

MUNICIPAL YEAR 2013/14 REPORT NO.

COMMITTEE :
Licensing Sub-Committee
19 February 2014

REPORT OF :
Principal Licensing Officer

LEGISLATION :
Licensing Act 2003

Agenda - Part	Item
SUBJECT : Application to review a premises licence	
PREMISES : Deniz Off Licence 269 Fore Street, Edmonton N18	
WARD : Edmonton Green	

1 **LICENSING HISTORY & CURRENT POSITION :**

- 1.1 On 21 June 2005 an application by **Mr Cengiz Koca** 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 25 May 2010 an application by the Trading Standards responsible authority to review the licence on the grounds of the protection of children from harm (based on the sale of alcohol to an under-age person on 17 December 2009) was considered by the Licensing Sub-Committee. The Sub-Committee resolved that it was necessary to modify the conditions of the licence in accordance with the agreement reached between Trading Standards and **Mr Cengiz Koca**.
- 1.3 On 22 March 2013 an application by **Mr Cengiz Koca** for a minor variation of the Premises Licence (so as to attach additional conditions to the licence), which was not subject to any representations, was granted by officers in accordance with delegated powers
- 1.4 The current Premises Licence permits :
 - 1.4.1 **Hours the premises are open to the public** : Sunday to Saturday from 00:00 to 00:00 (i.e. 24-hours a day, 7-days a week).
 - 1.4.2 **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 and on Christmas Day from 12:00 to 15:00 and from 19:00 to 22:30.
- 1.5 A copy of a location map of the premises is attached as Annex 01.
- 1.6 A copy of the current Premises Licence is attached as Annex 02.

2 **THIS APPLICATION** :

- 2.1 On 10 December 2013 application was made by the Licensing Authority for a review of the Premises Licence.
- 2.2 The review is made on the grounds of the prevention of crime & disorder and the protection of children from harm. The authority considers that it is appropriate, for the promotion of the licensing objectives, to revoke the licence.
- 2.3 The application was advertised in accordance with the requirements of the Licensing Act 2003.
- 2.4 Each of the Responsible Authorities were consulted in respect of the application.
- 2.5 A copy of the application is attached as Annex 03.

3 **RELEVANT REPRESENTATION** :

- 3.1 **Metropolitan Police** : Representation is made, in support of the application, on the grounds of the prevention of crime & disorder and the protection of children from harm. The authority considers that it is appropriate, for the promotion of the licensing objectives, to revoke the licence.
- 3.1.1 Copies of the representation and additional information are attached as Annex 04.

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

- 4.1 The paragraphs below are extracted from either :
 - 4.1.1 the Licensing Act 2003 ('Act'); or
 - 4.1.2 the Guidance issued by the Secretary of State to the Home Office of October 2012 ('Guid'); or
 - 4.1.3 the London Borough of Enfield's Licensing Policy Statement of April 2012 ('Pol').

General Principles :

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

Review :

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

Decision :

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

Background Papers :

None other than any identified within the report.

Contact Officer :

Mark Galvayne on 020 8379 4743



Deniz Off Licence, 269 Fore Street, LONDON, N18 2TY.

LONDON BOROUGH OF ENFIELD
CIVIC CENTRE, SILVER STREET
ENFIELD, EN1 3XE
TEL: 020 8379 1000



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Scale: 1:1250

Dwg.No. 6600AH

Date: 15/01/14

Licensing Act 2003

PART A – PREMISES LICENCE

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number : LN/200500373

Part 1 – Premises Details

Postal address of premises :

Premises name : Tiger Store Ltd t/aDeniz Off Licence

Telephone number : 020 8807 7402

Address : 269 Fore Street LONDON N18 2TY

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

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

(1) Open to the Public - Whole Premises

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

(2) Supply of Alcohol - Off Supplies

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

Part 2

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

Name : Mr Cengiz Koca

Telephone number : 020 8807 7402

e-mail : Not provided

Address : First Floor Flat, 269 Fore Street, LONDON, N18 2TY

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 Cengiz Koca

Telephone number : 07983 444320

e-mail : Not provided

Address : First Floor Flat, 269 Fore Street, LONDON, N18 2TY

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/200501523

Issuing Authority : London Borough of Enfield

Premises Licence LN/200500373 was first granted on 21 June 2005.

