

# Annex 6



## LICENSING AUTHORITY REPRESENTATION

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

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

**Name and address of premises:** Carpathina  
337 Bowes Road  
London  
N11 1BA

**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 Licensing Objectives for the following reasons:

This is a new application for an off licence / grocery store to provide licensable activities as detailed below:

Activity	Proposed Times
Supply of Alcohol (off supply)	07:00 – 21:00 Everyday
Opening hours	07:00 – 21:00 Everyday

This premises has been licensed previously under the same trading name and that licence was revoked as the premises was found to be repeatedly selling nonduty paid tobacco.

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

- **Prevention of Crime and Disorder**
- **Prevention of Nuisance**
- **Protection of Children from Harm**

The Licensing Authority is keen to ensure, given the history of illegal activity, that those connected to the premises previously are no longer involved in the business before any new licence is granted. The Licensing Authority has no confidence in their ability or willingness to trade legally.

**Until such time as official evidence is provided demonstrating that Mr Stefan Razvan Ene is the sole owner of the business the Licensing Authority objects to this application in its entirety.**

The Licensing Authority would be satisfied if the following documents were provided as evidence of ownership:

- Leasehold documents in Mr Stefan Razvan Ene's name/proof that an application to transfer the lease has been submitted.
- Business Rates in Mr Stefan Razvan Ene's name
- Sale of businesses contract between the previous owner and Mr Stefan Razvan Ene's.
- Account records in Mr Stefan Razvan Ene's name if he is already running the business.
- Lottery agreement Mr Stefan Razvan Ene's name if there is one.
- Paypoint in Mr Stefan Razvan Ene's name if there is one.
- Oyster in Mr Stefan Razvan Ene's name if there is one.

**The Licensing Authority requests that the following questions be answered:**

- What if any is the relationship/connection between Mr Stefan Razvan Ene and Mr Iulian Frasinescu and Ms Nicoleta Gafita – the previous licence holder and DPS?
- What assurances can the applicant provide the Licensing Authority with that he shall be a responsible retailer and non-duty paid goods shall not be sold or store at the premises or in buildings/vehicles associated with the premises?
- On the applicant is says the applicant lives in Slough. Will the applicant work at the premises? If so what days and hours will he work?
- Will he be solely responsible for running the premises on a day-to-day basis? If not who else will be?
- Who else will be employed to work at the premises?

**If these documents are provided and questions answered to the satisfaction of the Licensing Authority, then the Licensing Authority would not object to the hours or activities applied for. However, if the licence is granted in full or in part the Licensing Authority also recommends that the following conditions be attached to the licence to promote the licensing objectives:**

1. All staff involved in the sale of alcohol shall receive induction and refresher training (at least every six months) relating to the sale of alcohol and the times and conditions of the premises licence.
2. 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.
3. A 'Think 25' proof of age scheme shall be operated, and relevant material shall be displayed at the premises.
4. A 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.
5. The Designated Premises Supervisor shall regularly check the refusals system to ensure it is being consistently used by all staff.
6. Prominent, clear and legible notices shall be displayed at all public exits from the premises requesting customers respect the needs of local residents and leave the premises and area quietly. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.

7. Signs shall be prominently displayed on the exit doors advising customers that the premises is in a Public Space Protection Order Area (or similar) and that they should not consume alcohol in the street if requested to stop by an authorised person. These notices shall be positioned at eye level and in a location where they can be read by those leaving the premises.
8. Only the Premises Licence Holder or Designated Premises Supervisor shall purchase alcohol and/or tobacco stock.
9. Alcohol and tobacco stock shall only be purchased from registered wholesalers.
10. 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.
11. 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 storeroom or behind the sales counter.
12. Tobacco products shall only be taken from the tobacco display behind the sales counter in order to make a sale.
13. 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.
14. Nitrous oxide (laughing gas) shall not be stored or sold to consumers from the premises, or any vehicles or storerooms associated with the premises.

### **Nitrous Oxide:**

In order to help tackle the problem of anti-social behaviour in the borough the Licensing Authority requests that, as a responsible retailer, you do not sell Nitrous Oxide and agree to attach a condition to the premises licence conditions to reflect this.

Nitrous oxide (N<sub>2</sub>O) is a colourless sweet-tasting gas often referred to as 'laughing gas'.

Although nitrous oxide can be sold legally when sold for a legitimate use, the supply, or offer to supply or possession with intent to supply for recreational misuse is an offence.

The Psychoactive Substances Act 2016 came into force in May 2016. The act bans psychoactive substances, also known as 'legal highs', in the UK and prevents the supply of these previously unregulated and frequently harmful substances for human consumption.

The supply and offer to supply offences (section 5 of the act) are the most relevant parts of the act for retailers. The offence of supply is outlined below:

- A person intentionally supplies a substance to another person
- The substance is a psychoactive substance

- The person knows or suspects, or ought to know or suspect, that the substance is a psychoactive substance
- The retailer knows or is reckless about whether the psychoactive substance is likely to be consumed by the person to whom it is supplied, or by some other person, for its psychoactive effects

Figures from the Office of National Statistics state that on average five people a year die after inhaling nitrous oxide and it caused 25 fatalities between 2010 and 2016,. (Reference: <https://www.theguardian.com/society/nitrous-oxide-laughing-gas>, 21st May 2019)

The drug is now the third most used among 16 to 24-year-olds in England and both the police and public have repeatedly reported links between use of the drug and nuisance or anti-social behaviour. (Reference: <https://www.gov.uk/government/news/action-plan-to-crack-down-on-anti-social-behaviour> )

The sale of nitrous oxide for recreational purposes undermines all of the licensing objectives.

I reserve the right to provide further information to support this representation.

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

Duly Authorised: Charlotte Palmer, Senior Licensing Enforcement Officer

Contact: [REDACTED]

Signed: CPalmer

Date: 22/06/2023