

MUNICIPAL YEAR 2011/12 REPORT NO.

COMMITTEE :
Licensing Sub-Committee
9 November 2011

REPORT OF :
Principal Licensing Officer

LEGISLATION :
Licensing Act 2003

Agenda - Part	Item
SUBJECT :	Application for a new premises licence
PREMISES :	Silver Street Coffee Bar 69 Silver Street, Edmonton N9
WARD :	Haselbury

1 LICENSING HISTORY & CURRENT POSITION :

Sultan Minimarket (licence no. LN/200500349)

- 1.1 On 23 June 2005 an application by Ms Sultan Akyol to convert an existing Justices Off Licence to a Premises Licence, which was not subject to any representations, was granted by officers in accordance with delegated powers.
- 1.2 On 23 March 2006 an application by Mr Sinan Akyol for transfer of the Premises Licence, which was not subject to any representations, was granted by officers in accordance with delegated powers.
- 1.3 On 4 June 2008 an application by **Lloyds Supermarket Ltd** for transfer of the Premises Licence, which was not subject to any representations, was granted by officers in accordance with delegated powers.
- 1.4 On 12 August 2008 application was made by the **Trading Standards Service** for a review of the Premises Licence on the grounds of the protection of children from harm. On 24 May 2008 Mr Sinan Akyol had sold alcohol to a fifteen year old. Trading Standards considered that it was necessary, for the promotion of the licensing objectives, to modify the conditions of the Premises Licence. Lloyds Supermarket Ltd agreed to the modified conditions and the duly amended licence was issued on 30 September 2008.
- 1.5 The current Premises Licence permits :
 - 1.5.1 **Hours the premises are open to the public** : Sunday to Monday from 00:00 to 00:00 (i.e. 24-hours a day, 7-days a week).
 - 1.5.2 **Supply of alcohol (off supplies only)** : Sunday from 10:00 to 22:30, on Monday to Saturday from 08:00 to 23:00, on Good Friday from 08:00 to 22:30, on Christmas Day from 12:00 to 15:00 & from 19:00 to 22:30.
- 1.6 The Designated Premises Supervisor, on the licence, was **Ms Sultan Akyol** between 23 June 2005 and 3 June 2008. Since 4 June 2008 the Designated Premises Supervisor has been, and remains, **Mr Sinan Akyol**.
- 1.7 A copy of the current Premises Licence is attached as Annex 01.

Yasipinar Sandwich Bar (licence refused)

- 1.8 On 11 February 2011 application is made by **Mr Huseyin Akyol** for a new Premises Licence. The application sought :
- 1.8.1 **Hours the premises are open to the public** : Sunday to Monday from 11:00 to 20:00.
- 1.8.2 **Supply of alcohol (on supplies only)** : Sunday to Monday from 11:00 to 18:00.
- 1.9 The application was subject to representations from the Metropolitan Police Service, the Trading Standards Service, the Planning Service, a Ward Councillor and an Interested Party. On 19 April 2011 the application was refused by the Licensing Sub-Committee. The following statement was made by the Chairman : "The Licensing Sub-Committee has diligently considered all the written evidence and has listened attentively to the admissible contributions during the hearing. The only course of action the Sub Committee has been able to take is to refuse the application from Mr Huseyin Akyol. The applicant has not been able to demonstrate to the Sub Committee sufficient evidence that he intends to run his business as a sandwich bar rather than a social club. The representations from both the Metropolitan Police Service and Trading Standards were compelling, not least because neither party on their respective visits, witnessed activities in any way consistent with the principal activity of selling sandwiches. The Sub Committee was also influenced by the evidence contained in the submission by Trading Standards with regard to more than one incidence of selling alcohol to under-age purchasers and also the seizure of alcohol on which duty had not been paid. This was linked to the importance of protecting children from harm and preventing crime and disorder. Trading Standards and the Metropolitan Police Service both cast severe doubt on whether the premises would be genuinely run as a sandwich bar, and the Sub Committee was persuaded to agree to their objections to any licence being granted. The Sub Committee was further persuaded by the representations from PC Fisher of the Metropolitan Police Service that the venue could be concerned in criminal activities through which the licensing objective of prevention of crime and disorder would not be promoted by the granting of a licence under this application."
- 1.10 A copy of a location map of the premises is attached as Annex 02.

2 THIS APPLICATION :

- 2.1 Application is made by **Mr Huseyin Akyol** for a new Premises Licence. The application seeks :
- 2.1.1 **Hours the premises are open to the public** : Sunday to Saturday from 11:00 to 21:00.
- 2.1.2 **Supply of alcohol (on supplies only)** : Sunday to Saturday from 11:00 to 20:30.
- 2.2 The application was advertised in accordance with the requirements of the Licensing Act 2003.
- 2.3 Each of the Responsible Authorities were consulted in respect of the application.
- 2.4 A copy of the application is attached as Annex 03.

