



Report of: **Service Director, Public Protection**

Meeting of	Date	Agenda Item	Ward
Licensing Sub-Committee	Thursday 3 October 2013	35	Highbury West

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE REVIEW APPLICATION**  
**RE: ARSENAL FOOD AND WINE, 92 GILLESPIE ROAD, LONDON, N5 1LN**

**1. Synopsis**

- 1.1 This is an application by Trading Standards for a Review of the Premises Licence under Section 51 of the Licensing Act 2003. A copy of the review application is attached as Appendix 1.
- 1.2 The grounds for review are related to the licensing objectives:
  - i) The Prevention of Crime and Disorder
  - ii) Protection of Children from Harm

**2. Recommendations**

- 2.1 To determine the application to review the premises licence under Section 52 of the Licensing Act.
- 2.2 The Committee must have regard to the application and any relevant representations. The Committee must take such steps as necessary for the promotion of the four licensing objectives.
- 2.3 The steps stated in Sections 52(4) of the Act are as follows:
  - a) to modify the conditions of the licence; and for this purpose the conditions of the licence are modified if any of them are altered, omitted or any new condition is added;

- b) to exclude a licensable activity from the scope of the licence;
- c) to remove the designated premises supervisor;
- d) to suspend the licence for a period not exceeding three months;
- e) to revoke the licence;
- f) the Committee also have the option to leave the licence in its existing state;
- g) the Committee also has the power in relation to steps a) and b) to provide that the modification and exclusion only has effect for a limited period not exceeding three months.

**3. Background**

3.1 The premises are currently licensed for the sale of alcohol for consumption off the premises Monday to Saturday from 08:00 to 23:00, and Sunday from 10:00 until 22:30.

3.2 Papers are attached as follows:-

- Appendix 1: application form from Trading Standards;
- Appendix 2: current premises licence;
- Appendix 3: Representations;
- Appendix 4: suggested conditions and map of premise location

3.3 The Licensing Team has received a representation from Licensing Authority and the Responsible Authority for Health and Safety. In addition there are 9 letters and a petition supporting the licence holder in respect of the licence review.

**4. Planning Implications**

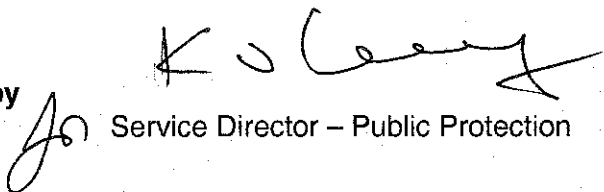
4.1 There are no planning issues with this premise.

**5 Conclusion and reasons for recommendations**

5.1 The Council is required to consider this application for review in the light of all relevant information from the applicant and the licence holder. It may attach such conditions necessary to promote the licensing objectives.

**Background papers:**

- The Council's Statement of Licensing Policy
- Licensing Act 2003
- Secretary of States Guidance
- Final Report Clearance

Signed by  Service Director – Public Protection

Date

Received by Head of Scrutiny and Democratic Services

Date

Report author: The Licensing Team

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E-mail: [Licensing@islington.gov.uk](mailto:Licensing@islington.gov.uk)

WSK/201320043

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 David Fordham, Service Manager Trading Standards

*(insert name of applicant)*

**apply for the review of a premises licence under section 51 / ~~apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described on Part 1 below (delete as applicable)~~**

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description:  <b>Arsenal Food &amp; Wine</b> <b>92 Gillespie Road</b>	
Post town: <b>London</b>	Post code: <b>N5 1LN</b>

Name of premises licence holder or club holding club premises certificate:  <b>Eylul (UK) Ltd</b> (incorrectly spelled as 'Eyul' on the licence)
---

Number of premises licence or club premises certificate: <b>148611</b>

**Part 2 - Applicant details**

I am

**Please tick ✓ yes**

- an interested party (please complete (A) or (B) below)
- a person living in the vicinity of the premises
- a body representing persons living in the vicinity of the premises
- a person involved in business in the vicinity of the premises
- a body representing persons involved in business in the vicinity of the premises
  
- a responsible authority (please complete (C) below)
  
- a member of the club to which this application relates (please complete (A) below)

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

**Please tick**

Mr  Mrs  Miss  Ms  Other title (for example, Rev)

**Surname**

**First names**

**Please tick ✓ yes**

**I am 18 years old or over**

**Current postal address if different from premises address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address (optional)**

Conditions proposed in the event that the licence is not revoked

- No alcoholic goods will ever be purchased or taken from persons calling to the shop.
- No spirits shall be purchased in a resealed box.
- The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol.
- Invoices (or copies) for all alcoholic goods on the premises will be kept at the shop and made available to officers from the council, police or HMRC upon request.
- A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.
- An ultra-violet light will be available at the premises for the purpose of checking the UK Duty Stamp on spirits as soon as practical after they have been purchased.
- If any spirits bought by the business have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to Islington Trading Standards and HMRC as soon as possible.
- The licensee shall adopt 'Challenge 25', the Retail of Alcohol Standards Group's advice for off-licences, and promote it through the display of posters.
- The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The training shall include the assessment of age; making a challenge; acceptable proof of age; and recording refusals. The licensee shall keep records of training and instruction given to staff, detailing the areas covered, and make them available for inspection upon request by the licensing team, police or trading standards.
- The licensee shall put arrangements in place to ensure that before serving alcohol to persons they believe to be less than 25, staff ask to see accredited proof of age: that is, proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
- The licensee shall require staff to note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection upon request by the licensing team, police or trading standards.
- *A condition requiring improved training of staff – wording to be considered and provided to the Committee.*

Here is a summary of events supporting this application

23/01/10	Sale of alcohol	Turabi Kilinc sold alcohol to a 16 year old volunteer. Cemal Kilinc was subsequently advised at an Officer Panel meeting. A further test purchase in March 2010 resulted in no sale.
Mar 2011 & Dec 2011	Illicit alcohol advice	Written advice with a cover letter warning of a potential licence review should the shop be found with illicit alcohol sent to business.
24/11/12	Sale of alcohol	Nurhan Denk sold alcohol to a 16 year old volunteer.
07/12/12	Seizure	9 bottles of vodka and 168 bottles of wine seized from the business. All non-duty paid. Cemal Kilinc subsequently interviewed.
08/07/13	Compliance visit	Alcohol and tobacco stock checked – nothing of concern found.
19/07/13	Sale of alcohol	Hassan Pektas sold alcohol to a 16 year old volunteer. The volunteers were called back and challenged, but only after the transaction had been completed.

#### Recommendations

I believe, at the time of writing, that this licence should be revoked.

There have been recent issues with both illicit alcohol and sales of alcohol to underage persons. Mr Love did not find anything in a recent check and it may be that Mr Kilinc has now learned his lesson. This is, of course, a lesson that should have been learned when he was receiving written advice from Mr Love. The warning in the guidance Mr Kilinc admitted he had received in December 2011 should have made him suspicious about the free wine that he says Eastenders were promoting at the same time.