Signed : 

Date : 22nd March 2013

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.**
- 4. 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.**
- 5. A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.**
- 6. 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 taken off the premises and consumed in the street. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.**
- 7. Prominent, clear and legible notices shall be displayed at the exit from the premises requesting customers respect the needs of local residents and leave the premises area quietly. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.**
- 8. Children under 14 years, not accompanied by an adult, are not permitted to remain at or enter the premises after 21:00.**
- 9. 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.**
- 10. All staff shall receive induction and refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of this premises licence.**
- 11. 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.**

12. A digital CCTV must be installed in the premises complying with the following criteria: (1) Cameras must be sited to observe the entrance door both inside and outside, all alcohol displays and floor areas; (2) The Camera facing the entrance door 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 facing the entrance door 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) Provide a monitor in full view of customers entering the premises. This monitor must display the images of said customers; (12) Have a separate monitor to review images and recorded picture quality; (13) Be regularly maintained to ensure continuous quality of image capture and retention; (14) Have signage displayed on the front entrance door and in the customer area to advise that recorded CCTV is in operation; (15) Digital images must be kept for 31 days; (16) Police and / or authorised council officer will have access to images at any reasonable time; (17) 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 and / or authorised council officers on request.

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

14. The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers.

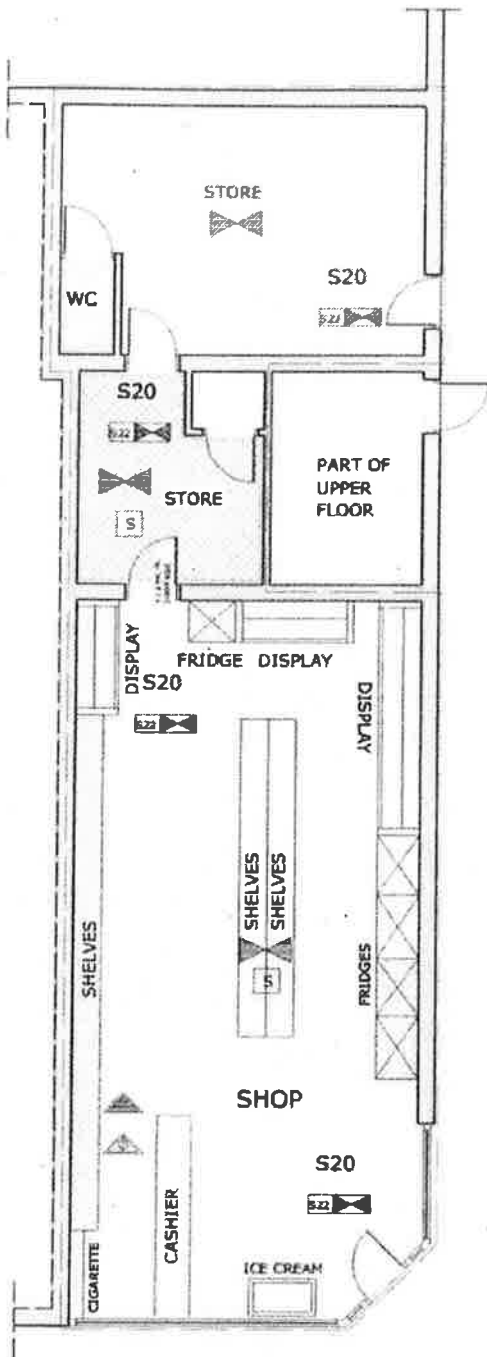
15. The premises licence holder shall ensure that all receipts for goods bought are kept together in a file or folder as evidence that they have been brought into the UK through legal channels. Receipts shall show the following details: (1) The premises licence holder shall ensure that all receipts for 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 on the premises for no less than 12 months and shall be made available to police or authorised officers of the council on request within five working days of the request.

16. Should the premises remain open for non-licensable activities customer shall not have access to alcohol after the licensed hours. This shall be prevented by the use of shutters / locked fridges.

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










Not applicable

Annex 4 – Plans



EXISTING GROUND FLOOR

LEGEND

-  LIQUOR SALE
-  LIQUOR STORAGE
-  WC, PASSAGEWAY, ETC
-  AMBIT OF LICENSED PREMISES
-  SAFETY LIGHTING
-  SMOKE DETECTOR
-  CARBON DIOXIDE FIRE EXTINGUISHER
-  9 LT. WATER FIRE EXTINGUISHER
- S20** FIRE ESCAPE KEEP CLEAR
-  INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)

