

Annex 4

ENFIELD
Council

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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: Euro International
212-214 Chase Side
Enfield
EN2 0QX

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 an off licence to provide licensable activities as detailed below.

| Activity | Proposed Times |
|-------------------------|------------------------|
| Supply of Alcohol (off) | 08:00 – 00:00 Everyday |
| Opening hours | 06:30 – 00:00 Everyday |

Mr Serbet has held a premises licence for this business previously. That licence was reviewed in 2016 on the grounds that the premises had been found to be selling non duty paid alcohol and tobacco, selling after their licensed hours on 4 occasions, breaching licence conditions and trading with an inaccurate plan attached to the premises licence. That licence was revoked on 27/04/16. An appeal was lodged but later withdrawn and a new application was submitted by someone else. That licence was granted with a condition attached stating that Mr Serbet along with another named male was not permitted to be involved in any way with the operation and/or management of the business or permitted to work in the business in any capacity. The new licence was transfer to another person on 07/09/18 and the DPS was varied.

7th August 2018 - Council Officers and the Police Licensing Officer visited a number of premises in the borough to check for illicit tobacco. Mr Serbet has connections to a premises in Bush Hill Park although he is not named on the licence for that premises. Mr Serbet was working in the other premises on this day and was found to have 7 packets of non-duty paid cigarettes on his person.

17th September 2019 – A full licence inspection was carried out at the Chase Side premises (CPX) – Conditions 2, 4, 6, 7, 9, 18 all non-compliant. Ali Serbet was working in the premises despite the condition stating he cannot work there. He advised that he had taken back control of the premises as the named Premises Licence Holder had left

without warning and taken most of the stock with him. Mr Serbet advised that he is still the leaseholder. He was advised that a Transfer, Vary DPS and variation to remove the condition relating to him should be submitted. Mr Serbet was concerned that he would not be able to get the transfer consent form signed as he was unable to contact the licence holder. Resources to help with compliance were emailed to Mr Serbet.

14th October 2019 – The following advice was given to Mr Serbet's agent:
'It would be a full variation that would be required to remove Mr Serbet's name from the condition. As a Transfer and Vary DPS are also required it may be simpler and cheaper to submit a new application. This would take the same length of time as a full variation. There then would not be the issue of the unsigned consent form for the Transfer. Given the fact that a premises licence held by Mr Serbet has previously been reviewed in relation to non-duty paid goods in 2016 and non-duty paid cigarettes were also seized from him in 2018 I would request that during the consultation period he attend a meeting with myself and the Police Licensing Officer so that he can reassure us as to his future conduct. I would also recommend he sign an undertaking stating that he has fully checked the premises to ensure that there are no non-duty paid goods on site prior to the use of a new licence.'

28th October 2019 - A further illicit tobacco check was carried out at the Bush Hill Park premises and a further 3 packets of non-duty paid cigarettes was found in a jacket that was hanging on the back of the store room door. Again, Mr Serbet was working in the premises at time of the visit.

28th October 2019 The premises licence for the premises that this representation relates to was surrendered by the named licence holder.

I wish to make representation on the following:

- **Prevention of Crime and Disorder**

The repeated non-duty paid seizures that have taken place at premises that Mr Serbet is associated with has led the Licensing Authority to have a total lack of confidence in Mr Serbet's willingness to run a business within the constraints of the law and the Licensing Authority therefore objects to this application in its entirety.

If the Licensing Committee is minded to grant the licence in full or part the Licensing Authority recommends that the following conditions be attached to the licence in order to fully promote the licensing objectives:

- All staff shall receive induction and refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of the premises licence.
- 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.
- A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed at the premises.

- 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.
- 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.
- There shall be no deliveries made to the premises between the hours of 21:00 and 07:00.
- All refuse shall be disposed of in bins quietly so as not to disturb neighbours or local residents. There shall be no disposal of refuse outside between 21:00 and 07:00.
- Only the Premises Licence Holder or Designated Premises Supervisor shall purchase alcohol and / or tobacco stock.
- Alcohol and tobacco stock shall only be purchased from registered wholesalers.
- The premises licence holder shall ensure that all receipts for goods bought are kept together in a file or folder as evidence that they have been brought into the UK through legal channels. Receipts shall show the following details: (1) Seller's name and address; (2) Seller's company details, if applicable; (3) Seller's VAT details, if applicable. Copies of these documents shall be retained for no less than 12 months and shall be made available to police or authorised officers of the council on request within five working days of the request. The most recent three months' worth of receipts shall be kept on the premises and made available to the police or authorised officers of the council on request.
- All tobacco products which are not on the tobacco display shall be stored in a container clearly marked 'Tobacco Stock'. This container shall be kept within the store room or behind the sales counter.
- Tobacco products shall only be taken from the tobacco display behind the sales counter in order to make a sale.
- The Premises Licence Holder shall sign an undertaking stating that they have fully checked the premises to ensure that there are no non-duty paid goods on site prior to the use of the new licence.

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

If these conditions were accepted in full, I WOULD NOT withdraw my representation.

Duly Authorised: Charlotte Palmer, Licensing Enforcement Officer

Contact: charlotte.palmer@enfield.gov.uk

Signed: CPALMER

Date: 18/11/2019