3 RELEVANT REPRESENTATIONS :

3.1 **Metropolitan Police** : Representation is made on the grounds of the prevention of crime and disorder and the prevention of public nuisance. The responsible authority considers that it is necessary, for the promotion of the licensing objectives to refuse the application. Should any new licence be granted, the authority considers that licensed hours should be reduced and licence conditions should be imposed.

3.1.1 A copy of the representation is attached as Annex 04.

3.2 **Trading Standards** : Representation is made on the grounds of the protection of children from harm, the prevention of crime and disorder and the prevention of public nuisance. The responsible authority considers that it is necessary, for the promotion of the licensing objectives to refuse the application. Should any new licence be granted, the authority considers that licensed hours should be reduced and licence conditions should be imposed.

3.2.1 A copy of the representation is attached as Annex 05.

4 PROPOSED LICENCE CONDITIONS :

4.1 The conditions arising from this application are attached as Annex 06.

4.2 Condition nos. 1 to 5 are not disputed. However the Responsible Authorities have requested that condition nos. **6 to 18** be attached to any new Premises Licence that may be granted. To date, those requested conditions have not been agreed by the applicant.

5 RELEVANT LAW, GUIDANCE & POLICIES :

5.1 The paragraphs below are extracted from either :

5.1.1 Licensing Act 2003 ('Act'); or

5.1.2 Guidance issued by the Secretary of State for Culture, Media and Sport of March 2010 ('Guid'); or

5.1.3 London Borough of Enfield's Licensing Policy Statement of January 2010 ('Pol').

General Principles :

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

5.3 The licensing objectives are :

5.3.1 the prevention of crime and disorder;

5.3.2 public safety;

5.3.3 the prevention of public nuisance; &

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

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

5.4.1 the Council's licensing policy statement; &

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

- 5.5 The commercial demand for licensed premises is not a matter that may be considered by the Sub-Committee in discharging its licensing functions [Pol s.14.1].
- 5.6 The Sub-Committee may not have regard to whether or not a proposal is likely to be permitted in accordance with the law relating to planning or building [Pol s.17.1].

Hours :

- 5.7 There is no general presumption in favour of lengthening licensing hours and the licensing objectives should be paramount consideration at all times. Where there are objections to an application and the Sub-Committee believes that changing the licensing hours would undermine the licensing objectives, they may reject the application or grant it with appropriate conditions and/or different hours from those requested [Guid s.10.20]
- 5.8 Stricter 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, having regard to the location, size and nature of the premises, it is likely that disturbance will be caused to residents in the vicinity of the premises by concentrations of people leaving, particularly during normal night-time sleeping periods [Pol s.8.4].

Conditions :

- 5.9 The Sub-Committee should only impose conditions on a licence or certificate which are necessary and proportionate for the promotion of the licensing objectives [Guid s.1.16].
- 5.10 Each application must be considered on its own merits and any conditions attached to licences and certificates must be tailored to the individual style and characteristics of the premises and events concerned [Guid s.1.15].

Decision :

- 5.11 The Sub-Committee should seek to focus the hearing on the steps needed to promote the particular licensing objective which has given rise to the specific representation and avoid straying into undisputed areas [Guid s.9.24].
- 5.12 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the Sub-Committee must give appropriate weight to :
- 5.12.1 the steps that are necessary to promote the licensing objectives;
 - 5.12.2 the representations (including supporting information) presented by all the parties;
 - 5.12.3 this Guidance;
 - 5.12.4 the Council's own licensing policy statement [Guid s.9.25].

- 5.13 Having heard all of the representations (from all parties) the Sub-Committee must take such steps as it considers necessary for the promotion of the licensing objectives. The steps are :
- 5.13.1 to grant the application subject to the mandatory conditions and such conditions as it considers necessary for the promotion of the licensing objectives;
 - 5.13.2 to exclude from the scope of the licence any of the licensable activities to which the application relates;
 - 5.13.3 to refuse to specify a person in the licence as the premises supervisor;
 - 5.13.4 to reject the application [Act s.18].

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

Contact Officer :
Mark Galvayne on 020 8379 4743

Licensing Act 2003
PART A – PREMISES LICENCE

Granted by the London Borough of Enfield as Licensing Authority

 Premises Licence Number : **LN/200500349**
Part 1 – Premises Details

Postal address of premises :

 Premises name : **Sultan Minimarket**

 Telephone number : **0208 884 3686.**

 Address : **69 Silver Street London N18 1RP**

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

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

(1)	Open to the Public - Whole Premises
	Sunday : 00:00 - 00:00
	Monday : 00:00 - 00:00
	Tuesday : 00:00 - 00:00
	Wednesday : 00:00 - 00:00
	Thursday : 00:00 - 00:00
	Friday : 00:00 - 00:00
	Saturday : 00:00 - 00:00

(2)	Supply of Alcohol - Off Supplies
	Sunday : 10:00 - 22:30
	Monday : 08:00 - 23:00
	Tuesday : 08:00 - 23:00
	Wednesday : 08:00 - 23:00
	Thursday : 08:00 - 23:00
	Friday : 08:00 - 23:00
	Saturday : 08:00 - 23:00
	Good Friday : 08:00 - 22:30
	Christmas Day : 12:00 - 15:00 & 19:00 - 22:30

Part 2

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

Name : Lloyds Supermarket Ltd

Telephone number : 020 8884 3686

e-mail : Not provided

Address : Lloyds Supermarket Ltd, 69 Silver Street, London, N18 1RP

Registered number of holder (where applicable) :

6344995

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 Sinan Akyol

Telephone number : 07950 983192

e-mail : Not provided

Address : 3 Inverness Road, London, N18 2EE

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/200600137

Issuing Authority : London Borough of Enfield

Premises Licence LN/200500349 was first granted on 23 June 2005.

