday to Friday to make arrangements. *(excluding Bank Holidays)*

You are required to have the above matters attended to within ..... 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: EVG	Signature: <i>[Signature]</i>
Print Name: Ellie Green	Print Name & Position: Mr Deniz Altun OPS/PLH.
Email/Tel: ellie.green@enfield.gov.uk	Email/Tel:

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

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



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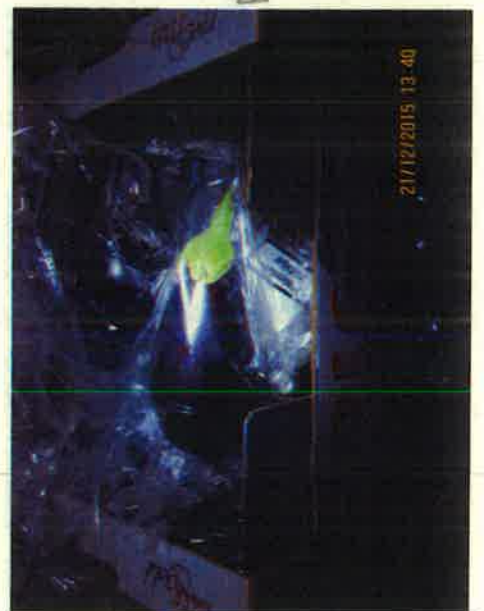
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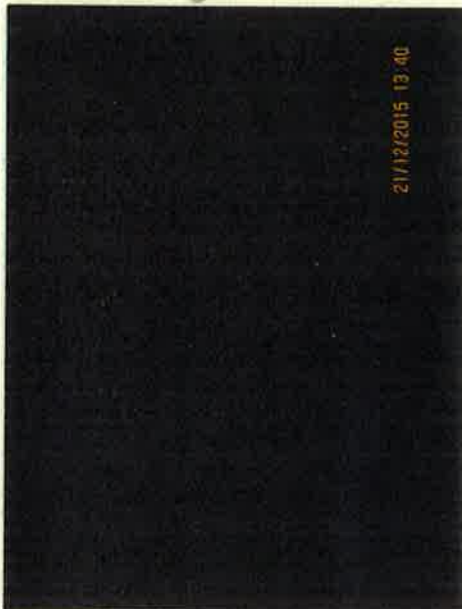
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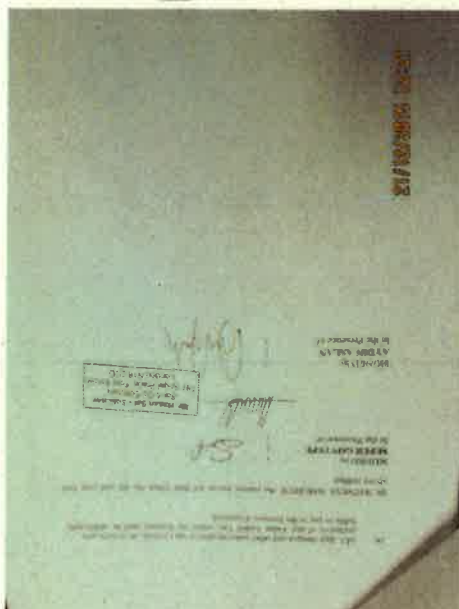
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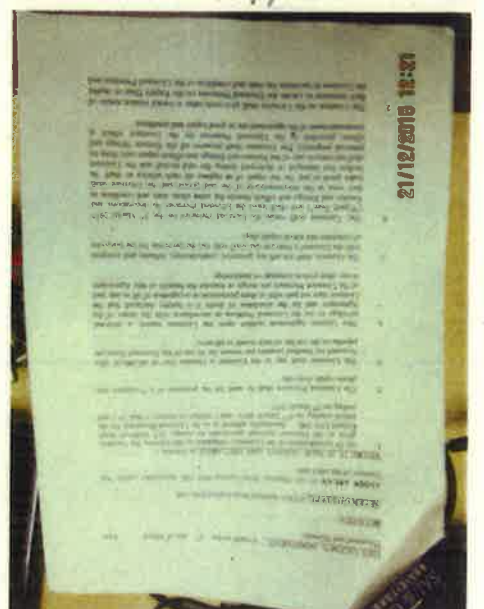
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VPR/PICT/1