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DENIZ SUPERMARKET

269 FORE STREET
LONDON N18 2YT

EXISTING

-GROUND FLOOR PLAN

SCALE: 1/100

REF. NO : 208.05/01

DATE: MAY. 05

DRG BY: A.AY

**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

Tiger Store Ltd t/a Deniz Off Licence,

Postal address of premises or, if none, ordnance survey map reference or description 269 Fore Street
--

Post town Edmonton, London	Post code (if known) N18 2TY
--------------------------------------	--

Name of premises licence holder or club holding club premises certificate (if known) Mr Cengiz Koca, First Floor Flat, 269 Fore Street, LONDON, N18 2TY.
--

Number of premises licence or club premises certificate (if known) LN/200500373

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)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

Ellie Green
Licensing Authority
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 Licensing Authority is seeking a review of the premises licence on the grounds that the premises has been found to be selling non duty paid tobacco and alcohol. Furthermore, the premises has a significant history of alleged offences, such as selling alcohol and tobacco to children under 18.

This review is primarily based on the prevention of crime and disorder and the protection of children from harm. The review application is to revoke the premises licence in its entirety.

Background Information, Complaint and Visit History:

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

24/6/2005 - Mr Cengiz Koca has been involved at the premises as PLH since the licence (LN/200500373) was converted and issued on 24/6/2005, and has also been named as Designated Premises Supervisor (DPS) since 1/7/2005.

26/4/2010 – Trading Standards sought a review of the premises licence following a failed test purchase of alcohol by a sales assistant, Emrah Demil, to an underage volunteer on 17/12/2009. two subsequent refusals to an underage test purchase volunteer took place shortly after this. The review initially sought up to one month's suspension of the premises licence whilst the modified conditions were implemented and complied with, namely premises licence conditions to support the prevention of children from harm licensing objective. The conditions were agreed by Mr Koca, and was able to satisfy compliance ahead of the hearing, so the amended licence was issued on 25/5/2010.

7/6/2010 – Material to support the new licence conditions were sent to the premises.

31/8/2012 - Trading Standard seized 17 x 70cl bottles of counterfeit Smirnoff vodka, 4 x 70 cl bottles of counterfeit High Commissioner whisky, and 6 x 70 cl bottles of counterfeit Glen's vodka. The following tobacco was found to be foreign labelled and without UK duty paid marking: 240 Marlboro Gold cigarettes, 6 x Amber Gold 50g tobacco, 4 x Golden Virginia 50g tobacco.

2/11/2012 – Trading Standards volunteer attempted to purchase alcohol from Deniz Off Licence and was refused. A notice of compliance was sent to the premises.

8/12/2012 – Trading Standards volunteer attempted to purchase alcohol from Deniz Off Licence and was refused. A notice of compliance was sent to the premises.

8/3/2013 – Licensing Enforcement sent Mr Koca a letter encouraging him to submit a minor variation to strengthen conditions of the premises licence, following non duty paid alcohol was found by Trading Standards officers the premises on 31st August 2012. Mr Koca made the appropriate application on this date, and the modified licence was shortly issued.

19/4/2013 – Trading Standards received an allegation from a member of public who witnessed under counter sale of tobacco and cigarettes from Deniz Off Licence.

25/4/2013 - LBE sent all appropriate material to the premises to assist in meeting the licence conditions, following the minor variation and added conditions being added to the premises licence.

26/4/2013 – Following allegations of under the counter tobacco being sold from the premises, Trading Standards carried out a test purchase of tobacco and a 15 year old was sold cigarettes by Mehmet Can, who was "helping out". Mr Can claimed to have started work that day and had received no training in relation to the prevention of underage sales.

29/4/2013 – Trading Standards sent an advice letter to the owner relating to the prevention of further sales, and training material was also provided.

9/5/2013 - Trading Standards received a further allegation from a member of public who witnessed under counter sale of tobacco and cigarettes from Deniz Off Licence.

10/5/2013 – Trading Standards carried out a test purchase for non-duty paid tobacco (using an adult), and 20 Marlboro cigarettes and 50g of Golden Virginia tobacco, both established as being non-duty paid tobacco was sold. Trading Standards subsequently notified HMRC.

10/5/2013 –A Licensing Enforcement Officer (CPX) visited Deniz Off Licence to carry out a full licence inspection following the recent failed underage test purchase. The officer met with Mr Koca, PLH/DPS. **The following three conditions were found to be in breach:**

Condition 11 – the condition relating to training was only part met.

Condition 12 – the CCTV did not meet the condition

Condition 13 – alarm did not meet the condition

An inspection report was completed, and signed and a copy issued to Mr Koca.