Perhaps of greater concern is the record of sales. Four test purchases have resulted in three sales; the last less than two weeks after Mr Kilinc was told that another test purchase would take place. Mr Kilinc may be attempting to get things right – he does some training, keeps a refusals book and asks his staff to use Challenge 25 – but it seems that he has been ineffective in these attempts.

On the two most recent sales, there have been two people at the counter. When Ms Denk sold, she said she felt the volunteer was '18 or 19', but sold, despite Mr Kilinc standing next to her with the intention of observing and guiding her as part of her training. When Mr Pektas sold, he was supposed to be showing Mr Emin how to serve customers, as part of Mr Emin's training.

If the Committee decide not to revoke, they may wish to consider adding a condition that relates to independent training for staff at the shop, as well as conditions aimed at preventing underage sales and minimising the chances of inadvertently supplying illicit goods. I have proposed some conditions below that the Committee could consider.

In its Licensing Policy, Islington Council has outlined its commitment to act if licensed premises are found to be selling alcohol to underage persons or stocking illicit alcohol or tobacco. The Policy is clear about its commitment to ensure businesses and licensees operate responsibly and of their need to demonstrate a commitment to high standards of management. As identified above, this business has fallen short of these standards, and unless Mr Kilinc can show the Committee how this can be rectified, I believe that the licence should be revoked.

but Mr Kilinc was not. Mr Pektas said that he had been employed for approximately 18 months, working 16 hours a week. He said that Mr Kilinc had told him not to sell to anyone under 18. When asked about appropriate proof of age, he mentioned passports and driving licences, but not the PASS proof of age cards that Trading Standards advise should be accepted. Mr Pektas did not answer when asked who he asked for proof of age, suggesting that he did not understand the question.

Mr Kilinc then arrived at the shop. Mr Love asked to see Mr Pektas' training records, but despite searching in his folders for 15 minutes, Mr Kilinc was unable to find them. He said that they must be at his home. Mr Love asked him about the nature of the training. Mr Kilinc's reply was consistent with that he gave at the interview. He said that training was given verbally and by getting the new member of staff to learn through observing him serve; he said that all staff were told to use Challenge 25 and that PASS proof of age cards as well as passports and driving licences were acceptable; he also warned them that they would commit an offence if they sold. No written or other aids were used to train staff.

Mr Love examined the refusals book. There were four additional entries since the interview – one made by CK; two by Hassan Pektas; and one by 'Ali'.

Section 13(4) of Licensing Act 2003 and Regulation 7 of The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 makes a local weights and measures authority a responsible authority for the purposes of the legislation. Islington Council is a local weights and measures authority and that function is carried out by the trading standards team.



of individual sellers legal liability for underage sales. Nurhan Denk signed hers some days after the sale.

- Refusals records were produced that showed that six refusals had been recorded between 18/09/12 and the date of Miss Denk's sale (five by CK; one by Turabi Kilinc); and four since the sale (two by CK and one each by Hassan Pektas and Mehmet Balci).
- CK claimed that the Glens vodka almost certainly came from Imperial Cash and Carry, although he said it may possibly have come from Eastenders Cash and Carry. He stated that he has never bought any alcohol from anyone calling at the shop.
- CK says all the wine came from Eastenders over a short period between the end of 2011 and the start of 2012. The wine was given free by Eastenders to customers, depending on what other goods they had bought. It was not recorded on invoices because it was given after the checkouts. CK approached Eastenders to try to get them to confirm this, but had no success so far. He estimates, but is unsure, that the business sells 2-3 bottles of this wine per week on average. DL calculated that approximately 45 cases of 6 must have been given free to CK when the amount seized was added to the amount thought to have been sold.
- CK recognises the guidance on illicit alcohol and tobacco that was sent to independent off licences in December 2011. DL observes that this guidance was sent at the time CK stated that Eastenders was giving away the free wine. DL also notes that the guidance states that proper invoices should always be obtained and that some cash and carry businesses have been known to disguise non-duty paid wine by not putting 'free' offers on their invoices.
- RC requests that CK provides all Eastenders invoices from this period and DL advises of the importance of contacting Eastenders again to see if they would provide written evidence to confirm this offer. CK agrees to do this.

No Eastenders invoices or evidence from Eastenders have been received to this date.

The licence should have been reviewed at this point. I spoke with Mr Love and asked him to draft a review. Unfortunately, competing priorities meant that this did not happen and I felt the matters were a little stale by the time Mr Love was able to draft it. I asked him to visit the business again to undertake a further illicit check and to arrange another test purchase. The intention was to offer Mr Kilinc an opportunity to avoid a review by adding conditions to his licence voluntarily if these visits were satisfactory.

On 08<sup>th</sup> July, Mr Love and Niall Forde of the Licensing team visited the shop with a view to checking compliance with the law and best practice advise. Mr Love checked the stock of alcohol and tobacco and found no issues to cause him concern. He also looked at the refusals register, which appeared to be in regular use; noted a poster promoting 'Challenge 25'; and asked about training records, which Mr Kilinc stated that he had, although Mr Love did not see any at the time. Mr Love informed Mr Kilinc that there would be a further test purchase in the coming weeks and that if there was no sale, the licence may not be reviewed.

On 19<sup>th</sup> July, a test purchase was made at the business by two volunteers: one female, aged 16 years and 8 months; one male, aged 16 years and 9 months. Hassan Pektas sold two 275ml bottles of WKD Vodka Blue (4.0% abv) to the female volunteer. After the transaction had been completed and as the volunteers were about to leave the premises, Mr Pektas asked them to wait and said "I forgot to ask – have you got ID? How old are you?". The volunteers replied that they were 16 and the owner, who Mr Pektas had called from the back of the shop, told them that they could not be sold the items and directed Mr Pektas to give the volunteers their money back. The volunteers agreed to do this.

The 'purchase' was observed by Sam Houseman of Trading Standards. When she returned to the shop she established that a man, Atasanali Emin, who was sitting next to Mr Pektas during the transaction was a new member of staff who was observing Mr Pektas as part of his training.

On 23<sup>rd</sup> July, Mr Love and Ms Houseman returned to the shop. Initially Mr Pektas was there,

This application to review relates to the objectives to protect children from harm and to prevent crime and disorder and licensing policies 25, 26 & 10. It particularly relates to two recent sales of alcohol to different 16 year old volunteers working with Trading Standards, a seizure of illicit vodka and wine and the failure to exhibit a high standard of management at the business.

Arsenal Food & Wine of 92 Gillespie Road is owned by Eylul (UK) Ltd, a company of which Cemal Kilinc is the sole Director. Eylul (UK) Ltd. holds the premises licence for premises and Mr Kilinc has been the Designated Premises Supervisor (DPS) since at least 2005. The only recorded Trading Standards contacts with the business in that time are described below.