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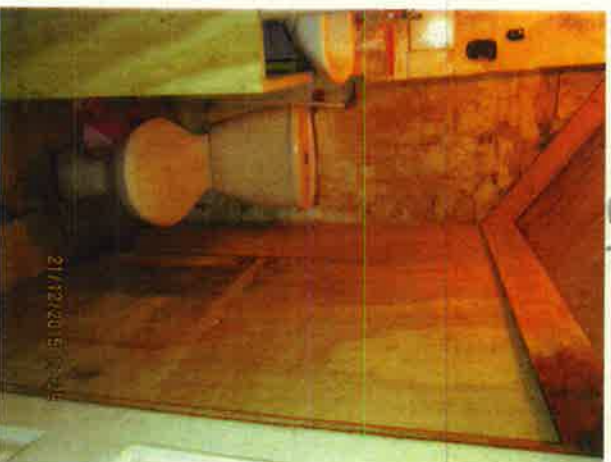
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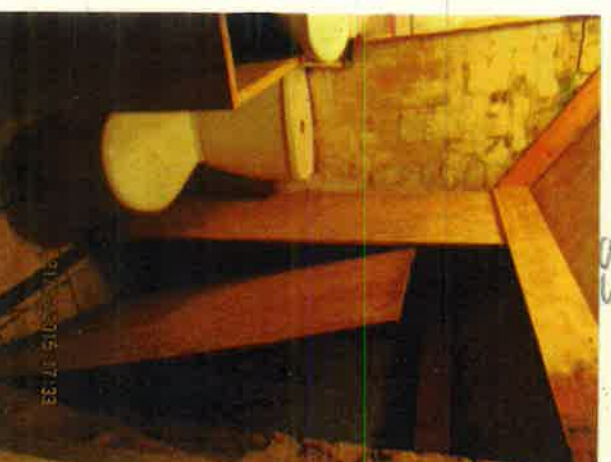
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**LICENSING SUB-COMMITTEE - 3.2.2016****MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE  
HELD ON WEDNESDAY, 3 FEBRUARY 2016****COUNCILLORS****PRESENT** (Chair) Derek Levy, Vicki Pite and Peter Fallart**ABSENT****OFFICERS:** Ellie Green (Principal Licensing Officer), Charlotte Palmer (Licensing Enforcement Officer), Dina Boodhun (Legal Services Representative), Jane Creer (Democratic Services)**Also Attending:** Mr Musa Aktas (Applicant)  
Mr Mahir Kilic, Licensing Agent, NARTS (on behalf of applicant)**380****WELCOME AND APOLOGIES FOR ABSENCE**

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

**381****DECLARATION OF INTERESTS**

NOTED that there were no declarations of interest in respect of items on the agenda.

**382****AKDENIZ SUPERMARKET (ENFIELD) LTD, 463-465 HERTFORD ROAD, ENFIELD, EN3 5UT (REPORT NO. 182)**

RECEIVED the application made by Mr Musa Aktas for the premises known as and situated at Akdeniz Supermarket (Enfield) Ltd, 463-465 Hertford Road, Enfield, EN3 5UT to vary a Premises Licence.

**NOTED**

1. The introductory statement of Ellie Green, Principal Licensing Officer, including the following points:
  - a. This application was for a variation of the premises licence.
  - b. The current licence dated from 14/2/2014 and permitted opening hours and sale of alcohol 08:00 to 23:00 daily.
  - c. The application sought 24 hour daily opening and sale of alcohol 08:00 to 02:00 daily.
  - d. The licence had not been subject to review.