25/5/2013 – PC Fisher carried out a revisit to the premises, and confirmed that the alarm was ok (Condition 13), but **Condition 12 was breached**, because a further camera was still required for the outside for the CCTV to fully meet this condition. PC Fisher spoke to Mr Koca on the phone at the time of this visit, as he was not actually present.

25/7/2013 – Trading Standards carried out a test purchase using an underage volunteer in an attempt to purchase alcohol and the sale was refused. A notice of compliance was sent to the premises.

13/9/2013 - Trading Standards carried out a test purchase using an underage volunteer in an attempt to purchase cigarettes and the sale was refused. A notice of compliance was sent to the premises.

30/9/2013 – Trading Standards accompanied HMRC to Deniz off Licence where HMRC identified and seized the following non-duty paid tobacco: 200 Marlboro cigarettes, 40 Marlboro Red cigarettes, 150g Amber leaf tobacco, and 300g Golden Virginia tobacco. Mr Koca was present at the time of this seizure and denied that these products were contraband.

5/10/2013 – Licensing Enforcement Out of Hours officers carried out a further inspection following the recent seizure of non duty paid tobacco. The officers were initially met by Mr Mehmet Can (a former underage seller), who then called Mr Koca who was eating his dinner in a nearby restaurant, but arrived 5 minutes later. **The following three conditions were found to be in breach:**

Condition 11 – training records were not satisfactory

Condition 12 – CCTV had not been amended as per PC Fisher's visit on 25/5/13.

Condition 15 – relating to receipts to show traceability of purchased goods was only met in part.

28 days were given to address the non compliances, and an inspection report was signed by and a copy issued to Mr Koca.

21/10/2013 – Licensing Enforcement received a call from Mr Koca who advised that he had installed a new CCTV system and all conditions were compliant, and that officers were welcome to visit to check at any time.

16/11/2013 – Out of Hours Licensing Enforcement officers carried out a revisit, and compliance was deemed satisfactory.

9/12/2013 – Companies House records show that Tigerstore Ltd is registered to the same address as Deniz Off Licence, and the Director is named as Mr Cengiz Koca, and has been appointed since 5/12/2001.

Prosecution History:

12/7/2010 – A caution was issued to Mr Koca following the underage sale in 2009, and the seller was issued a warning.

Pending –The Trading Standards investigation against Mr Koca for Trade Marks Act 1994 offences in relation to counterfeit alcohol and The Consumer Protection Act 1987 and Tobacco Manufacturing & Safety Regulations 2002 in relation to the non-duty paid tobacco seized on 31/8/2012 and 30/9/2013. Informations were laid on 8th November 2013 and the first court hearing is on 20th December.

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.

Planning Information:

No relevant planning history.

Conclusion:

The premises licence permits the premises to be open 24 hours daily but only sell alcohol between 8am and 11pm Monday to Saturday, and 10am and 10.30pm on Sundays. The conditions attached to the premises licence already include all the conditions that the Licensing Authority would seek for an off licence premises.

Mr Koca has demonstrated that he can comply with the licence conditions, and does take action to address any outstanding issues, within a relatively short period of time.

However, looking at the history of the premises as a whole, there is a significant catalogue of serious events, such as three incidents of non duty paid or counterfeit goods found at the premises over a period of 13 months. Furthermore, an underage sale of tobacco took place earlier this year, despite an advisory letter being sent prior to the attempt, in order to assist with compliance.

There is no link with the offences taking place later in the evening, therefore seeking reduction of hours is not suitable. All the relevant conditions are in place on the licence already, and compliance has been established therefore it is even more worrying that tax evaded goods were still able to be seized. As a result of this, a suspension to allow the implementation of modified conditions is also unsuitable.

The main link and problem therefore has to be Mr Koca himself. He is simply not a suitable person to hold the position of Premises Licence Holder or DPS, as he continues to flout the law. Mr Koca is a significant presence at Deniz Off Licence, so it would not be suitable to seek varying the DPS position.

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

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

Reasons for Revocation

Deniz Off Licence has a varied significant history of problems, most importantly the third seizure of non duty paid tobacco, which follows previous underage sales of tobacco and alcohol. Mr Koca has had more than enough chances to ensure total compliance following the earlier incidents as a previous review by Trading Standards and a minor variation was submitted, both of which amended conditions to support all the licensing objective. This is no longer enough. Mr Koca does not provide the Licensing Authority with any confidence that he will only operate legally in the future. Revocation is seen as the only appropriate action in this instance, to support the licensing objectives prevention of crime and disorder, and protection of children from harm.