Signed : 

Date : 26th May 2011

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.**

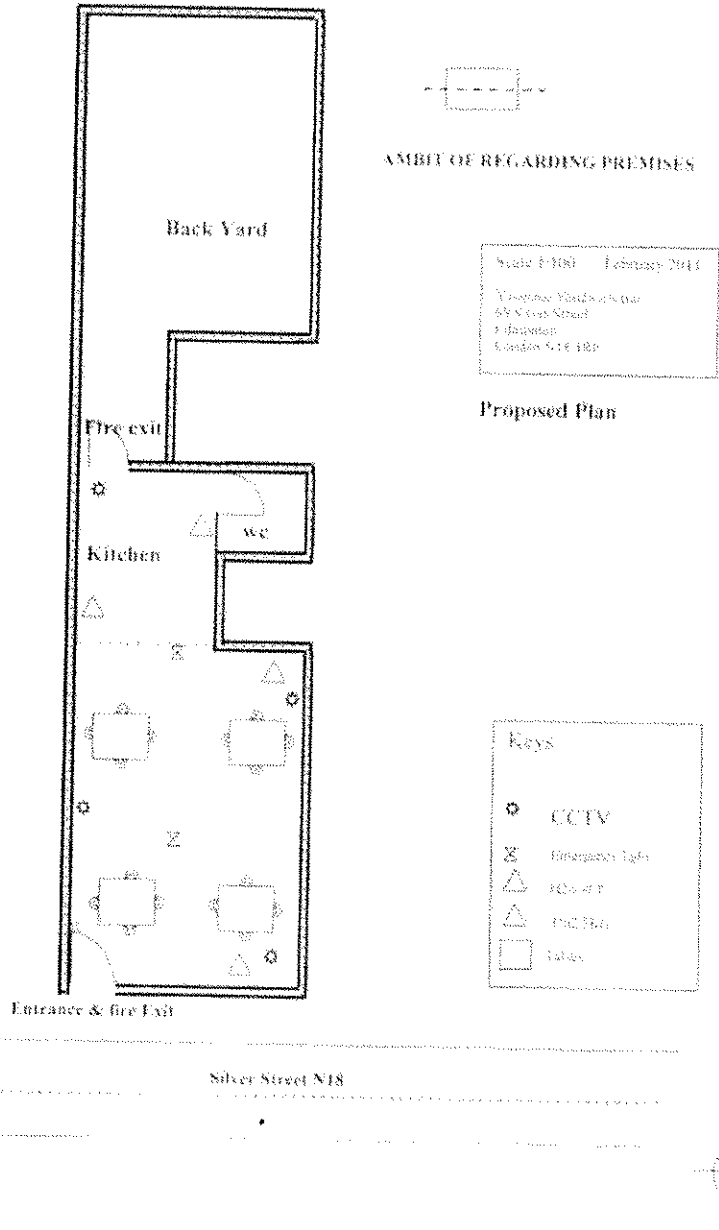
Annex 2 - Conditions consistent with the Operating Schedule

- 3. Alcohol shall not be sold in an open container or be consumed in the licensed premises.**

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

- 4. The premises must operate the Local Authority or similar proof of age scheme and display the relevant material. Only passport, photographic driving licences and ID with the P.A.S.S. logo (Proof of Age Standards Scheme) may be accepted.**
- 5. 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.**
- 6. All staff must receive induction and refresher training, relating to the sale of alcohol.**
- 7. All training must be documented and records kept. This record must be made available to the Police and/or Local Authority upon request.**
- 8. Children under 14 years, not accompanied by an adult, are not permitted to remain at or enter the premises after 21:00.**