In December 2009, the business was sent a leaflet headed 'Retailer Alert' warning about counterfeit goods including alcohol, which advised businesses not to buy from door-to-door sellers and to get detailed receipts for all purchases.

On 23 January 2010, a sale of alcohol was made by Turabi Kilinc to an underage volunteer working with Trading Standards. Cemal Kilinc attended an Officer Panel meeting the following month where he received advice and was given a warning that would be that the licence would be reviewed in the event of a future sale.

On 13 March 2010, the business refused to sell alcohol to an underage Trading Standards volunteer.

In March and December of 2011, two letters with attached guidance on identifying illicit alcohol were sent to 'The Proprietor and Licensee' at the shop.

On 24<sup>th</sup> November 2012, the business sold alcohol – two 500ml cans of Fosters lager (4.0%) to a boy, aged, 16y & 2m, who had volunteered to help Trading Standards. Doug Love of Trading Standards observed the sale. The seller, Ms Nurhan Denk, was standing next to Mr Kilinc when the sale took place, although Mr Kilinc was not taking much notice of the transaction. She later said that she did not work there regularly and was "just helping out"; that she thought the volunteer looked "18 or 19" and that she had forgotten to ask for proof of age.

On 07<sup>th</sup> December 2012, Mr Love and officers from Public Protection returned to the shop to check the alcohol and tobacco stock. No suspect tobacco was found, but the following goods were seized.

**Glens vodka** – 6.3 litres (9 x 70cl bottles): incorrect style '4' on the barcode; self-adhesive, poorly affixed back labels. An invoice from Imperial Cash and Carry (invoice 394711 from 20/10/12) for 12 x 70cl of Glens was produced on the day of the seizure. Six bottles were left on the shelves as believed to be legal.

**Italian wine** – 126 litres (168 bottles): Four brands – Conti Cantinieri, Belvedere, Cervino & Calice di Bacco – which are recognised as being brands that are regularly smuggled were seized pending the production of invoices.

The duty that is payable on these goods would have been approximately **£301**.

The Glens may not have been obviously illicit, even if Mr Kilinc had made the checks advised by Trading Standards, but the problem with cheap Italian wine was mentioned specifically in the March letter sent with the guidance to off-licences.

Mr Kilinc (CK) attended a PACE interview on 15<sup>th</sup> February 2013, where he was asked about both offences. The interviewing officers were Mr Love (DL) and PS Robin Clark (RC) of the Islington Police Licensing Team. Mr Kilinc was accompanied by his daughter, Melissa Kilinc, to assist with interpretation if necessary. Some of the main points from the interview are summarised below:

- CK produced a 'Notice to Employees' for Nurhan Denk (signed 05/12/12); Hassan Pektas (10/02/12); and Mehmet Balci (20/08/09). This stated that all employees were to be trained before selling alcohol or tobacco; it stated that the Challenge 25 rule should be used; noted that training had been given in Turkish and English, both verbally and 'formally'; and warning

**(B) DETAILS OF OTHER APPLICANT**

Name and address
Telephone number (if any)
E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address	<b>David Fordham Service Manager (Trading Standards) Public Protection Division 222 Upper Street London N1 1XR</b>
Telephone number:	<b>020 7527 3458</b>
E-mail:	<u>david.fordham@islington.gov.uk</u>

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

- 
- 
- 
-

Please tick ✓ yes

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

If yes please state the date of that application

Day	Month	Year

If you have made representations before relating to this premises please state what they were and when you made them

N/A

Please tick ✓ yes

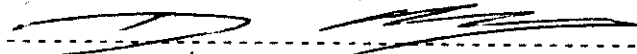
I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate

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 read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature 

Date 30<sup>th</sup> July 2013

Capacity Service Manager (Trading Standards)

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

**Notes for Guidance**

The ground(s) for review must be based on one of the licensing objectives.  
Please list any additional information or details for example dates of problems which are included in the grounds for review if available.

The application form must be signed.

An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

This is the address which we shall use to correspond with you about this application.

Licensing Team  
Public Protection Division  
222 Upper Street  
London N1 1XR

T 020 7527 3233  
F 020 7527 3057  
E [terrie.lane@islington.gov.uk](mailto:terrie.lane@islington.gov.uk)  
W [www.islington.gov.uk](http://www.islington.gov.uk)

Our ref: ppd/licpanel/tl  
Your ref:

Date: 24 February 2010

Mr. Cemal Kilinc  
Arsenal Food and Wine  
92 Gillespie Road  
London N5 1LN

This matter is being dealt with by:  
**Terrie Lane**

Dear Sir,

**RE: LICENSING OFFICER PANEL – 19 February 2010  
ARSENAL FOOD AND WINE 92 GILLESPIE ROAD N5 1LN**

Further to your attendance at the above Officers Panel meeting, you were advised that should there be a further sale of alcohol to an underage person, your licence will be called in for a Review where the licence could be revoked, suspended for up to three months or have more stringent conditions placed on it.

You were also advised that you must train everyone who works for you and keep a record of the training.

You were given an underage sales pack which includes posters and a record of refusals book and you were advised to challenge anyone who looks under the age of 25 and to ask for passports and driving licenses as proof of ID.

The pack will help you and your staff to deal with refusals and must keep the refusals book on the premises close to the till.

Please contact me at the above address if you have any further queries.

Yours faithfully,

**Terrie Lane**  
Licensing manager



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Trading Standards Team  
Public Protection Division  
222 Upper Street  
London N1 1XR

Tel : 020 7527 3874 / 4028  
Email : [doug.love@islington.gov.uk](mailto:doug.love@islington.gov.uk)

Website : [www.islington.gov.uk](http://www.islington.gov.uk)

Our ref: Mailshot

Date: March 2011

The Licensee and Proprietor

Dear Sir/Madam,

### **Important information – YOUR LICENCE IS AT RISK**

In the last few months Islington Trading Standards and Her Majesty's Revenue and Customs (HMRC) have visited off-licensed businesses to look for illicit alcohol and tobacco. Seizures of the following goods – all of which have evaded excise duty and some of which is also counterfeit - have been made from 40 businesses in this time:

- **Over 800 litres of spirits**
- **Over 5,000 bottles of smuggled wine**
- **Over 3,500 cigarettes and 23kg of other tobacco products**

Trading Standards and HMRC are going to intensify their campaign as a result of these alarming findings which are evidence of very serious offences. As well as the **£19,000 evaded excise duty** these goods represent, there are health concerns caused by counterfeit goods, which are produced with no regard to health standards or quality control – sellers do not know what they are selling or how much harm it may do.

- **Counterfeit alcohol can cause breathing difficulties, blindness or be lethal.** There have been deaths in the UK attributed to counterfeit alcohol containing methanol – a type of alcohol that is particularly dangerous to ingest. Thousands of deaths are reported worldwide to be caused by counterfeit spirits.
- **Asbestos and rats' droppings** are amongst the 'ingredients' recently found in counterfeit tobacco.