**LICENSING SUB-COMMITTEE - 3.2.2016**

- e. The application was subject to representation received from the Licensing Authority on the grounds of prevention of public nuisance.
  - f. The premises was located in the Enfield Highway Cumulative Impact Policy Area. Therefore the Cumulative Impact Policy (CIP) applied to this application. The CIP core hours for sale of alcohol Monday to Sunday were 08:00 to 00:00.
  - g. This application sought hours that were outside the core hours and was therefore subject to the presumption against grant that was implicit in a CIP (LB Enfield Licensing Policy s.9.22/23).
  - h. The Licensing Authority considered it appropriate that any part of an application outside the CIP should be refused, with the part of application within the CIP to be granted.
  - i. Where the CIP applied to an application, it was for the applicant to put forward information why the application should be an exception to the policy and be granted.
  - j. No written information had been received from the applicant, but she had now had sight of a letter and table submitted on 8/1/16 by the licensing agent and circulated to all parties.
  - k. The Council's Licensing Policy was last reviewed in January 2015 with specific reference to CIPs and the core hours were extended from 23:00 to 00:00.
  - l. It was raised by the Chair that the current licence permitted opening hours 08:00 to 23:00 daily while the licensing agent's table showed 24 hour opening at the supermarket. The licensing agent advised that since the licence was granted on 14/2/14, the shop opening hours had been 24 hours a day.
2. The statement of Charlotte Palmer, Licensing Enforcement Officer, including the following points:
- a. This application was to extend sale of alcohol from 23:00 to 02:00 daily.
  - b. This area of Hertford Road was one of mixed commercial and residential use. The premises was on the corner of Hertford Road and East Road, which was a residential cul-de-sac. On the other side, the shop adjoined residential dwellings, and there were more residences opposite.
  - c. There had been complaints received from a local resident on 26/10/15 and 28/10/15 in respect of noise from deliveries and waste collections in the early hours of the morning, in breach of licence conditions. The licence holder was informed and advised. On 18/11/15 the complainant confirmed that the issues had stopped and they were happy for the complaint to be closed.
  - d. Licensing Authority officers were concerned that sale of alcohol would attract a greater number of customers late at night and lead to disturbance in the early hours of the morning at a time when there were lower ambient noise levels.
  - e. The premises was within a drinking control zone as well as a CIP area.
  - f. The locality was already an area of concern in respect of anti-social behaviour and public nuisance.



**LICENSING SUB-COMMITTEE - 3.2.2016**

- g. The presumption in cases of applications outside CIP hours was that they should be refused.
  - h. There was no documentation to justify granting against the CIP. The document provided by the licensing agent pertained to other shops in the Akdeniz Supermarket chain.
  - i. Officers recommended alternative licensed hours in line with the CIP ie. until 00:00, noting that the CIP applied to alcohol sales and licensable activities.
  - j. In response to a query by the Chair, it was confirmed that officers would be happy for opening and licensed hours to be the same ie. until 00:00.
3. Charlotte Palmer responded to questions as follows:
- a. At Members' request a clarification of a drinking control zone was given, that these were designated areas, of which there were a number across the borough, with signs to advise customers that they should not drink alcohol in the street. In these zones it was an offence to drink alcohol after being required by a Police officer or PCSO not to do so.
  - b. In response to the Chair's query whether there had been any breaches of licence conditions, Charlotte Palmer advised that this application came about following her conversations with the licence holder and an officer visit further to the complaints received. There were already conditions on the licence regarding times for deliveries and refuse disposal. In the discussions, she confirmed that the conditions applied to all goods. There had been a difference of opinion in respect of the legislation. Following the discussions, a transfer and vary DPS application was submitted and granted. The premises seemed to be complying with conditions now. The noise nuisance had stopped and so officers had taken no further action.
4. The statement of Mr Mahir Kilic, licensing agent, on behalf of the applicant, including the following points:
- a. He thanked officers for printing copies of the letter and table submitted on 8/1/16.
  - b. The applicant sought to extend licensed hours from the current 08:00 – 23:00 to 08:00 – 02:00 Monday to Sunday.
  - c. At the time the application was submitted, no further conditions were proposed as those already in place were considered sufficient to promote the licensing objectives, but the applicant was willing to consider any recommendations from the relevant authorities. The current 14 conditions on the licence were set out on page 8/9 of the agenda pack. He invited all responsible authorities to propose conditions in line with this application. He was pleased to note that the Police service had not made any suggestions and therefore considered the conditions were sufficient.
  - d. At around the time the application was made, the Council had received the complaint regarding noise from deliveries. The complaint was brought to the attention of the premises' management on 13/11/15 and advice was sought from Charlotte Palmer on what should be done. Suppliers were advised to make deliveries from 08:00 and onwards. There had been issues with a particular supplier and they were addressed. The

