

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



LICENSING SUB-COMMITTEE – 6 NOVEMBER 2013

Application was made by the **LICENSING AUTHORITY** for a review of the Premises Licence held by **MR YILMAZ CELIK** at the premises known as and situated at **MONTAGUE SUPERMARKET, 171-173 MONTAGU ROAD, EDMONTON N18.**

The Licensing Sub-Committee **RESOLVED** that it considers the following step to be appropriate for the promotion of the licensing objectives : to modify the conditions of the licence in accordance with the agreement reached between the Licensing Authority and the licence holder on 31 October 2013.

Date Notice Sent : 06 November 2013

Signed

Principal Licensing Officer

APPEAL

Under the Licensing Act 2003 you have a right of appeal against this decision within 21 days of receiving this notice. Any appeal should be made in writing to the Enfield Magistrates Court. The contact details for Enfield Magistrates are as follows:

Enfield Magistrates Court,
The Court House, Lordship Lane, Tottenham, London, N17 6RT.
Tel: 020 8808 5411 or Fax: 020 8885 4343



1914 - 1918

Appendix 2a

ENFIELD
Council



Mr Yilmaz Celik



Please reply to: Charlotte Palmer
Licensing Enforcement
B Block North, Civic Centre,
Silver Street, Enfield, EN1 3XA

E-mail : Charlotte.palmer@enfield.gov.uk

Textphone : 020 8379 4419

My Ref : LN/201200258

Your Ref :

Date : 16th May 2016

Dear Mr Celik

**The Tobacco (Manufacture, Presentation and Sale) (Safety) Regulations 2002
Consumer Protection Act 1987
Licensing Act 2003**

Montague Supermarket, 171 - 173, Montagu Road, Edmonton, N18 2NA - LN/201200258

I write to you as the current premises licence holder and designated premises supervisor of the above named business.

On 10th November 2015 your premises was searched for counterfeit and non-duty paid alcohol and tobacco by Trading Standards and HMRC officers. Spiritis, hand rolling tobacco and cigarettes were seized from the premises.

The tobacco and cigarette packets had foreign labelling. They were not subject to UK duty and did not bear the 'UK DUTY PAID' labelling. Also the required warning label such as: smoking harms you and others around you was in a foreign language. The Tobacco (Manufacture, Presentation and Sale) (Safety) Regulations 2002 which require English warnings were thus contravened, amounting to a criminal offence under the Consumer Protection Act 1987.

The Department for Culture, Media and Sport (DCMS) Guidance (11.27) 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 or storage of smuggled tobacco and alcohol.

Ian Davis
Director – Regeneration & Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY



Website: www.enfield.gov.uk

DCMS guidance (11.28) goes on to say that it is envisaged that responsible 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.

Consequently, the Licensing Authority is considering reviewing the premises licence. The Licensing Authority believes that additional conditions need to be added to the premises licence to strengthen the licensing objectives.

As an alternative to having your licence reviewed, the Licensing Authority are prepared to offer you the opportunity to apply for a minor variation to voluntarily add conditions to the premises licence and / or to improve some of the current conditions.

Enclosed is a document showing suggested amendments to the conditions.

If you agree to apply for the minor variation please do so by Monday 30th May 2016. A minor variation application form is enclosed.

If you do not agree to submit the minor variation, it will leave the Licensing Authority with no choice but to pursue a review of the premises licence. You will then run the risk of having the licensing committee impose stricter restrictions on the premises licence and possibly even suspension or revocation of the licence.

Please consider this letter to be a warning as to your future conduct. Should further similar offences be committed at the premises, the Licensing Authority shall take immediate action in order to have the premises licence permanently revoked, as recommended by the Secretary of State guidance and or to prosecute you.

You must buy tobacco, alcohol and any other branded product from a reputable seller. These products must be evidenced by receipts which must be available for inspection upon request.

If you have any queries about the enclosed list of conditions or are unable to apply for a minor variation within the time frame given please contact me via email:

charlotte.palmer@enfield.gov.uk

Yours sincerely

Charlotte Palmer
Senior Licensing Enforcement Officer

cc: Mr Yilmaz Celik, Montague Supermarket, 171 - 173 Montagu Road, Edmonton, N18 2NA

Montague Supermarket, 171 - 173, Montagu Road, Edmonton, N18 2NA

Amended / additional conditions to be added to premises licence LN/201200258

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. 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, the alcohol displays, 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 overlooking floor areas should be wide angled to give an overview of the premises; (4) Be capable of visually confirming the nature of the crime committed; (5) Provide a linked record of the date, time, and place of any image; (6) Provide good quality images - colour during opening times; (7) Operate under existing light levels within and outside the premises; (8) Have the recording device located in a secure area or locked cabinet; (9) Have a monitor to review images and recorded picture quality; (10) Be regularly maintained to ensure continuous quality of image capture and retention; (11) Have signage displayed in the customer area to advise that CCTV is in operation; (12) Digital images must be kept for 31 days; (13) Police will have access to images at any reasonable time; (14) 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.