Goods such as these are distributed by **organised crime gangs** who will often be involved in other crimes, such as people trafficking, violent crime and even terrorism. Selling them is not a 'harmless' crime that benefits your customers, but one that harms society as a whole.



Up to now, the businesses that have had illicit goods seized have generally been required to attend a meeting and given advice and a final warning.

**As we have found this problem to be so widespread, there will now be tougher action taken against businesses found to be selling smuggled or counterfeit alcohol or tobacco.**

Is it likely that your licence to sell alcohol will be reviewed and either suspended or taken away entirely. Licensing Panels will consider **permanently revoking the licence of businesses that sell smuggled goods**. You and the owner of the business may also be prosecuted.

You can prevent yourselves getting into trouble by understanding and **following the advice given in the attached guidance sheet**.

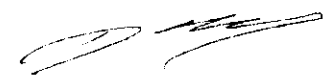
You can also be active in protecting your business. If you have any details – e.g. name or telephone numbers, vehicle details, or CCTV footage – of anyone calling at your shop and trying to sell you alcohol or tobacco, please let Trading Standards know. If your business is being undercut by local competitors trading unfairly by stocking illicit goods, let us know. We will treat all information in **complete confidence** – your name will not be revealed and any subsequent visits will appear to be random.

Goods that have been regularly seized are as follows:

- **Cheap Italian wine** – with a variety of brand names – sold door-to-door for unrealistically low prices. The excise duty alone payable of 6 bottles of wine will be over £10.
- Vodka that is counterfeit or was originally intended for export, especially **Glens** and **Smirnoff**.
- Whisky - counterfeit or intended for export – especially **Famous Grouse, High Commissioner, Bells** and **Teachers**.

Trading Standards remains committed to working with law-abiding businesses to improve legal compliance and to protect them from unfair competition. If you need further advice or have any questions, please contact me on the number shown above. However, we will continue to take strong measures against businesses that break the law and cause a hazard to the public. Do not let your business suffer the consequences of illegal trading.

Yours sincerely



Dave Fordham  
Service Manager, Trading Standards





# Smuggled Alcohol and Tobacco Products

Trading  
Standards

## 1. Introduction

Smuggled goods are goods for which the appropriate excise duty (import tax) has not been paid. Alcohol and tobacco products are regularly smuggled as the excise duty that must be paid on them is very high. Some will also be counterfeit as well.

Smuggled goods:

- may be unsafe, if they are also counterfeit, as the normal quality standards will be ignored.
- boost the profits of organised criminals;
- cause huge losses to the UK's tax revenues.

Islington Trading Standards have been carrying out visits in partnership with Her Majesty's Revenue and Customs (HMRC) to detect smuggled goods and many seizures have been made. We intend to carry out many more visits to counter this widespread problem. Businesses selling smuggled goods may be **prosecuted** or their **alcohol licence may be revoked or suspended**.

## 2. Legislation

The main legislation that deals with smuggled goods is enforced by Her Majesty's Revenue and Customs (HMRC), although Trading Standards can also take action under some or all of the following laws:

- The **Fraud Act 2006** or the **Consumer Protection from Unfair Trading Regulations 2008** where a business sells items when they know or should know that they are, or might be, smuggled.
- The **Consumer Protection Act 1987** if tobacco products do not carry the required written and pictorial warnings.
- The **Licensing Act 2003** enables the Police or Trading Standards to apply for reviews of alcohol licences, which may lead to the licence being suspended or revoked.

## 3. How do I tell if goods are smuggled?

**Alcohol:** Alcoholic drinks with a stated alcohol by volume level of 30% or more (which will include all spirits) in containers of 35cl or more will be required to carry a UK Duty stamp, normally on the back label. The stamp will be pink in colour, but will glow green, yellow or white when ultra violet (UV) light is shined on it. It should not reflect blue / violet and any stamp that does is likely to be fake. UV lights are easy and cheap to buy and checking your stock with such a light is a sensible precaution, although please note that some fakes are good enough to have stamps that do glow as if genuine.



You should also check the print quality of the stamp and that the label or stamp are not stuck onto an existing label – poor print quality and overlabelling are clear indicators that the product may be illegal.

Black & white representation  
of a UK Duty stamp

 ISLINGTON

Another indicator is if spirits are sold in boxes with the 'UK Duty Paid' statement crossed through, or that have been resealed – indicating that export bottles may have been removed to have their back label changed for one carrying the UK Duty Stamp.

**Tobacco products:** Any tobacco product – including shisha and chewing tobacco - that does not carry the required health warnings is illegal for sale in the UK and is almost certain to be smuggled. The warnings must be in English and include one of the following statements:

- **"Smoking kills" or "Smoking seriously harms you and others around you"** (on cigarettes, hand rolling tobacco and shisha). A picture warning is also required on these products.
- **"This tobacco product can harm your health and is addictive"** (on chewing tobacco).

Full details of the required warnings can be viewed by following the following links:

<http://www.legislation.gov.uk/ukxi/2002/3041/contents/made> (written warnings can be found in section 7 and the Schedule)

<http://webarchive.nationalarchives.gov.uk/+www.dh.gov.uk/en/Publichealth/Healthimprovement/Tobacco/Picturewarningsontobaccoproductspressimages/index.htm> (picture warnings)

#### **General:**

- **Never buy alcohol, cigarettes or tobacco from anyone who brings the goods to the shop.** They will undoubtedly be illegal in some way – smuggled, counterfeit or stolen – and may be unsafe for people to consume. You should be very careful buying any goods in this manner – without a means of contacting the seller the responsibility for any offence will be yours. Counterfeit batteries, condoms, DVDs and unsafe cosmetics are also regularly sold in this manner.
- **Only deal with reputable traders** and get proper invoices. Cash and carry businesses have been known to deal in illicit goods, so you must still check purchased goods, especially if the seller is not a business you know and trust. If smuggled or counterfeit goods are found then we will expect you to be able to produce these invoices.
- **Control your stock** so you can be sure what goods come from where eg. mark boxes of alcohol with the supplier and date of purchase. Be careful about accepting returns of tobacco products or alcohol from customers who have changed their minds.

#### **4. What are the penalties if I sell smuggled goods?**

Substantial fines or even imprisonment can be imposed on anyone breaking the law by selling smuggled goods.

Further, if you hold a licence to sell alcohol, it is likely to be reviewed and may be revoked if smuggled goods are found in your shop.