**LICENSING SUB-COMMITTEE - 3.2.2016**

complainant was happy that the noise issue was addressed sufficiently. This showed the good management skills of Mr Aktas and the way he would deal with any issues that may come up.

e. The additional circulated letter and table set out other Akdeniz supermarkets in neighbouring boroughs. Mr Aktas had been a licensee since 1991 and was very experienced. All the premises he was affiliated with had 24 hour opening; only one sold alcohol 24 hours. The minimum licensed hours in other shops in Hackney was to 00:00 in the week and 01:00 Friday and Saturday.

f. Akdeniz Enfield had been open since February 2014 when the licence was granted, with opening 24 hours a day and alcohol sales only between 08:00 – 23:00.

g. Mr Aktas wanted to be able to offer alcohol in part of the hours he was already trading.

h. Mr Aktas understood the CIP and that it was for the applicant to prove that the premises will not contribute to crime and disorder or other issues.

i. Mr Aktas was a current personal licence holder.

j. Mr Aktas was happy to propose an extension of licensed hours from 23:00 to 02:00 and that there would be at least two personal licence holders present at the shop.

k. The CIP was designated to prevent people drinking on the street and to prevent anti-social behaviour. The Akdeniz chain already had other premises in high crime areas, such as Hackney, and had later licensed hours there. The management could deal with anti-social behaviour in the hours they were seeking to sell alcohol.

l. The applicant was happy to offer other conditions. If shop staff saw anyone going outside and opening a can or bottle of alcohol and consuming it instantly they would be happy to refuse to sell to those individuals if they visited the premises again.

m. The Chair asked for re-iteration of what the applicant was now offering. The agent advised that the applicant was happy to have a condition to refuse to sell alcohol to any individual who was not complying with the drinking control zone policy in that street.

n. The agent advised that other than that he could not think of any other appropriate conditions. This applicant had 25 years' experience in this sector: he should be considered an exceptional applicant.

5. The agent and applicant responded to questions as follows:
  - a. The Chair observed that conditions had been offered at the hearing, but questioned why they were not put into the written application (while acknowledging that applicants were entitled to supplement their application at the hearing). The agent advised that this had not been believed necessary, but he wanted to highlight that Mr Aktas already has six personal licence holders at the premises.
  - b. Councillor Fallart referred to the CIP policy and asked for more information as to why this premises should be exempted from the presumption against granting. The agent stated that the CIP was introduced to discourage anti-social behaviour. This was clarified by the

**LICENSING SUB-COMMITTEE - 3.2.2016**

Licensing Enforcement Officer in that the drinking control zone was to prevent consumption of alcohol in the street, but the CIP was an actual policy with a 00:00 cut off time for sale of alcohol, and the two were separate. The agent stated that he believed this applicant to be in an exceptional position. He had demonstrated that he could run licensed premises in other boroughs, and he would do the same in Enfield. He had the management skills and the staff to be able to do that. The premises would not cause problems for the local residents. The Police were satisfied with the information provided and did not believe that the shop would cause any anti-social behaviour or crime and disorder in the area.

c. Councillor Pite asked for clarification of the agent's conclusions regarding the Police's satisfaction, as her assumption was that this consent was in presumption of compliance with the CIP hours. The agent advised that regardless whether there was a CIP or not, the Police were invited to make comments, and they would make objections to any applications where they were not satisfied that premises would be run within the law. The Police knew who the licensee was in this case, and they would have run checks to ascertain he was a fit and proper person.

