

## 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:** Hertford Food Centre  
236 Hertford Road  
Enfield  
EN3 5BL

**Type of Application:** New Premises Licence

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

This is a new application for a supermarket to provide licensable activities as detailed below:

Activity	Proposed Times
Supply of Alcohol (off)	08:00 – 03:00 everyday
Opening hours	24 hours everyday

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

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

### Cumulative Impact Policy (CIP)

This premises is located in a Cumulative Impact Policy Area (CIP).

The CIP relates to all new and variation applications and states that the core hours granted for this type of premises in this particular location should not exceed the following:

Alcohol;: Mon – Sun                      08:00 – 00:00

**If the applicant does not agree to the hours specified in the CIP, there is a presumption that the application will be refused.**

As demonstrated in the CIP, this area is already of concern in relation to crime and disorder and public nuisance.

It is for the applicant to demonstrate why the Licensing Authority should go against the CIP and allow the licence to be granted. The applicant has not submitted any information to demonstrate why the CIP should not apply to their premises.

**Location:**

There are residential properties above some of the shops in this parade.

**History:**

This premises is already licensed to sell alcohol until midnight and to open 24 hours a day seven days a week. If this licence is granted in full or in part the original licence should be surrendered.

A licence for this premises has previously been revoked following the discovery of a considerable amount of non-duty paid cigarettes and tobacco at the premises.

Officers have also witnessed after hours sales at the premises under the current licence and a meeting was held with the current licence holder last year when officers were considering reviewing the licence to strengthen the licence conditions. Following that meeting the premises has been sold to the new applicant.

The Licensing Authority is keen to ensure that this applicant has no connection to any of the previous licence holders and that the issues that led to the revocation of the previous licence do not reoccur.

On 28<sup>th</sup> March 2018 both myself and Police Licensing Officer PC Staff met with the applicant to discuss the application and the premises history. The applicant was accompanied by his Licensing Agent Mr Robert Sutherland, the proposed DPS Cemal Topal and his nephew who assisted with some translation. During the meeting we advised the applicant of our concerns with regard to the previous premises licences and gave a summary of the history of the premises – ie non duty paid goods, after hours sales.

When asked, all three males denied knowing the people named on the licence as not being permitted to have anything to do with the running of the premises. However when I produced a screen print from Mr Cemal Topal's facebook account showing that he is friends on facebook with Sefer Govtepe they admitted they do know him and that they are from the same village. Both myself and PC Staff expressed out concern that they had denied knowing him and that by not telling truth they had affected any confidence we had in them. During the meeting the men advised there would all be personal licence holders and would all work at the premises with a total of 8 staff. They also confirmed that they would be leasing the storage area at the back of the nearby internet café. All three males claim to have experience of working in licensed premises.

During the meeting we went through a list of proposed conditions which the applicant's agent had prepared and compared them to a list we had prepared. The agent's intention is to submit the list as part of the operating schedule but at the time of writing this has not been done so they have been included in this representation.

**In conclusion I object to the times applied for and instead recommend a terminal alcohol hour of midnight in line with the CIP.**

**Even if the CIP was not in place I would not agree to the hours applied for and instead would recommend that the applicant prove that they can trade without complaint and in full compliance for at least 1 year before applying for later hours.**

If the licence is granted in full or part I recommend that the following conditions be attached to the licence in order to fully promote the licensing objectives:

1. There shall be no adult entertainment or services, activities or matters ancillary to the use of the premises that may give rise to concern in respect of children.
2. All staff 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.
3. All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.
4. A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed at the premises.
5. A written record of refused sales shall be kept on the premises and completed when necessary. This record shall 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.
6. The Designated Premises Supervisor shall regularly check the refusals book to ensure it is being consistently used by all staff.
7. 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.
8. Prominent, clear and legible notices shall be displayed at all public exits from the premises requesting customers respect the surrounding area and dispose of litter in a responsible manner. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.
9. The premises licence holder shall ensure that the pavement from the building line to the kerb edge immediately outside the premises, including the gutter/channel at its junction with the kerb edge, is kept clean and free from litter at all material times to the satisfaction of the Licensing Authority.
10. Alcohol and cigarette stock shall only be purchased from registered wholesalers.

11. Only the Premises Licence Holder or Designated Premises Supervisor shall purchase alcohol and cigarette stock.
12. 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) AWRS registration number and 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.
13. All tobacco products which are not on the tobacco display shall be stored in a container clearly marked 'tobacco stock'. This container shall be kept within the store room or behind the sales counter.
14. Tobacco products shall only be taken from the tobacco display behind the sales counter in order to make a sale.
15. Prominent, clear and legible notices shall be displayed on all alcohol fridges and at all other alcohol display areas advising customers of the permitted sale of alcohol times.
16. No deliveries or waste collections shall take place between 20:00 - 08:00 hours.
17. Should the premises remain open for non-licensable activities, customers shall not have access to alcohol after the licensed hours. This shall be prevented by the use of shutters / locked fridges.
18. The following persons shall not be involved in any way in the operation and / or management of the business or be permitted to work in the business in any capacity: Mr Sefer Govtepe, Mr Eren Govtepe, Mrs Ebru Govtepe, Mr Deniz Altun, Mr Nurettin Ulger and Mr Suleyman Erdogan or their immediate family. The term, "immediate family" shall include husbands, wives, children, parents, grandparents, grandchildren, brothers, sisters, aunts, uncles and first cousins through blood or marriage.
21. The PLH or DPS shall inspect the premises for compliance with the premises licence times and conditions on a monthly basis. A record of when the inspection was carried out and who by shall be documented and these records shall be kept for at least six months. These records shall be kept on the premises and made available to police or authorised local authority employees upon request.
23. A personal licence holder shall be on the premises every day from 21:00 until alcohol sales cease.
24. At least two members of staff shall be on the premises at all times, one of whom shall be fluent in English.
25. All alcohol and tobacco products shall be scanned at the till in order to make a sale.
26. The keys for all storage areas and vehicles associated with premises shall be kept at the till when not in use.

27. Prior to this licence being used the Premises Licence Holder shall thoroughly check the premises and any vehicles / storage areas associated with it to ensure that there are no illicit products there. Once done a voluntary declaration shall be signed by the Premises Licence Holder confirming that this has been carried out and that he is responsible for all goods there.

**Additional information:**

During our meeting the applicant also mentioned having a door supervisor on Friday and Saturdays from 23:00 until 03:00. This appears to be in response to the CIP however they have applied to sell alcohol until 03:00 every day not just Friday and Saturday. At the point of writing this has not formally be offered as a condition.

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

If the conditions and amended times were accepted in full I WOULD withdraw my representation.

Duly Authorised: Charlotte Palmer, Licensing Enforcement Officer

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

Signed: CPALMER

Date: 29/03/2018