Annex 4 – Plans

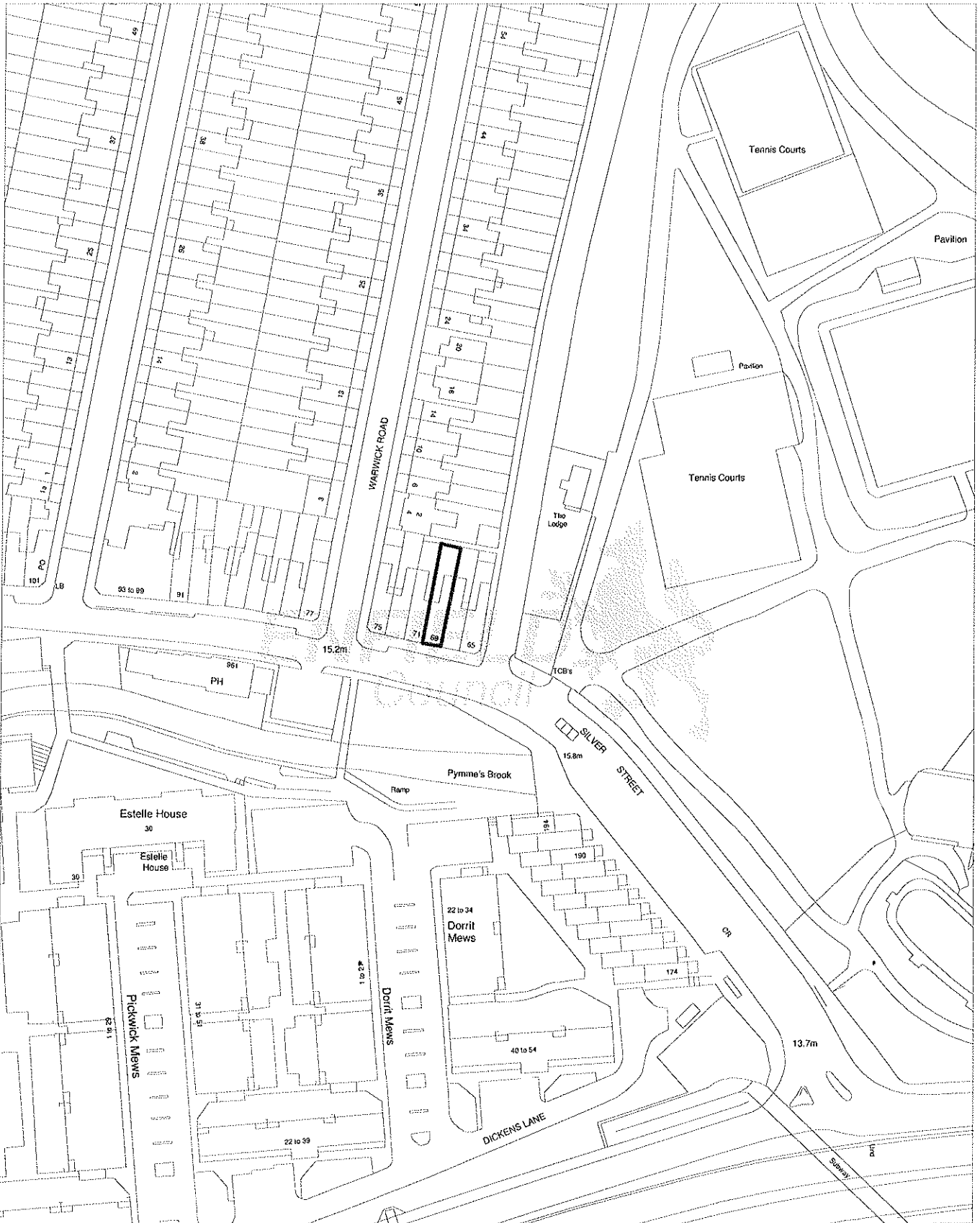


11 11

AMN 02

Address:

Silver Street Coffee Bar, 69 Silver Street, London, N18 1RP



LONDON BOROUGH OF ENFIELD
GIS TEAM, B BLOCK SOUTH
ENVIRONMENT DEPARTMENT
CIVIC CENTRE, SILVER STREET
ENFIELD, EN1 3XA
TEL: 020 8379 1000
www.enfield.gov.uk



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Date 25/10/2011

Chp 01994

WR 1211061876

**Application for a 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 HUSEYIN AKYOL

(Insert name(s) of applicant)

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

Part 1 – Premises Details

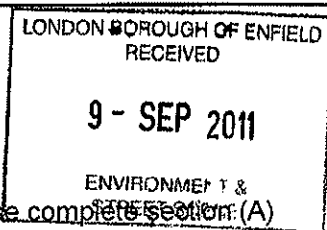
Postal address of premises or, if none, ordnance survey map reference or description SILVER STREET COFFEE BAR 69 SILVER STREET EDMONTON			
Post town	LONDON	Post code	N18 1RP

Telephone number at premises (if any)	07861 782825
Non-domestic rateable value of premises	£5800

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- 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 or please complete section (B)
 - 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) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital 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 <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname AKYOL			First names HUSEYIN		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address		<i>69a Silver Street Edmonton</i>			
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	

Please give a general description of the premises (please read guidance note1)

A PROPOSED SANDWICH BAR SITUATED ON THE MAIN HIGH ROAD WITH PERMANENT POSITION. PLEASE NOTE THAT THE PREMISES IS CURRENTLY TRADING AS A LLOYDS OFF LICENCE AND BENEFITING FROM OFF LICENCE PREMISES LICENCE

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

0

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	11:00	20:30			
Tue	11:00	20:30			
Wed	11:00	20:30			
Thur	11:00	20:30			
Fri	11:00	20:30			
Sat	11:00	20:30			
Sun	11:00	20:30	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