d. The Chair emphasised that in a CIP hearing, the burden of evidence was on the applicant to make a case, and nothing could be assumed from the fact that the Police had not objected. He would not consider giving weight either way to the Police lack of objection and would not consider postponing this hearing to invite the Police. The reason for this hearing was that the Licensing Authority had objected and their representation related to prevention of public nuisance and not to crime and disorder. He asked to hear about steps which would be taken to prevent public nuisance. In respect of noise issues, the agent referred to the information given on page 24 regarding the noise complaints from the local resident. These were raised first with the applicant on 13/11/15 and the complainant confirmed the issues had stopped on 18/11/15. The complainant was happy that the necessary steps had been taken. This had been the only complaint since Mr Aktas had been involved with the premises. The agent stated that he had already addressed why this application should be an exemption to the CIP. The applicant was an experienced licensee and he had a proven track record with his other businesses. Taking account of his experience and the additional conditions proposed earlier, it was considered that the exemption should be applied.

e. Councillor Pite raised that the other Akdeniz supermarkets listed in the table bore little resemblance to this premises in this part of Hertford Road which was largely residential, and that some of their licensed hours ended at 23:00 and 00:00 and she still required more information about why this application requested a 02:00 terminal hour. The agent advised that no local residents had made representations against this application, including the complainant from 2015. This was proof that Mr Aktas could manage the premises well and not cause noise or nuisance. Mr Aktas had already spoken with all suppliers and ensured there were no deliveries before 07:00. He believed that sale of alcohol would not cause noise or nuisance and there was no evidence that there would be any issue.

**LICENSING SUB-COMMITTEE - 3.2.2016**

Akdeniz supermarkets had been granted all the licensed hours they had applied for without restriction from any other councils and had no previous refusal to any applied for hours.

f. The Chair confirmed that the LSC considered each application on its individual merits. He raised that the noise nuisance complaint had arisen from the regular trading at the premises and asked about additional steps proposed to prevent noise and public nuisance given that sale of alcohol later may attract a different type of customer and change the nature of the business, which would change the potential impact on local residents. The agent clarified that there was no evidence and this was speculation about what may occur. This premises had been operating 24 hours a day for non-licensable activities and there had only been one occasion when a noise complaint was received and this was addressed as soon as it was brought to the management's attention. This should convince the panel that if any issue arose in the future it would be dealt with appropriately.

g. In response to the Chair's further query whether it was acknowledged that selling alcohol beyond 00:00 would change the nature of the business, the applicant advised that from 23:00 the premises did not get local people shopping, but did get people driving there by car. If this application was granted, the shop takings would increase. Generally the shop did not serve local people after 00:00.

h. Members raised that this point was quite concerning. The noise from the delivery lorry in the early hours had led to a complaint as the ambient noise level was much lower in the area at that time and it was a concern if customers from other areas would be driving to the shop with the related noise from car doors etc during normal sleeping periods. The agent advised that the complaint regarding the delivery lorry was in the side road where it disturbed a neighbour, but vehicles usually parked at the front of the premises. There had been no complaints regarding customers parking outside the premises to do their shopping.

i. The Chair asked further about steps for the prevention of public nuisance, and that it was the responsibility of the applicant to justify any exemption to the CIP. The agent re-iterated that if any issues arose, the applicant would deal with that issue immediately to prevent it occurring again, but that there were no issues which needed to be addressed specifically.

j. The Chair pressed further regarding appropriate additional steps and demonstration of full understanding of the CIP and addressing that existence of the policy was sufficient for refusal. The agent advised that he had already stated a number of things including that Mr Aktas had 25 years' experience; the premises had six personal licence holders; a condition had been offered whereby two personal licence holders would be present during all licensed hours; and the shop already had 18 CCTV cameras. He did not believe the premises would contribute to crime and disorder or to noise and nuisance in the area. The premises was exceptional because the licence holder was already so experienced and had good staff and management and adhered to all rules.