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. 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.

8. All training relating to the sale of alcohol and times and conditions of the 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.

9. Children under the age of 14 years shall not be admitted to the premises after 21:00 unless they are accompanied by an adult.

10. 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.

11. 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.

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

AMEND TO:

Alcohol and tobacco stock shall only be purchased from registered wholesalers.

13. 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.

AMEND TO:

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.

14. An ultra violet light will be used at the store to check the authenticity of all stock purchased which bears a customs stamp.

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

15. An incident book shall be used to record all instances of public disorder. This record shall be made available to Police and/or the Local Authority upon request. This book shall be kept for one year after the last entry.

16. A Personal Licence holder shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.

Add the following conditions:

- Only the Premises Licence Holder or Designated Premises Supervisor shall purchase alcohol and / or tobacco stock.

- 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.

Report No: 1

STATEMENT OF WITNESS*(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)*

STATEMENT OF **Neil Zoff**
Employed by (Red Snapper Managed Services)

Age of Witness
(If over 18 enter "over 18") Over 18

Occupation of Witness **Test Purchase Consultant**

This statement (consisting of 1 pages) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

On the 30th of March 2021, I was tasked to purchase packs of tobacco and cigarettes from the shops in Enfield.

I was provided with the list of premises and the address by Trading Standards. I was tasked to go and buy items thought to contain illicit tobacco from these premises.

Around 11:38, I got out of the car and went to the first shop Montague Supermarket located at 171-173 Montague Road.

After entering the store, I told the seller that I wanted a pack of cheap cigarettes, and he told me that it cost a total of £7.50, was handed 1 pack of Polish Marlboro Gold. Whilst I was in the store, I also purchased a 0.5L bottled water and 1 pack of baked rolls.

I gave him £10 and he gave me the remaining £ 1.20 in change.

Seller's description and the location of the cigarettes:

Male, around 35 year's old, brown hair, around 6ft tall, fat, wearing a dark shirt.

He gave me the cigarettes reaching from the right side under the counter.

At 11:44 I returned to the car and later at 11:46 the Polish Marlboro Gold cigarettes were put in the evidence bag 02199267. I exhibit this as NZ/1.

Prior to completing this statement, I completed a Test Purchase Completion Form outlining the key details contained above in this statement. I exhibit this form as NZ/2