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

Name MR HUSEYIN AKYOL	
Address 69A SILVER STREET EDMONTON LONDON	
Postcode	N18 1RP
Personal Licence number (if known) LN/2009000123	
Issuing licensing authority (if known) LONDON BOROUGH OF ENFIELD	

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)
 NONE

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) NONE
Day	Start	Finish	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Mon	11:00	21:00	
Tue	11:00	21:00	
Wed	11:00	21:00	
Thur	11:00	21:00	
Fri	11:00	21:00	
Sat	11:00	21:00	
Sun	11:00	21:00	

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

The standard practices listed below will be maintained at all times. All reasonable steps will be taken to ensure that the premises will have a positive impact upon the local environment and its residents at all times.

b) The prevention of crime and disorder

- 1- Premises will have 4 CCTV recording on HD for 24 hours from both inside and outside to monitor customers' behaviours, which records will be kept for a minimum of 31 days
- 2- There will be Alarm system connected to police for rapid response in situations of disorder which may be endangers the customers and staff on the premises
- 3- at least 2 members of staff will be on the shop floor between opening and closing hours.
- 4- At no time during the permitted hours more than 16 customers are allowed to seat on the premises at any one time.

c) Public safety

- 1- There are two fire exits on the premises, four fire extinguishers, emergency fire points and fire safety signs showing the way out in case of an emergency
- 2- There is access and exist for disabled people this enable their safe evacuation in the event of an emergency.
- 3- There is a First Aid Kit
- 4- Premises comply with relevant planning and building regulation consents
- 5-All appliances will be checked annually and will comply with relevant British Standards
- 6-All fire escapes/escape routes will be clearly marked and kept free from obstructions at all times.

d) The prevention of public nuisance

- 1- Due to the nature of the business no music or loud noise will be an issue.
- 2- No alcohol allowed to be taken out of the premises or consumed around the premises
- 3- As a policy we strictly apply rules relating to the sale of alcohol to prevent nuisance
- 4- There will be members of staff monitoring the entrance of premises making sure that the late leaving customers do so quietly.
- 5- Clear and readable notices will be displayed to remind customers to leave quietly.

e) The protection of children from harm

- 1- To prevent any attraction that may be an issue to children we have allocated an area on the premises.
- 2 - only children accompanied by their parents will be allowed sit and have sandwich.
- 3 - Strictly no children are allowed on the premises without accompanied by a adult family member.

Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- 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 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	<i>[Handwritten Signature]</i>
Date	8/9/2011
Capacity	OWNER

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). 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 13)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			



Working together for a safer London

POLICE REPRESENTATION

Name and address of premises: Silver Street Coffee Bar
69 Silver Street
Edmonton
N18 1RP

Type of Application: New Premises

In summary I wish to make representation on the following:

- Prevention of crime and disorder
- Prevention of Public Nuisance

I have considered the application as shown above and wish to make representations that the likely effect of the granting of this application would be detrimental to the above licensing objectives for the following reasons:

History

This is a new Premises Licence application to allow 'On' sales of alcohol between 11:00 hours and 20:30 hours, Monday – Sunday and to open 11:00 hours – 21:00 hours everyday.

The premises is already licensed and currently trades as an off licence with 'off' sales of alcohol between 08:00 hours – 23:00 hours Monday – Saturday and 10:00 hours – 22:30 hours Sunday. This licence has not been surrendered. The licence is held by 'Lloyds Supermarket Ltd' the Director of which is still Mr Huseyin Akyol. Mr Akyol is the applicant for the new licence.

An identical application was submitted in February 2011 and was refused by the Licensing Committee.

I have researched all Police intelligence and crime systems for incidents of crime & disorder over the last year, apart from data relating to the previous application for this venue to be turned into a sandwich bar, there have been no reports of a criminal nature.

Prevention of Public Nuisance

The premises are located on a commercial stretch of Silver Street in Edmonton with residential flats above many of them. There are several licensed premises in the vicinity including:

- Traditional Turkish Sandwich Bar (alcohol - latest 22:30)
- KDM Trading Ltd T/A Harnas (alcohol – latest 23:00)
- Kazafana Foods Ltd (alcohol - 00:00)
- Master Kebab (LNR – latest 00:00)
- Oz International Supermarket (alcohol – latest 00:00)
- Shipwreck Caribbean and English Restaurant (alcohol – latest 22:30)
- The Bull Public House (alcohol, live music, facilities for dancing – latest 01:00, recorded music, LNR – latest 01:30) (variation to add facilities for making music – pending)

Residents

The premises are situated in a commercial parade however there are residential premises above some of the shops as well as in nearby side streets and opposite the premises.

CCTV

CCTV is an essential ingredient in deterring crime and gathering evidence if crime is committed. Although CCTV is discussed in the operating schedule, insufficient detail has been provided to ensure its quality and integrity. Police therefore request the following condition is applied to the premises licence to ensure quality performance.

Alarm

An alarm system is installed at the premises; however there is no detailed information of it in the application. This is another important crime prevention tool. The security of both staff and stock must be addressed.