**LICENSING SUB-COMMITTEE - 3.2.2016**

k. Councillor Pite raised the reason for CIP areas and drinking control zones in the borough which were preventative measures for the protection of residents due to concern about risks, and she still did not consider that the applicant had addressed those concerns. The agent advised that all local residents had been invited to make comments and none had made an objection. He was satisfied that they would not be disturbed. There was a review mechanism if the residents or responsible authorities needed to invoke it in future. Mr Aktas would work with the local residents and if they were ever disturbed he would address the issue immediately.

l. The Chair asked why sale of alcohol was needed to 02:00 seven days a week. The applicant advised that people came into the shop when they were passing by and stopped to do their shopping. As they were shopping for groceries and then were told outside licensed hours that they could not purchase alcohol, the problem was they would leave all their shopping and go to other premises that were licensed 24 hours.

m. The Chair asked about the cost of making sure there were two personal licence holders on the premises during all licensed hours. The applicant advised that those staff were already working at the premises so there would be no additional cost.

n. In response to Charlotte Palmer's query whether any of the other Akdeniz supermarkets were in CIP areas in other boroughs, this information was not available, but it was believed that the Stoke Newington store was just outside a CIP area and Hackney Well Street and Islington Seven Sisters Road could be. It was not known if any of the other stores had been granted licensed hours outside the CIP core hours, or when the other boroughs' policies came into effect and whether that was after those licences were already in place. It was confirmed that none of the other Akdeniz supermarket licences had been reviewed for any reason.

o. In response to Charlotte Palmer's further questions, it was confirmed that Mr Aktas had been running the Hertford Road premises since 15/3/14. He had also been around other shops, but for about one year had purely dedicated himself to this shop. His partner had been named on the licence before and it was transferred to Mr Aktas' name in 2015.

p. The Chair raised that information given had been contradictory regarding where the shop's customers would come from ie. locally or from out of the area. The agent clarified that from 00:00 the customers were not usually local people, but were Turkish speaking individuals who came to London to do grocery shopping and to buy the ethnic products that Mr Aktas sold.

q. In response to the Chair's point that this could mean additional risk to surrounding residents, the agent advised that the profile of these customers was generally family members aged between 25 to 40 years who lived outside London or ran businesses outside London and were not able to buy ethnic foods where they lived. The application was to enable Mr Aktas to serve his existing clientele who lived outside London but did their shopping at Hertford Road as it was easily reachable from the M25 and this is where they liked to do their shopping. The clientele was not street kids.

**LICENSING SUB-COMMITTEE - 3.2.2016**

r. The Chair asked further about the risk in the CIP. Referring to the earlier offer to refuse sales to those seen drinking alcohol outside he asked how that would take effect and the possibility this could create antagonism. The agent advised that if any individual was not acting in an orderly manner outside the premises, staff would warn them and ask them to leave and to not consume alcohol. If they refused and later came back to buy from the shop, staff would refuse to serve them.

s. Members highlighted policy s.8.4 which related to licensed premises situated in or immediately adjacent to residential areas and avoidance of disturbance to local residents, and, given that this premises was adjacent to a residential area and East Road was a cul-de-sac with limited, if any, turning area, whether the applicant had any concerns. The agent advised that it needed to be understood that this premises already operated 24 hours a day. In response to more queries further to the suggestion that selling alcohol would lead to an increase in late night customers, the agent advised that a grant would not necessarily mean there would be an increase in customers as there were already shoppers coming to the premises at those times and Mr Aktas just wanted to sell alcohol in those hours.

6. The summary statement of Ellie Green, Principal Licensing Officer, including the following points:
  - a. Members' attention was drawn to the policy and guidance sections of the officer report, in particular to para 6.12: that the sub-committee was best placed to make decisions about appropriate opening hours in their area based on their local knowledge and in consultation with responsible authorities.
  - b. The fact that the premises was located in the Enfield Highway CIP area was emphasized.
  - c. It was for the LSC to decide whether the applicant had demonstrated to its satisfaction that this application should be an exception to the CIP, otherwise the presumption was against grant outside CIP core hours.
  - d. Having heard all of the representations, the LSC must take such steps as it considered appropriate for the promotion of the licensing objectives.
7. The closing statement of Charlotte Palmer, Licensing Enforcement Officer, including the following points:
  - a. The key issue was the proximity of the premises to local residents, and the location of the premises within a CIP area.
  - b. There had been previous noise complaints from a local resident.
  - c. The Licensing Authority deemed it appropriate that licensed hours should end at 00:00 in line with the CIP.
8. The closing statement of Mr Mahir Kilic, licensing agent, on behalf of the applicant, including the following points:
  - a. He drew members' attention to s.8.7.1 of the Council's licensing policy that supermarkets may apply to sell alcohol off supplies at times when they

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were open as a retail outlet for shopping and each application would be considered on its merits.

b. He considered that this application should be granted, with the conditions that the applicant had proposed.