#### **5. How can I get further advice?**

If you require further information, clarification or advice on any of the above, please do not hesitate to contact the Trading Standards Service at:

**222 Upper Street, London, N1 1XR**

**Tel: 020 7527 3198**

**Email: [trading.standards@islington.gov.uk](mailto:trading.standards@islington.gov.uk)**

Trading Standards Team  
Public Protection Division  
222 Upper Street  
London N1 1XR

The Licensee and Proprietor

Tel : 020 7527 3874 / 4028  
Email : [doug.love@islington.gov.uk](mailto:doug.love@islington.gov.uk)

Website : [www.islington.gov.uk](http://www.islington.gov.uk)

Our ref: Mailshot

Date: December 2011

Dear Sir/Madam,

**Important information – YOUR LICENCE IS AT RISK**

In March 2011, all independent off licences in Islington were sent guidance on how to avoid stocking illicit alcohol and tobacco, following a large amount of seizures in the previous months. Owners and Licensees were warned that licences may be reviewed and possibly revoked by Councillors if future seizures were made.

Unfortunately, the message does not seem to have got through. Since, the guidance was sent out:

- **Over 75% of off licences are still stocking illicit alcohol**
- **Trading standards have applied for the licences of 13 more businesses to be reviewed**

The consequences of having your licence reviewed could be very serious for your business. Altogether

- **Eight businesses have had their licences revoked – that is, taken away permanently, so the business can no longer sell alcohol at that premises**
- **Nine licences suspended – taken away for a specified period up to 3 months, during which no alcohol can be sold**

This is clear evidence that the Council's Licensing Committee are taking the presence of illicit alcohol very seriously. Two of the decisions to revoke have been appealed, but on both occasions the Magistrates' Court agreed with the Council's decision.

Trading Standards will continue to visit off licences to look for illicit alcohol. We will work with businesses, but will not tolerate licensees who are willing to take risks with their customers' health, compete unfairly with other businesses or steal from the public purse

- **Counterfeit alcohol can cause breathing difficulties, blindness or even death.** There have been deaths in the UK attributed to counterfeit alcohol containing methanol – a type of alcohol that is particularly dangerous to ingest. Thousands of deaths are reported worldwide to be caused by counterfeit spirits – five men producing illicit vodka died in the UK earlier this year after an explosion at an illegal vodka factory in Lincolnshire.
- Goods such as these are distributed by **organised crime gangs** who will often be involved in other crimes, such as people trafficking, violent crime and even terrorism. Selling illicit alcohol is not a 'harmless' crime that benefits your customers, but one that harms society as a whole.
- **Over £1bn per year in tax revenue** is estimated to be lost through illicit alcohol.

I have attached updated guidance. It is important that you understand and follow the advice given. We will not apply for a review for a business that follows our guidance even if they innocently stock smuggled goods.

**It is also important to check your existing stock. We are more than happy to verify any goods you are unsure of if you ask us to, but will not accept the fact that it is 'old stock' as an excuse for illicit alcohol we find.**

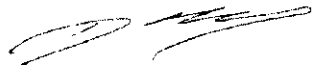
Trading Standards can supply you with a uv light for the small charge of £5 and an officer can visit your shop to give you a practical demonstration of how to use it.

You can also be active in protecting your business. If you have any details – e.g. name or telephone numbers, vehicle details, or CCTV footage – of anyone calling at your shop and trying to sell you alcohol or tobacco, please let Trading Standards know. If your business is being undercut by local competitors trading unfairly by stocking illicit goods, let us know. We will treat all information in **complete confidence** – your name will not be revealed and any subsequent visits will appear to be random.

Trading Standards remains committed to working with law-abiding businesses to improve legal compliance and to protect them from unfair competition. If you need further advice or have any questions, please contact me on the number shown above.

**However, we will continue to take strong measures against businesses that break the law and cause a hazard to the public. Do not let your business suffer the consequences of illegal trading.**

Yours sincerely



Dave Fordham  
Service Manager, Trading Standards



## Illicit Alcohol and Tobacco – Business Guidance

### 1. Introduction

Illicit alcohol and tobacco are goods which are non-duty paid (ie. genuine product on which the appropriate tax has not been paid) or counterfeit (ie. fake products on which no tax will be paid).

Islington Council has found a great deal of illicit alcohol and tobacco recently - the high amount of tax payable on the goods makes it very profitable to distribute them. However, we will take strong action against licensed premises found selling illicit goods. We will do this because:

- the goods may be unsafe as counterfeiters ignore normal quality standards;
- law-abiding business will suffer from unfair competition;
- selling illicit goods boosts the profits of organised criminals;
- huge losses are caused to the UK's tax revenues by the trade in illicit alcohol and tobacco.

Islington Trading Standards intend to carry out many more visits to counter this widespread problem. Businesses selling illicit goods may be **prosecuted** and / or their **alcohol licence may be revoked or suspended**.

### 2. General rules

**NEVER BUY ALCOHOL, CIGARETTES OR TOBACCO FROM ANYONE WHO BRINGS THE GOODS TO THE SHOP.** This is the **Golden Rule**. Illicit alcohol will be illegal in some way – non duty-paid, counterfeit or stolen – and may be unsafe for people to consume. You should be very careful buying any goods in this manner – you won't have a means of contacting the seller and the responsibility for any offence will be yours. Counterfeit batteries, condoms, DVDs and unsafe cosmetics are also regularly sold in this manner.

Door to door sellers will often claim to be from genuine business and even produce paperwork with genuine business details on. **Don't be fooled!**

**Only deal with reputable traders** and get proper invoices. Cash and carry businesses have been known to deal in illicit goods, so you must still **check purchased goods**, especially if the seller is not a business you know and trust. If illicit goods are found then we will expect you to be able to produce these invoices.

**Beware of 'special offers'**. Some cash and carry business have sold non-duty paid wine on 'Buy one, get one free' offers for a cost which is less than the excise duty payable and disguise it by not putting the 'free' goods on the invoice, so it appears you have paid a reasonable price.

**Train anyone who is allowed to buy stock** and make a record of their training.

**Control your stock** so you can be sure where and when you bought it eg. by marking the goods or cases with the supplier and date purchased. Do not accept returns of tobacco or alcohol from customers who have changed their minds in case they have substituted illicit goods.

### 3. What are the penalties if I sell illicit alcohol or tobacco?

Anyone selling illicit alcohol or tobacco can be **fined or even imprisoned**. Further, if you hold a licence to sell alcohol, it is likely to be **reviewed** and may be **revoked** if these goods are found in your shop.

#### 4. How do I tell if goods are illicit?



Black & white representation of a UK Duty stamp

##### Check the Duty stamp

**Is a duty stamp required?** Spirits must carry a UK Duty stamp, normally on the back label if:

- the alcohol content is at least 30% alcohol by volume (abv)
- the bottle size is at least 35cl.

**Does it fluoresce?** The stamp will be pink in colour, but will glow white, yellow or green when ultra violet (UV) light is shined on it. It should not reflect blue / violet and any stamp that does is likely to be fake. UV lights are easy and cheap to buy and checking your stock with such a light is a sensible precaution, although please note that some fakes are good enough to have stamps that do glow as if genuine.