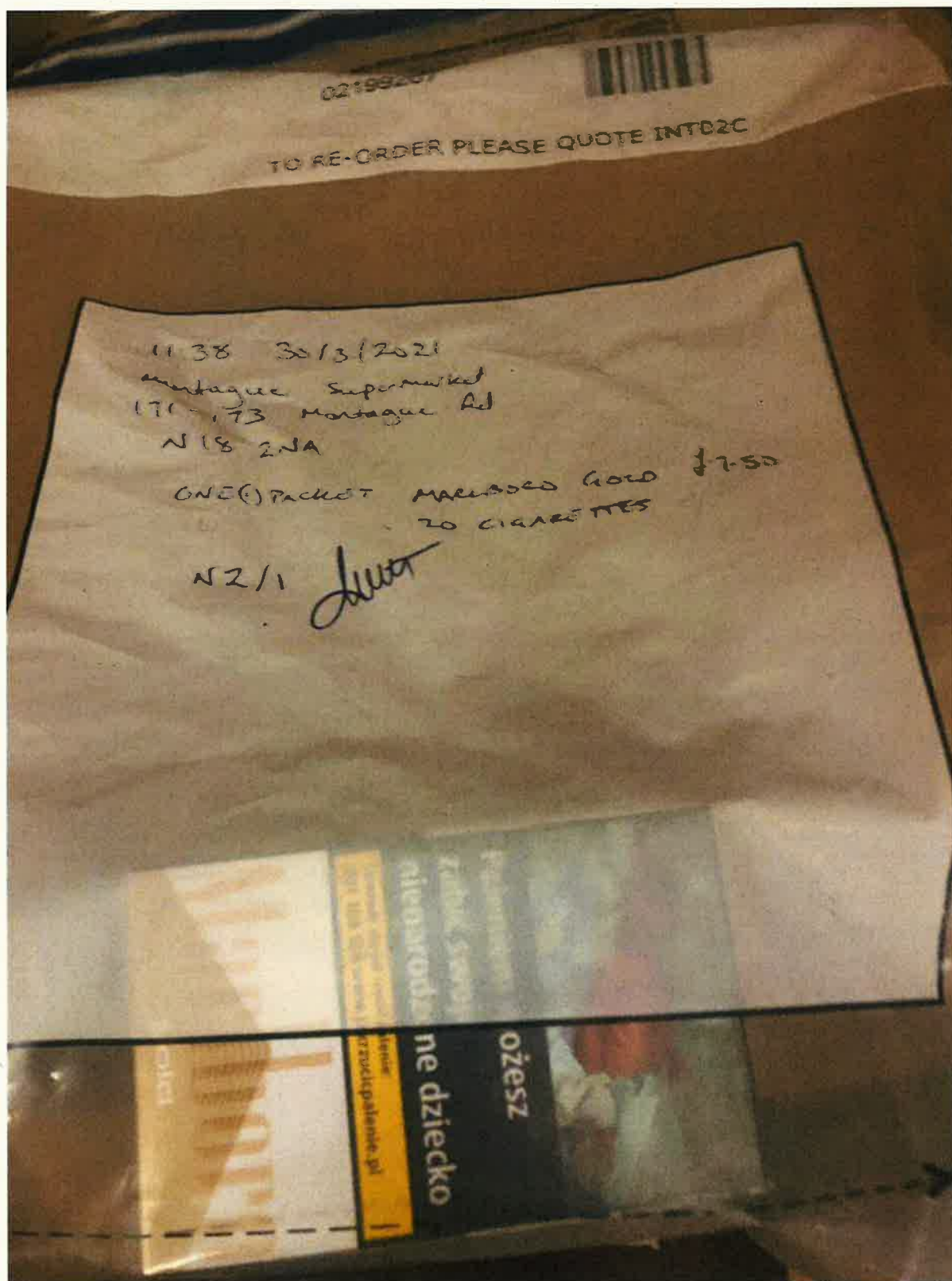
Signed:

Neil Zoff
Signed by: Neil Zoff
Date & Time: 13 May, 2021 13:28:44 BST

Date: 13/05/2021



TRADING STANDARDS TOBACCO TEST PURCHASE OPERATION		
1	Date of visit:	30/03/2021
2.	Time of visit:	11:38
3	Premises Name:	Montague Supermarket
4	Premises Address:	Montague Road 171-173
5	What did you ask for?	Cigarettes, and something cheaper
6	What was said in response?	Marlboro gold polish
7	Description of seller?	Male, around 35 year old, 6 ft tall, brown hair and brown beard.
8	Tobacco item purchased:	Marlboro gold polish
9	Was any other item purchased with the tobacco? Details:	0.5 liter water, bake rolls
10	Exhibit Reference given to Tobacco purchased:	NZ/1
11	Bag / Seal Number:	02199267
12	Price charged for the tobacco item:	7.50£
13	Method of purchase; cash, card etc?	Cash
14	Where was tobacco obtained from?	Under the counter
15	If there were other customers present did you see them purchase illicit tobacco -yes or no?	No







NOTICE OF SEIZURE

No 1566 Appendix 6

ENFIELD
Council
www.enfield.gov.uk



Name: _____

Address: 7002 25th Ave S, Seattle, WA 98148

Trading Standards

Civic Centre

Silver Street

Enfield

EN1 3XH

trading.standards@enfield.gov.uk

Telephone: 020 8379 8505

Fax: 020 8379 8506

The following items have been seized by the officer named below as they may be required as evidence by virtue of powers contained within the following legislation:

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 142. 2022-2023 2022-2023
 143. 2023-2024 2023-2024
 144. 2024-2025 2024-2025
 145. 2025-2026 2025-202

IF YOU BELIEVE THE OFFICER DID NOT HAVE REASONABLE GROUNDS FOR SEIZING ALL OR SOME OF THE ITEMS LISTED YOU MAY APPEAL AGAINST THE SEIZURE. IF YOU WISH TO APPEAL PLEASE WRITE/TELEPHONE THE MANAGER OF TRADING STANDARDS USING THE CONTACT INFORMATION GIVEN ABOVE.

Authorised Officer:

Date:

Signature:

Direct Dial:

Received by:

Position in Business:

REF: WK/220088048

Appendix 7

LICN_1

LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	Montague Supermarket	
Premises Address	171-178 Montagu Rd N18 2NA	
Time of Visit:	Start: 19.50	Finish: 20.15

During an inspection of your premises on 13/5/21, the following was checked:

Part B of Premises Licence displayed?