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 Licensing Sub-Committee resolved that the application be granted in part as follows:  
Hours the premises are open to the public and supply of alcohol (off supplies) from 08:00 to 00:00 daily.  
Conditions 1 to 14 on the current licence, which are not disputed.
3. The Chairman made the following statement:

“Having carefully considered the written submissions, and listened attentively to the oral representations made by both parties at the hearing, the Licensing Sub-Committee (LSC) resolved that the appropriate steps required for the promotion of the licensing objectives would be to grant the application in part, to the extent that the opening hours permitted under the licence, and hours for licensable activity – namely the supply of alcohol for off sales – be varied from 08:00-23:00 to 08:00-00:00. In so doing, this would bring the licence into conformity with the current cumulative impact policy core hours.

The LSC was not sufficiently persuaded by the arguments advanced to support the application for alcohol sales to be extended to 02:00. Whilst the opening hours of the business for sales of non-licensable goods are not necessarily for the sub-committee to determine, the sub-committee was nevertheless concerned to hear through evidence from the applicant’s representative that Mr Aktas had actually been operating the premises licence with 24 hour opening to the public for the best part of two years, when the licence itself permitted terminal opening hours of 23:00 daily. The LSC notes paragraph 9.28 of the Council’s licensing policy statement sets out the following: ‘... The consideration of hours of operation will include the context of each application within each of the licensing objectives. For example, the hours at which noise may occur and the extent to which that may affect local residents’ sleep and relaxation, will be a consideration because late night

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premises may have an impact on the local environment and can cause public nuisance.'

That said, the focus of our deliberations centred on whether the applicant was able to demonstrate circumstances as to why the CIP should not apply to these premises by way of the application to vary the hours. The LSC considered the statutory Guidance, specifically paragraph 13.30, where we took into account whether the applicant's representations rebutted the presumption to refuse the application by the applicant demonstrating that there would be no negative cumulative impact on any of the licensing objectives, in particular the prevention of public nuisance.

We were concerned that the written application itself offered absolutely no additional steps intended to be taken to promote the licensing objectives. We were further concerned that the applicant had asserted that the current conditions were sufficient, despite the fact that there was evidence of noise nuisance associated with the business by way of late night deliveries of existing supplies. We were satisfied that this did represent a failure to comply with current conditions.

Furthermore, rather than pro-actively taking additional steps, the applicant explicitly sought to offload that responsibility on to the licensing authority inviting it to make suggestions that Mr Aktas would be willing to accept. The LSC viewed this as a failure to properly demonstrate understanding of the policy or comprehend the nature of CIP related hearings, where the onus falls upon the applicant to make the case to demonstrate that there would be no negative impact on the CIP of the area.

During the hearing, the applicant did offer the possibility of additional conditions to the effect that there would always be two premises licence holders on the premises at all times; and that were troublesome customers to be attracted, the premises licence holder would refuse sales to them on a subsequent visit, but gave no indication as to how such a condition would be managed or implemented in practice. This was the extent of the additional steps offered to promote the licensing objectives, and the LSC did not consider this to be appropriate, or sufficient to rebut the presumption against the refusal to grant the variation in full.

By definition, the existence of the Enfield Highway Cumulative Impact Policy acknowledges that the location is already an area of concern in relation to public nuisance and alcohol-related crime and disorder.

Under repeated questioning, the applicant (through his representative) did not appear to acknowledge or fully appreciate that extending the hours under which alcohol may be sold, would materially change the nature of the business. In fact, the evidence we heard was contradictory. We were first told that most of the additional business would be from local residents doing late night shopping, during which they would be able or might choose to purchase



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alcoholic products. Then, we were told that the extension of hours would attract customers from outside of the area to come and do their shopping in an ethnically based supermarket.