**Is it separate to the other labelling?** Separate stamps are allowed, but must start with a unique code starting with 'V' for vodka; 'W' for whisky etc.

Check that it is not stuck over any labelling – this is not permitted.

**Check the back label:** Labels without duty stamps used on export stock are often replaced with labels with fake duty stamps on. Warning signs that should make you suspicious are:

- Back labels stuck over another label
- Poor printing on the label
- If the label is crooked or bumpy where it has not been stuck on properly
- If the label is not in English, it was clearly not produced for the UK market.

**Is the case resealed?** If spirits are sold in cases that have been resealed with tape or have the 'UK Duty Paid' statement crossed through – indicating that export bottles may have been removed to have their back label changed for one carrying the UK Duty Stamp – don't buy them.

**Is anything about the deal odd?** Is the price too low? The excise duty on a bottle of wine is £1.81 (£10.86 per case of 6) and £7.15 on a standard bottle of spirits (£10.21 per litre). This has to be added to the cost of the product; transportation costs and VAT.

Has someone told you a story (eg: "It's old stock from a shop I've closed") to make themselves appear convincing?

**Tobacco products:** Any tobacco product – including shisha and chewing tobacco - that does not carry the required health warnings is illegal for sale in the UK and is almost certain to be smuggled. The warnings must be in English and include one of the following statements:

- **"Smoking kills" or "Smoking seriously harms you and others around you"** (on cigarettes, hand rolling tobacco and shisha). A picture warning is also required on these products.
- **"This tobacco product can harm your health and is addictive"** (on chewing tobacco).

#### 5. How can I get further advice?

If you require further information, clarification or advice on any of the above, or would like us to check any goods, please do not hesitate to contact the Trading Standards Service at:

222 Upper Street, London, N1 1XR

Tel: 020 7527 3198

Email: [trading\\_standards@islington.gov.uk](mailto:trading_standards@islington.gov.uk)

Building Control Service  
Planning and Development  
222 Upper Street  
London  
N1 1XR

T 020 7527 5986  
F 020 7527 5998  
E [geoff.weaver@islington.gov.uk](mailto:geoff.weaver@islington.gov.uk)  
W [www.islington.gov.uk](http://www.islington.gov.uk)

Our ref : GW  
Your ref:

Date: 2 August 2013

Mr Cemal Kilinc  
Eylul (UK) Limited  
Arsenal Food & Wine  
92 Gillespie Road  
London  
N5 1LN

Dear Sir

**Licensing Act 2003  
Representation from Responsible Authority for Health and Public Safety  
Arsenal Food & Wine 92 Gillespie Road N5 1LN**

With reference to the recent application for the review of the premises licence under the Licensing Act 2003 at the above named premises, as the health and safety consultant for the responsible authority for health and public safety I will be making a representation to this application.

At a survey of the premises on 31 August 2013 it was found that the requirements specified in the attached schedule are in need of urgent attention to ensure the existing arrangements at the premises are adequate for health and public safety.

The premises should be maintained in good condition. Staff should be trained in the health and safety measures applicable to the premises and the action to be taken in the event of an emergency or evacuation. Enclosed for your attention are **Health and Safety Standards for Places of Assembly, Shops and Commercial Premises**.

This communication is without prejudice to the necessity of complying with any other statutory controls which may be applicable, whether administered by the council or by any other authority.

Please give notification of the commencement and completion of the works.

Should you require any advice or information please contact me at the above address.

Yours faithfully

Geoff Weaver  
Senior Building Surveyor (Licensing Health and Safety)

**Islington Licensing Authority  
Licensing Act 2003**

**Representation form from Responsible Authority for Health and Public Safety**

<b>Name</b>	Geoff Weaver
<b>Job title</b>	Senior Building Surveyor (Licensing Health and Safety)
<b>Postal address</b>	Islington Council, Building Control Service 222 Upper Street, London N1 1XR
<b>email</b>	geoff.weaver@islington.gov.uk
<b>Contact telephone number</b>	020 7527 5986
<b>Name and address of the premises concerning the representation</b>	Arsenal Food & Wine 92 Gillespie Road N5 1LN
<b>Public Safety</b>	The arrangements at the premises are insufficient for health and public safety. See attached requirements schedule.
<b>Suggested conditions that could be added to the licence to remedy the public safety representation</b>	The premises shall not be used under the licence until the requirements specified in the schedule dated 2 August 2013 have been completed and approved in writing by the responsible authority for health and public safety.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Please return this form along with any additional sheets to: Applicant and Islington Council, Licensing Team, 222 Upper Street, London N1 1XR or email to [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk). This form must be returned within the statutory period. For more details please check with the Licensing Support Team on 020 7527 3031.



**Licensing Act 2003 – Requirements schedule dated 2 August 2013 for  
Arsenal Food & Wine 92 Gillespie Road N5 1LN**

- (1) Emergency lighting in compliance with BS 5266 – 1 should be installed in the front trading area of the shop.

Note: Non-maintained emergency lighting should be wired to the local lighting circuit in such a manner as to operate not only in the event of failure of the mains supply but also on failure of the supply to the local lighting circuit.

- (2) The existing emergency lighting at the rear trading area of the shop should be cleaned, inspected and tested to ensure it is wired to the local lighting circuit in such a manner as to operate not only in the event of failure of the mains supply but also on failure of the supply to the local lighting circuit.

- (3) Smoke and heat alarms fitted with new batteries should be provided in the parts of the premises specified below:

- Trading area of the shop – Smoke alarms.
- Basement storage area – Smoke alarms.
- Kitchen – Heat alarms.

Note: Smoke and heat alarm batteries should be changed every 12 months.

- (4) The carbon dioxide and water fire extinguishers should be sited behind or adjacent to the cashiers/sales counter.

Fire extinguishers should be on brackets or stands and located so as not to obstruct exit routes or cause a hazard to persons in and about the premises.

Appropriate signs should be fixed adjacent to the fire extinguishers indicating the type of fire fighting appliance and the class of fire covered.

- (5) A graphic symbol exit signs in compliance with the Health and Safety (Safety Signs and Signals) Regulations should be provided over the shop entrance/exit door.

- (6) The door into the rear stock room and the door into the basement should have signs on or over the doors worded **Private** or **Staff only**.

- (7) Copies of the current inspection and test certificates specified below, certified by an approved competent person, should be submitted to the responsible authority for health and public safety.

- Emergency lighting.
- Fire extinguishers.

Note: Approved competent persons for certification are specified in the attached document **Health and Safety Standards for Places of Assembly, Shops and Commercial Premises**.

**Licensing Act 2003- Representation from the Licensing Authority**  
**Application: 92 GILLESPIE ROAD N5 1LN**

I am submitting a representation of behalf of the Licensing Authority in respect of the application to review the premises licence by Trading Standards.

The grounds for the representations are:

- Preventing crime and disorder
- Protection of children from harm.