Yes ☒No ☐

Address & tel no. of PLH & DPS on licence correct?

Yes ☐No ☒

(If incorrect, insert new details below)

Conditions of licence checked?




Yes ☒No ☐62 Eldersect Ave
Cheshunt EN7 6HT

No. of condition not in compliance	Evidence/Advice
C4	Drinking Control Area sign needs to be moved to location it can be seen
C16	An incident book shall be used to record all instances of public disorder

Any other matter(s) that need addressing:

Please email proof of payment of premises licence annual fee for 2020 and this year 2021.

You are required to have the above matters attended to within 7 days of this notice. Failure to rectify the above breaches may constitute a criminal offence and result in legal proceedings being brought against you.

LICENSING ENFORCEMENT	RECIPIENT OF NOTICE
Signature of Officer on visit: 	Signature: 
Print Name: CHARLES LEBESQUE	Print Name & Position: MR YILMAZ CELIK
Email/Tel: 0208 379 3688 charles.lebesque@enfield.gov.uk	Email/Tel: 

Application forms can be downloaded at <https://new.enfield.gov.uk/services/business-and-licensing/>.

REF: WK/220088048

LICN_1

LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	Montague Supermarket	
Premises Address	171-173 Montague Road, N18 2NA	
Time of Visit:	Start: 21.35	Finish:

During an inspection of your premises on 21 May 2021, the following was checked:

Part B of Premises Licence displayed?

Yes ☒No ☐

Address & tel no. of PLH & DPS on licence correct?

Yes ☐No ☒

(If incorrect, insert new details below)

Conditions of licence checked?

Yes ☒No ☐

No. of condition not in compliance	Evidence/Advice
	PSPO (Drinking control poster still needs making so customers see it on way out. Request a copy of PSPO poster from Charlotte*
	Incident book seen, kept in back office. Advised to keep next to till so can be completed by staff. Last entry 2020 (April) Infrequent entries, first entry 4/9/13, 8 entries total.

Any other matter(s) that need addressing:

Advised staff and customers must wear masks. All customers entered without wearing a mask and were unchallenged by staff. Spoke to PLH on phone during visit, has paid 2020 a fee will pay 2021 on time - a fee from issued with update personal licence address then update DPS address. You are required to have the above matters attended to within days of this notice. Failure to rectify the above breaches may constitute a criminal offence and result in legal proceedings being brought against you.

LICENSING ENFORCEMENT	RECIPIENT OF NOTICE
Print Name of Officers in Attendance:	Signature: 
Ellie Green Jaynul Islam	Print Name & Position: Mr Ali Karakurt
If you have any queries relating to this report please contact Charlotte Palmer, Senior Licensing Enforcement Officer via 0208 132 2004 or charlotte.palmer@enfield.gov.uk	Email/Tel:

Application forms can be downloaded at: <https://new.enfield.gov.uk/services/business-and-licensing/>

From: Charlotte Palmer
Sent: 25 May 2021 14:56
To: [REDACTED]
Subject: Montague Supermarket, 171 - 173, Montagu Road, Edmonton, N18 2NA.

Dear Mr Celik,

I write in relation to the Premises Licence for the above named premises.

It has come to our attention that your residential address has changed.

Under the Licensing Act 2003, you have a legal responsibility to give written notification to the Licensing Authority of any such change.

There is also a £10.50 fee payable for updating and reissuing the licence.

You legally must also notify the borough which issued your Personal Licence of this change.

It is an offence not to do so and this could result in a prosecution.

Please email licensing@enfield.gov.uk to formally notify them of your change of address together with the proof of payment of £10.50.



If you require any further information, please do not hesitate to contact the licensing team on 0208 379 3578 or via licensing@enfield.gov.uk

Kind Regards






Charlotte Palmer
Senior Licensing Enforcement Officer
Environment & Operational Services
Place Directorate, Enfield Council
Silver Street, Enfield, EN1 3ES


E: Charlotte.palmer@enfield.gov.uk
T: 0208 132 2004

Website: www.enfield.gov.uk
Protect the Environment – Think Before You Print.

**We can help control the virus
if we all STAY ALERT**

-  Stay at home as much as possible
-  Keep your distance if you go out (2 metres apart where possible)
-  Work from home if you can
-  Wash your hands regularly
-  Limit contact with other people

 And if you or anyone in your household has symptoms, you all need to self-isolate.

STAY ALERT • CONTROL THE VIRUS • SAVE LIVES