

POLICE REPRESENTATION

Name and address of premises: **Maxi Wine Centre
495 Hertford Road
Enfield
EN3 5XH**

Type of Application: **Review of a Premises Licence**

The Application

Enfield Trading Standards Authority is seeking a review of the premises licence on the grounds that smuggled goods have been found on the premises i.e. non-duty paid cigarettes and hand rolling tobacco.

Location

This venue is situated within a parade of shops on a busy high street consisting of mainly commercial premises with residential properties above and a slip road running in front.

The Metropolitan wish to support the application and make representation under the Prevention of Crime and Disorder Licensing Objective.

History

This venue has a long history of being involved in criminal activity associated with either counterfeit or illicit goods since 2009.

Mr Kemal Altun, now known as Uygur Altun, used to be the Licence holder and was prosecuted for selling counterfeit alcohol. Non duty paid tobacco and alcohol were found subsequent to this, and despite a variation of the licence to strengthen the conditions, non duty paid goods were found again. In view of this Mr Altun had his premises licence revoked in 2015.

There were suspicions and concerns that Mr Altun may still be involved in the running of the business so a condition was put onto the licence that he should have no part in the running or control of the business when the current Premises Licence was granted. This was agreed by the current PLH, Mr Ali Tulu, who stated at the time that he did not know Mr Altun.

Due to several intelligence reports received by the Police saying that illicit goods were being sold at the venue, also, on occasion, mentioning Mr Altun, licensing visits were made during 2018 and 2019. Nothing was found on these occasions but Mr Altun's name was mentioned by staff when asked who the boss was. Obviously this concerned both myself and the Council Officer but Mr Tulu continued to refute the fact that Mr Altun was involved. One piece of information received stated that the stock was kept in two vans parked outside of the shop. These vans, a white and a silver one, were noted by Officers but the staff denied they had anything to do with the business. PNC checks on the vehicles showed both of them to be registered to Mr Altun even though he did not live anywhere near the venue. This led us to believe that he was still involved in the business. The Silver van was subsequently searched by Police but nothing of note was found. From then on the Silver van did not park outside the venue.

On one visit, made by the Police and the Council Licensing officer in August 19, the white van was parked outside the shop. Whilst conducting our visit an open packet of illegal cigarettes was found on the shelf behind the counter by the till along with a key that, in appearance, could have belonged to the white van. When asked if the key opened the van the staff member denied it but also refused to prove it to us by testing it. She became very defensive and made a phone call. We assumed this to be to Mr Tulu but after about 20 minutes an unknown male turned up, ignored us, went behind the counter, picked up the cigarettes and the key and started to walk out of the shop. I attempted to speak with him but he walked past me. I followed and as he got in the van by using the key that was behind the counter, I knocked on the window for him to speak with me but he refused to answer and drove away very quickly. Due to this action we believed there would have been illicit goods in the van. Since then the van has not been seen outside the shop.

On 28th Oct 2019 a visit was made to the venue by Trading Standards, Council Licensing, Police and sniffer dogs as part of Op Wagtail searching for illicit tobacco. During this visit a substantial amount of non duty paid tobacco was found in a specially made box behind the counter under the till. Also on sale in the venue was a considerable amount of drug paraphernalia including self seal bags and cannabis grinders.

The Police do not have confidence in the Licence holder Mr Tulu for the following reasons:-

- The storage and selling of illicit goods – contrary to Sec 144 of the Licensing Act 2003
- The numerous breaches of the conditions on the Premises Licence as explained in the review application.
- Storage and sale of drug paraphernalia – although not illegal, it encourages drug use, which is.

Mr Tulu shows clear disregard for the law and has been complacent in running this venue in breach of his licence. The onus is on Mr Tulu to promote the licensing objectives which he has clearly failed to do.

Police do not believe Mr Tulu to be a fit and proper person to hold a premises licence as he does not appear to appreciate the seriousness of his non -

compliance of the licence conditions. The council have given him the opportunity to explain himself in an interview and he has failed to appear.

The Police contend that there are no alternatives but to seek the revocation of the licence and reserve the right to submit additional information to support this review application if necessary.

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Date: 21st February 2020