Visits/Information

On Monday 19th September 2011 I visited the shop and spoke to Mr Huseyin Akyol regarding the recent application for a new premises licence.

The shop is currently being used as an off-licence and Mr Akyol stated that the new application was intended for the property to be used as a coffee shop. I pointed out to him that on page 4 of his application he had stated that the proposal was for it to be a sandwich bar.

It then became evident that this application was exactly the same as the previous application form apart from a name change to the proposed new shop.

I explained that I felt that nothing had changed from the previous application and that the venue would be nothing more than a social club and that as a coffee/sandwich bar, there was no need for alcohol to be part of the process and that as such, I would be objecting to the application.

I feel that if this application were to be granted, the premises would be run for all intents and purposes as a social club, the applicant, Mr Akyol, has not said anything to contradict this assumption. There is already a sandwich/coffee bar

further along the parade at 107 Silver Street that attracts groups of males to the area. If this shop were to be operated likewise, I feel that the potential for Crime & Disorder issues would magnify as a result and also cause public nuisance issues with groups of males smoking and talking on the pavement to the detriment of passers by!

This being the case, I wish to objection to any licence being granted for this premises.

However, If this application were granted in full or part, I recommend that the alcohol hours cease at 18:00 hours and the premises close no later than 18:30 hours. I would also recommend the following alterations be made to the licence conditions as set out below, to further promote the licensing objectives.

*** PLEASE REFER TO ANNEX 06 ***

Officer: Martyn Fisher PC 357YE

Tel: 0208 379 6112

Martyn.Fisher@Enfield.Gov.uk

Date: 4th October 2011

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: Silver Street Coffee Bar
69 Silver Street
London
N18 1RP

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 Premises Licence application to allow 'on' sales of alcohol 11:00 – 20:30 Monday – Sunday and to open 11:00 – 21:00 everyday.

The premises is already licensed and currently trades as an off licence with 'off' sales of alcohol 08:00 – 23:00 Monday – Saturday and 10:00 – 22:30 Sunday. This licence has not been surrendered; however as advised in the last trading standards representation the licence should not be being used as the plan no longer reflects the layout of the premises. The licence is held by 'Lloyds Supermarket Ltd' the Director of which is still Huseyin Akyol. Huseyin Akyol is the applicant for the new licence. Therefore the history of Sultan / Lloyds Supermarket could be seen to reflect the way in which this business would be operated.

An identical application was submitted in February 2011 and was refused by the Licensing Committee – see Appendix 1 for Decision Notice and Appendix 2 for Trading Standards Representation.

Listed below is the history of the premises since the last licence application was responded to:

Friday 18/03/11 – 20:05 - Following a complaint (alleged that illegal gambling takes place at the premises and that it is also selling illegal cigarettes), Licensing Enforcement Officers (TH & EVG) visited the premises and spoke to Sinan Akyol (DPS to be) - nephew of Huseyin Akyol. Advised of complaint. Premises appeared to trading as a social club and sandwich bar. Sandwiches were seen in a counter and there were seven customers on the premises, sat around a table eating, playing cards (no money seen) and drinking (not alcohol). Mostly older crowd (50+). Left 20.15.

Thursday 29/09/11 - 13:30 - Licensing Enforcement Officer (CPX) visited the premises to discuss the licence application. During the conversation the applicant said that they wanted to allow customers to sit in the premises and eat sandwiches there and to be able to have alcoholic drinks with their sandwiches. It does therefore seem to be his intention to run the premises as a café. The officer explained that was not permitted under their current planning permission. The officer also advised the licence holder that if the application was refused and the premises continued to trade as an off licence then he would need to submit a minor variation to amend the plans as they currently show the premises with a café layout. A full licence inspection of the current licence was carried out and the following issues were discovered: Part A of the licence was on display instead of Part B, breach of Condition 4: no proof of age material was displayed – a poster was given to the licence holder who displayed it during the visit, breach of Condition 5: no refusals book was available – book given, and breach of condition 7: no training records were available – book given.

Prevention of Nuisance:

The premises is located on a commercial stretch of Silver Street in Edmonton. There are several licensed premises in the vicinity including:

- Traditional Turkish Sandwich Bar (alcohol - latest 22:30)
- KDM Trading Ltd T/A Harnas (alcohol – latest 23:00)
- Kazafana Foods Ltd (alcohol - 00:00)
- Master Kebab (LNR – latest 00:00)
- Oz International Supermarket (alcohol – latest 00:00)
- Shipwreck Caribbean and English Restaurant (alcohol – latest 22:30)
- The Bull Public House (alcohol, live music, facilities for dancing – latest 01:00, recorded music, LNR – latest 01:30) (variation to add facilities for making music – pending)

Residents:

The premises is situated in a commercial parade however there are residential premises above some of the shops as well as in nearby side streets and opposite the premises.