When questioned on this, the applicant was unable to demonstrate what additional measures might be put in place to mitigate inevitable noise nuisance generated by largely car-borne customers coming into an area late at night, given the location is largely residential, and in particular with a narrow cul-de-sac immediately beside the premises, in which vehicular parking and turning is impossible. When questioned similarly on whether the availability of alcohol into the early hours might otherwise change the nature of the clientele, and aggravate potential noise nuisance, the applicant offered no additional steps to mitigate this possibility as a means of PREVENTING crime and disorder, or additional public nuisance.

The main thrust of, and major reliance within the applicant's submissions, was that the existing conditions were sufficient to warrant the extension of hours. The LSC was not persuaded on this point alone. To support this assertion, we were then told that Mr Aktas (as with other members of his team) has an experience of some 25 years standing, and operates a chain of supermarkets, many of which have operating hours beyond those on the current licence and those being sought. The LSC did not doubt the fact of his experience in setting up supermarkets which are licensed, but confined its questioning and deliberations to the fact that the current application pertains to location which is governed by a cumulative impact policy.

Under analysis, the evidence we saw confirmed that one store out of the Enfield borough (Well Street, Hackney) has Sun-Thu licensed hours the same as the Enfield CIP; and that another (Station Road, Wood Green) had Sun-Thu hours in keeping with the current licence.

We were then asked to consider that length of experience of successfully running and managing licensed premises within a 24 hours opening hour environment in such locations as Stoke Newington High Street, Hoe Street in Walthamstow, Seven Sisters Road in the Holloway/Finsbury Park area was sufficient in itself to inform the self-belief that they can do the same at 463-465 Hertford Road in Enfield Highway for the hours as applied for.

The LSC noted the information presented on the other licensed premises and determined that such locations were not comparable and in any event the LSC was concerned with the premises within the Enfield Highway CIP.

Each application must be considered on its own merits, and the LSC decisions are to be given weight in accordance with guidance and policy, one of which points states (Sec 8.4) "that stricter licensing conditions with regard to licensing HOURS may be required for licensed premises situated in or immediately adjacent to residential areas to ensure that disturbance to local residents is avoided ...". This will particularly apply in circumstances where,

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having regard to the location, size and nature of the licensed premises, it is likely that disturbance will be caused to residents in the vicinity of the premises by concentration of people leaving, particularly during normal night-time sleeping periods. It is accepted that applicants' operating schedules may adequately provide for such circumstances and the Council will not seek to impose stricter conditions unless relevant representations are received and a hearing takes place.

This policy point carries significant weight, as it did in this case; but is enhanced in the context of Cumulative Impact Policy that is incorporated within the Council's Licensing Policy as a whole, which requires premises licence holders to give specific recognition to this point [9.28]. The consideration of hours of operation will include the context of each application within each of the licensing objectives. For example, the hours at which noise may occur and the extent to which that may affect local residents' sleep and relaxation, will be a consideration because late night premises may have an impact on the local environment and can cause public nuisance. In both oral and written submissions, the applicant failed to satisfy the sub-committee that appropriate measures were in place to mitigate the impact on neighbours of extended hours for the sale of alcohol.

The LSC convened under the rebuttable presumption that the application to vary the hours of this licence should be refused on the basis that the hours applied for exceed those specified in the Council's Licensing policy via the Cumulative Impact Policy.

In counter questioning the applicant equally acknowledged that the licensing objectives do work on the principle of prevention, and that he understood the nature of the CIP is predicated by the location being a concern for crime and nuisance.

The LSC noted the applicant's evidence, argument, and lack of pro-active additional steps to strengthen the licence to promote the licensing objectives and determined that the applicant was unable to demonstrate that a grant of the variation, in full, of the licence would not add to the cumulative impact in the area.

As the core hours of the CIP had been amended between the granting of the extant licence and the hearing of this application, the sub-committee has granted those parts of the application that are within the CIP core hours to accord with the limit in the CIP core hours, whereas those parts of the application to vary hours that are outside the CIP core hours are to be refused."

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**MINUTES OF PREVIOUS MEETINGS**

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RECEIVED the minutes of the meetings held on Wednesday 2 December and Wednesday 16 December 2015.

**AGREED** that the minutes of the meetings held on Wednesday 2 December and Wednesday 16 December 2015 be confirmed and signed as a correct record.

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