The following Licensing Policies, determined by the Licensing Authority as being appropriate to promote the licensing objectives, are relevant to this application:

**Licensing Policy 25**

*The Licensing Authority is committed to tackling the illegal sale of alcohol to children, including proxy sales when adults buy alcohol for children. It expects licensees to implement measures to Challenge 25 standard to reduce the likelihood of underage sales from their premises and will take appropriate action, including the review of licenses, where sales persist.*

**Licensing Policy 26**

*The Licensing Authority will consider licence review applications where there is evidence that illicit alcohol has been offered for sale on the premises. Where other illicit goods, such as tobacco, have been found this may be considered by the Licensing Authority as evidence of poor management and have the potential to undermine the licensing objectives.*

**Licensing Policy 10**

*When assessing the applicant's or licensee's ability to demonstrate a commitment to high standards of management the Licensing Authority will take into account whether the applicant or licensee:*

- *can demonstrate comprehensive knowledge of best practice*
- *has sought advice from the responsible authorities*
- *has implemented any advice that been given by the responsible authorities*
- *is able to understand verbal and written advice and legal requirements*
- *can demonstrate knowledge of the licensing objectives, relevant parts of the Licensing Policy and their responsibilities under the Licensing Act 2003*
- *is able to run their businesses lawfully and in accordance with good business practices*
- *is able to demonstrate a track record of compliance with legal requirements*

*Where there is a history of non-compliance associated with the premises the Licensing Authority is unlikely to grant a new or variation application unless there is evidence of significant improvement in management standards.*

**Licensing Policy 30**

*The Licensing Authority will apply the full range of powers available to it when a review of a premise licence becomes necessary, including:*

- *Restricting hours of operation*
- *Removing licensable activities from the premises licence*

- *Imposing additional conditions*
- *Requiring the removal of a designated premises supervisor*
- *Suspending a licence*
- *Revoking a licence*

Mr Kemal Kilinc has been the DPS of the premises since November 2005, with his company Arsenal Food and Wine Ltd being the licence holder up to November 2008 and since then in his new company name Eylul (UK) Ltd.

As the premises licence holder and DPS Mr Kilinc has failed to demonstrate any commitment to a satisfactory standard of management as evidenced by:

- Selling alcohol to an underage young person in January 2010, November 2012 and in July 2013
- Supplying illicit alcohol in December 2012
- Committing these offences despite receiving advice and warnings at an Officers Panel in February 2010 and being called in to a PACE interview with Trading Standards and Police in February 2013.
- Selling to an underage person less than 2 weeks after receiving guidance from the Trading Standards Officer
- Inadequate staff training

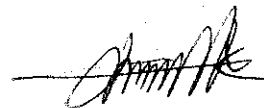
The Licensing Committee is asked to consider revoking the licence as an appropriate measure to promote the licensing objectives.

Janice Gibbons  
Service Manager (Commercial)  
13 August 2013  
Janice.gibbons@islington.gov.uk

## POLICY FOR ALL EMPLOYEE'S ON TRAINING

All staff on training are required to follow the following:

- You are required to go through a two month training period.
- During the two month trial, you are not permitted to sell any type of alcohol/tobacco goods.
- After your trial, you are to ID every customer who looks under the age of 25.
- If you attempt to sell alcohol/tobacco products to anyone under the age of 18, you will lose your position as an employee.
- You may ask the director for any further questions.



(Director)

20-08-2013

Dear Niall,

There's a petition with many signatures from residents who are against the The Trading Standard's intention to revoke the Licence of the shop's owner (Mr Eylul (UK) LTD - Arsenal Food & Wine, 92 Gillespie Road, N5 1LN. Could you please let me know who this petition should be sent to? I understand that the last day for representation is the 27th August so I need to know this information as a matter of urgency.

Like many of my constituents I would also wish to object against the intention to remove the shop owner's license and livelihood. I was sent the paperwork relating to the review by Doug Love. In it there is mentioned two instances where the sale of alcohol to people under the age of 18 was made. One of the sales was made by Mr Kilinc's brother in error in 2010, and I would have presumed that by now this was spent because of the length of time. Another of the sales mentioned in the review was stopped by Mr Kilinc, albeit after the transaction had taken place. This transaction was made by a new temporary member of staff. When Mr Kilinc noticed what was going on, the 'volunteer' was called back and the goods removed from the minor.

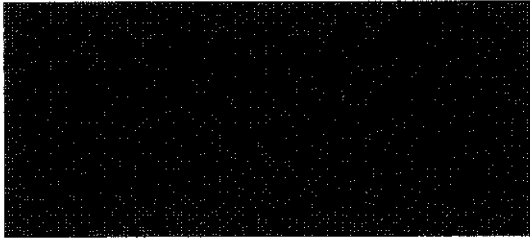
Like everyone else I am against the sale of alcohol to minors, but I sincerely believe that on these occasions there was no intention by the owner to harm minors, and that genuine mistakes were made. The shop is open for long hours and when Mr Kilinc takes breaks he makes use of temporary staff. He is currently making sure that staff are aware of and trained on procedures on the sale of alcohol, especially to minors. I will be asking him to provide members of the Sub-Committee with proof of such processes taught to temporary staff.

Could you please inform me when the licence sub-committee will be meeting to discuss and decide on the above. I would wish to attend and speak - provided I'm free at the time. Also, could you please forward my email and the list of petition signatures to members of the Sub-Committee.

Finally I would like to add how highly thought of this shop owner is. Arsenal Food & Wine is one of the few corner shops remaining in Highbury - the rest have closed due to lack of trade when a couple of supermarkets opened in the area. Islington Council's policy is to nurture and support owners of corner shops because they provide a well needed service in Islington. Hopefully, this will continue and that Mr Kilinc will be given another chance to continue in his business.

Theresa Debono  
Labour Cllr for Highbury West, LBI  
Islington Deputy Mayor

LONDON CONTRACT BLINDS & CURTAINS LIMITED



August 17<sup>th</sup> 2013

To Whom it may Concern

Re Arsenal food and wine  
Gillespie Rd NS

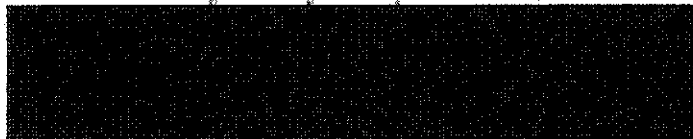
Dear Sirs

It is with great regret that I learn that  
the licence to sell spirits and wine is under review  
having been a neighbour ever since the store opened  
we know that your staff have always been responsible  
in who they sell tobacco and spirits to.

With my own eyes on many occasions the staff  
have refused young persons who have demanded that  
they be served.

The store is in my opinion a great asset to  
Gillespie Road, and I trust and hope that the licence  
will be renewed.