Planning:

The ground floor of this premises was granted permission to trade as a sandwich bar (A1 - LDC/11/0079) on 10/05/2011. This means that the premises can trade selling cold food for consumption off the premises (i.e. sandwiches). The supporting information submitted with this licence application (plan & opening hours) do not appear to be consistent with a sandwich bar: the layout shows tables and chairs which would be more akin to a cafe that would require further planning permission and the application is for 'on sales' only. It is also not usual for sandwich bar to remain open until 21:00. Discussions with the licence holder confirmed that is their intention to run the premises as a café.

A planning application to allow the premises to be used as a social club was refused in 2010. Activities associated with social clubs must not take place at the premises.

In summary I wish to make representation regarding the following Licensing Objectives:

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

Judging by the history of the premises and the information in the application it appears that the applicant intends to run the premises as a café or a social club rather than a sandwich bar.

I object to any licence being granted.

If the Licensing Committee are minded to grant a licence I recommend that the alcohol hours be no later than 18:00 with and that the premises close no later than 18:30. If this application were granted in full or part, I would also recommend the following conditions be attached to the licence to promote the licensing objectives. These conditions are in addition / in place of the proposed conditions in Annex 2 as indicated.

*** PLEASE REFER TO ANNEX 06 ***

Please ensure that any posters that are displayed in Turkish are accompanied by an English interpretation.

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

If these conditions and amended times were accepted in full I WOULD NOT withdraw my representation.

Officer: Charlotte Palmer

Email: charlotte.palmer@enfield.gov.uk

Signature:



Date:

29/09/11

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

Signed:



Date: 29/09/2011

APPENDIX 1

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



LICENSING SUB-COMMITTEE – 19 APRIL 2011

Application was made by **MR HUSEYIN AKYOL** for the premises known as and situated at **YASIPINAR SANDWICH BAR, 69 SILVER STREET, EDMONTON N18** for a new Premises Licence.

The Licensing Sub-Committee **RESOLVED** that the application be **REFUSED**.

Reasons:

The Chairman made the following statement :

"The Licensing Sub-Committee has diligently considered all the written evidence and has listened attentively to the admissible contributions during the hearing.

The only course of action the Sub Committee has been able to take is to refuse the application from Mr Huseyin Akyol. The applicant has not been able to demonstrate to the Sub Committee sufficient evidence that he intends to run his business as a sandwich bar rather than a social club.

The representations from both the Metropolitan Police Service and Trading Standards were compelling, not least because neither party on their respective visits, witnessed activities in any way consistent with the principal activity of selling sandwiches.

The Sub Committee was also influenced by the evidence contained in the submission by Trading Standards with regard to more than one incident of selling alcohol to under-age purchasers and also the seizure of alcohol on which duty had not been paid. This was linked to the importance of protecting children from harm and preventing crime and disorder.

Trading Standards and the Metropolitan Police Service both cast severe doubt on whether the premises would be genuinely run as a sandwich bar, and the Sub Committee was persuaded to agree to their objections to any licence being granted.

The Sub Committee was further persuaded by the representations from PC Fisher of the Metropolitan Police Service that the venue could be concerned in criminal activities through which the licensing objective of prevention of crime and disorder would not be promoted by the granting of a licence under this application."

APPENDIX 2

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 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: Yasipinar Sandwich Bar
69 Silver Street
London
N18 1RP

Worksheet number: WK/210125160

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 Premises Licence application to allow 'on' sales of alcohol 11:00 – 20:30 Monday – Sunday and to open 11:00 – 21:00 everyday.

The premises was previously run as an off licence called Lloyds Supermarket with a licence for 'off' sales of alcohol 08:00 – 23:00 Monday – Saturday and 10:00 – 22:30 Sunday. This licence has not been surrendered; however it can not be used as the plan no longer reflects the layout of the premises. The licence is held by 'Lloyds Supermarket Ltd' the Director of which is Huseyin Akyol (See appendix 1 – Experian Report). Huseyin Akyol is the applicant for the new licence. Therefore the history of Lloyds Supermarket could be seen to reflect the way in which this business would be operated.

Council records show that Trading Standards reviewed the premises licence following a failed under age test purchase in 2008. This review application details the history of the premises prior to the sale (see Appendix 2).

Listed below is the history of the premises since the licence was last reviewed:

24/01/09 – Trading Standards carried out an age related test purchase of alcohol - the sale was refused.

16/04/09 – Licence inspection carried out. No entries in refusals book but three books available at premises. Staff had thought they had to get the name and address of the refused young person in order to complete the book. Advised to keep personal licence certificates for both staff on the premises. Suggested they display a notice about no children after 9pm.

Property Index number: «UKEY»

30/07/09 – Premises visited as part of a joint council and police operation. Full licence compliance inspection carried out with Designated Premises Supervisor (DPS) Mr Sinan Akyol. Breach - Condition 7 - training not documented. Advice given along with off licence training handbook in English and Turkish and training record book. Given 14 days to comply. Checked premises to assess whether any illegal or counterfeit spirits were being sold at the premises. Identified 3 x 20cl Glens vodka that did not carry a duty stamp, 3 x 70cl of Tolstoy Imperial Spirit drink 30% volume and 1 x Special Dry London Gin that stated 'bottled for co op'. Officers voluntarily seized the products under the Trade Marks Act 1984. Requested the owner provide documentation to prove that the alcohol had been legitimately purchased - Mr Sinan Akyol failed to produce any receipts or invoices at the time. Mr Sinan Akyol signed the notice and a copy was left with him on site.