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.

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

Please tick yes

Yes –
Trading
Standards

If yes please state the date of that application

26 April 2010



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



LICENSING AUTHORITY REPRESENTATION

ADDITIONAL INFORMATION

Name and address of premises: Tiger Stores Ltd t/a Deniz Off Licence
269 Fore Street
Edmonton
N18 2TY

Type of Application: Review of Premises Licence

This document includes the details of all inspections carried out since 10th December 2013: (i.e. the date the initial review application was submitted):

Friday 03/01/14 - 20:25 Out of Hours Licensing Enforcement Officers (CT & AA) arrived at the premises. No noise issues or ASB. Spoke to Mehmet Can, worker. Mr Cengiz Koca, PLH & DPS not on premises. Went through conditions with Mr Can. Non-compliant conditions - C12 - CCTV (7) – date one day out as shows 4/1/14; (15) - Unable to check 31 day recording; (17) - Unable to establish system to transport recordings. Checked refusal book and last refusal 31/12/13. Signed book. Checked training book and last training 6 & 10/10/13. Mehmet Can and Kadir Bekor on premises and both listed in training book. Training due again on 6/1/14. Mr Ali Keles. Personal Licence holder (LN/201000115) on premises. Inspection report completed and signed copy left with staff. Mr Can advised that Mr Koca had gone home and there was some confusion as to whether Mr Koca lived upstairs. Therefore note put on Inspection Report that Mr Koca needed to change address on his Premises and Personal Licences and how to do it. Left at 20:50

Monday 6/1/14 - Mr Koca rang Licensing to say he did still live above the premises. He had gone to his mother's home on Friday.

Wednesday 29/01/14 – - 11:55 - 12:05 - Licensing Enforcement Officers (CPX, MFX) revisited the premises to check the outstanding conditions. Still unable to check CCTV records for 31 days as staff not sure how to work the system. Other CCTV requirements met. Refusals book seen - last entry 21/01/14. Training records seen, two members of staff last trained on 03.01.14 and 08.01.14. Training test sheets seen. No personal licence holder on the premises - **Breach of Condition 9.**

Pending Prosecution:

In relation to the pending prosecutions detailed in the original review application the Company Tigerstore Ltd has submitted a guilty plea to 6 charges under s.12 Consumer Protection Act 1987 and 1 charge under s.170 Customs and Excise Management Act 1979. Mr Cengiz Koca has also submitted guilty pleas to the same offences. The trial is set for 26 March 2014.

Duly Authorised: Charlotte Palmer, Licensing Enforcement Officer

Contact: 0208 379 8543 or charlotte.palmer@enfield.gov.uk

Signed:



Date: 06/02/2014

**METROPOLITAN
POLICE****Working together for a safer London****POLICE REPRESENTATION**

Name and address of premises: Tiger store LTD/ Deniz Off Licence
269 Fore Street
Edmonton
N18 2TY

Type of Application: Review Application

Worksheet number: WK/213075093

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 tobacco and alcohol. Furthermore, the premises have a significant history of alleged offences, such as selling alcohol and tobacco to children under 18.

This review is primarily based on the prevention of crime and disorder and the protection of children from harm licensing objectives. The review application is to revoke the premises licence in its entirety.

I wish to support this application as it is quite evident that the current designated premises supervisor, Mr Cengiz Koca has consistently failed in his duties in complying with the conditions of the licence, sales of alcohol to underage children along with the sale of non-duty paid tobacco and alcohol as outlined in the review application submitted by LBE's licensing authority.

I have researched Police intelligence systems relating to Deniz Off licence from 07/01/2013 to date. There have been no reports relating to the premise.

I support the application to revoke the premise licence.

Deniz Off Licence has a very poor and significant history of problems, most importantly a third seizure of non-duty paid tobacco, which followed previous underage sales of tobacco and alcohol.

Despite an earlier review of the licence by Trading Standards and a subsequent minor variation application to strengthen the conditions in support of the licensing objectives, Mr koca has failed to ensure total compliance despite the best efforts of LBE's licensing enforcement team.

Mr Koca has failed to demonstrate to both the licensing authority and Police that he can operate this licence in accordance with the licensing objectives despite all of the assistance he has been given. I have no confidence whatsoever that he can run this

premises within the auspices of the licensing objectives and as such, feel that revocation is the only appropriate action in this instance.

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.

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Date: 7th January 2014