03/08/09 - Checked the authenticity of the seized alcohol - Glens and the Tolstoy appeared to conform to the requirements. Contacted the Co-op who advised that the product was genuine but was only for sale in Co-op outlets. Letter sent to owner advising that goods were available for collection on production of receipt, except for the Gin.

10/08/09 - Mr Sinan Akyol provided a receipt and collected the alcohol.

07/11/09 - Checked for Counterfeit Vodka - none found

13/02/11 – Members enquiry sent to Environmental Crime Team in relation to building material at the rear of the premises. Raised concern as to why a sandwich shop needed to open in the evening. Also made reference to gambling (this issue was not past to the Licensing Enforcement Team at the time and was only picked up when looking at the premises history in order to write this representation – investigation to be carried out.)

25/02/11 – 19:45 – Out of Hours Licensing Enforcement Officers (CT & AA) carried out observations parked outside the front of the premises. Lights on in premises. Sign above door states Lloyds off licence. Steady stream of traffic. Residential flats above parade of shops. Premises appears to be a social club. Five males sitting at a table playing a game - unable to see what. One male sitting at another table. Drinking what appeared to be Turkish type tea in glass cup. 19:55 Male seen putting chairs up on tables. Three males left premises. Traffic heavier and very noisy as it is a bus route. Twelve people walked past in ten minute period. Area fairly noisy from traffic. Flats opposite over 100 feet away. 20:00 all chairs on table and premises ready to close. No alcohol visible from officers position. Another eight people passed by in another five minutes. General area at closing time fairly busy with people and traffic.

01/03/11 – Complaint received about premises. Complainant alleged that illegal gambling takes place at the premises and that it is also selling illegal cigarettes. Also complained about shouting coming from premises.

Prevention of Nuisance:

The premises is located on a commercial stretch of Silver Street in Edmonton. There are several licensed premises in the vicinity including:

- Traditional Turkish Sandwich Bar (alcohol - latest 22:30)
- KDM Trading Ltd T/A Harnas (alcohol – latest 23:00)
- Kazafana Foods Ltd (alcohol - 00:00)
- Master Kebab (LNR – latest 00:00)

Property Index number: «UKEY»

- Oz International Supermarket (alcohol – latest 00:00)
- Shipwreck Caribbean and English Restaurant (alcohol – latest 22:30)
- The Bull Public House (alcohol, live music, facilities for dancing – latest 01:00, recorded music, LNR – latest 01:30) (variation to add facilities for making music – pending)

Residents:

The premises is situated in a commercial area however there are residential premises above some of the shops as well as in nearby side streets and opposite the premises.

In summary I wish to make representation regarding the following Licensing Objectives:

- Protection of Children from Harm
- Prevention of public nuisance

Judging by the officers' observations and considering the history of problems at Lloyds Supermarket, I do not believe that this premises will be effectively managed, nor do I believe that the premises will genuinely be run as a sandwich shop. I therefore object to any licence being granted.

If the Licensing Committee are minded to grant a licence I recommend that the alcohol hours be no later than 18:00. If this application were granted in full or part, I would also recommend the following conditions be attached to the licence to promote the licensing objectives. These conditions are in addition / in place of the proposed conditions in Annex 2 as indicated.


*** REMOVED ***

Please ensure that any posters that are displayed in Turkish are accompanied by an English interpretation.

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

Officer: Charlotte Palmer

Email: charlotte.palmer@enfield.gov.uk

Signature: 

Date: 10/03/11

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

Signed: 

Date: 10/03/2011

SILVER STREET COFFEE BAR - WK/211061876**CONDITIONS OFFERED BY THE APPLICANT :****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. 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.
5. Children shall only be admitted to the premises if accompanied by an adult.

REQUESTED BY METROPOLITAN POLICE SERVICE :

6. 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 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 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) 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 or authorised local authority employees on request.

7. A monitored alarm system to EU 50131 must be installed at the premises.

REQUESTED BY TRADING STANDARDS SERVICE :

8. At least two members of staff, one of whom must be a personal licence holder, shall be on the shop floor at all times during the opening hours of the shop.
9. There shall be no more than 16 customers inside the premises at any one time.
10. All staff involved in the sale of alcohol 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.
11. All training shall be documented and records kept for a minimum of two years. These records must be made available to the Police and/or Local Authority upon request.
12. 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.
13. 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.
14. Clear glass on all windows shall be fitted to allow clear sight into the premises when open.
15. Curtains or other forms of window coverings shall not be used to block sight access into the premises when open.
16. Customers shall not be permitted to play games on the premises i.e. cards, dominoes, board games.
17. There shall be no pool tables or gaming machines located on the premises.
18. Until such time as the premises be granted planning permission to be used as a café, no tables and chairs shall be provided in the customers' area.

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