Yours faithfully



TRADING TERMS: 50% DEPOSIT WITH ORDER, BALANCE ON COMPLETION  
CONTRACTORS TO HOTELS, PROPERTY COMPANIES, HOUSING ASSOCIATIONS, COUNCILS & COMMERCIAL CUSTOMERS

Registered in England & Wales No. B491013 Stern & Co. 12-15 Hatfield Green W5 3AY

27-08-2013

ISLINGTON COUNCIL

RE: ARSENAL FOOD & WINE, 92 GILLESPE RD - LICENCING

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Dear Sir/Madam,

I understand that the council is intending to revoke the licence of the above named establishments, due to apparent sales to underage individuals of goods requiring a licence and the responsibility that goes with that. I must say that I have never observed such. To the contrary, I have always found this establishment to be of great responsibility, in fact one of the best in the area (if you revoke the licence from these responsible people, do I then have to go to establishments on Blackstock road that show no responsibility at all?!).

I have been a resident in Islington for many years (formerly of 7 Westerdale Court), and can attest that this is one of the best 'corner shops' in my immediate area. As such, I strongly urge you not to proceed in your action to revoke their licence as it would be detrimental to the community. You have an important job, but I do hope you focus your great efforts correctly.

Yours sincerely,



23 August 2013

To Whom it May Concern

Re: Arsenal Food & Wine  
Gillespie Road.

We have lived opposite Arsenal Food & Wine for 9 years and have never seen Alcohol served to anybody underage. There are ~~not~~<sup>no</sup> young groups of underage adults hanging around the shop. The family that run the shop are kind and polite and I believe would never knowingly sell <sup>alcohol</sup> to someone underage. It would be a shame if their licence was revoked as many local customers are residents and use the shop regularly.

Yours faithfully







[REDACTED]

[REDACTED]

24th August 2013

Dear Councillors

I am a local resident to Arsenal Food and Wine and am very concerned about the threat of removing their alcohol licence.

This wonderful shop has been a completely invaluable resource to our local community, opening long hours and serving us with incredible dedication, kindness and diligence over the last few years.

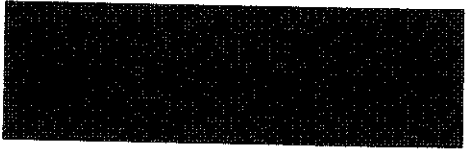
I have three now grown-up sons and all of them would vouch that Arsenal Food and Wine was not a shop that any of their friends thought they could buy alcohol in during those years when teenagers try to do this. (I can tell you, if you need to know, which shop was known in the area for selling to under-18s, but that shop may by now have cleaned up its act, so I won't name unnecessarily).

Please feel free to contact me on any of the above means if you would like me to give character references or talk more about how important it is to keep this wonderful shop open -

With all best wishes,

[REDACTED]

[REDACTED]



24 08 13

To whom it may concern,

**R/e Aresenal Food and Wine Store**

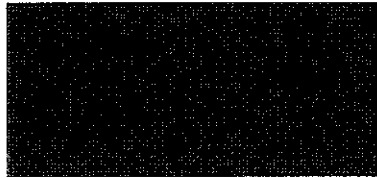
I understand that this shop is threatened with the loss of its alcohol license and would like to write in support of its owners. Such a loss would clearly impact on the viability of this business and this shop is an important local amenity.

We have used Aresenal Food and Wine Store since it opened and everything has always seemed entirely straight and above board. In fact, on one occasion when my daughter was in her early teens and being harassed by strange man, she sought refuge there. The owners took her behind the counter and got him out of the shop. Her decision to ask for help in this particular shop was not accidental.

I am told that the incident under consideration relates to a new member of staff. Clearly these matters need to be investigated but I have great difficulty in imagining this shop knowingly selling alcohol to underage customers. Before reaching your decision, I would ask you to take into account that all our experience suggests that this shop is run by decent, honest, hard-working people.

Yours faithfully,





24<sup>th</sup> August, 2013

For the attention of

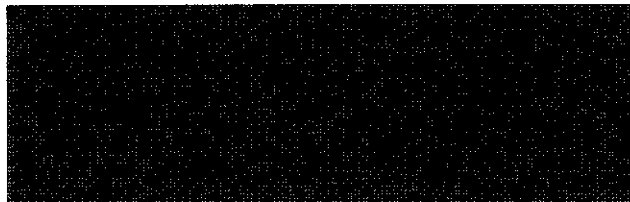
Islington Council Licensing Use

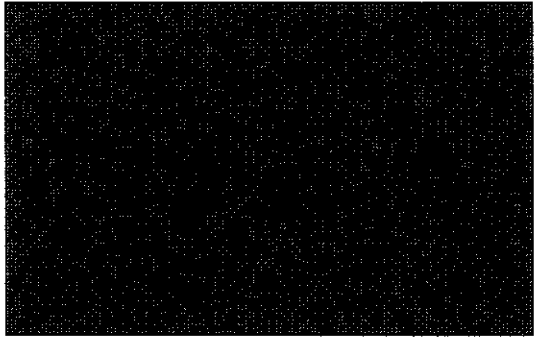
I am a long-standing resident of Highbury – at the above address for over 30 years – and I wish to express on the following comments in support of the convenience store in Gillespie Road on the issue of continuing its licence to sell alcohol.

I am a regular user of the store and I believe the staff there operate a very efficient business which is well regulated to cater for both 'quiet' days and football weekends so far as staffing and customer control is concerned. Specifically: internal CCTV and always sufficient staff available to monitor and serve customers and at busy times, ie football days, additional staff on the shop floor. On match days, whilst many supporters tend to purchase canned drinks, I have never seen under-age children being served alcohol.

I have not seen evidence that local youngsters use the shop as a meeting point or hang around outside the premises.

In my view the shop is run in an efficient, friendly and totally legal fashion, which is why I was happy to sign the petition presented to me supporting the retention of an alcohol licence.





To Whom it may concern

23<sup>rd</sup> August 2013

Re: Arsenal Food and Wine Store.

I'm writing in support of the family that run the Arsenal food and wine store on Gillespie Rd. I was shocked to hear that the license is under threat due to alleged sales to minors/underage.

We use the shop regularly and it is an honest, straightforward business providing a good service. We've never seen groups of young people hanging around, nor had any disturbances. It is an important amenity in the street.

Many thanks



To whomsoever it may concern,

Subject: Arsenal Food & Wine, Gillespie Road

I have lived on Gillespie Road for over 15 years and have been a regular customer of this store. In all this time I have received fantastic service from the staff and have always felt that the store has been a great asset to our community.

In my past experience I have always witnessed the staff as being diligent ~~and~~ with respect to selling items to potential underage customers. The fact that the store is under review regarding this matter is quite shocking and I believe they are being accused wrongfully.

The loss of this store would be a real blow to our neighbourhood. Thank you for your consideration in this matter.

**Arsenal Food And Wine**  
**(EYLUL UK LTD)**

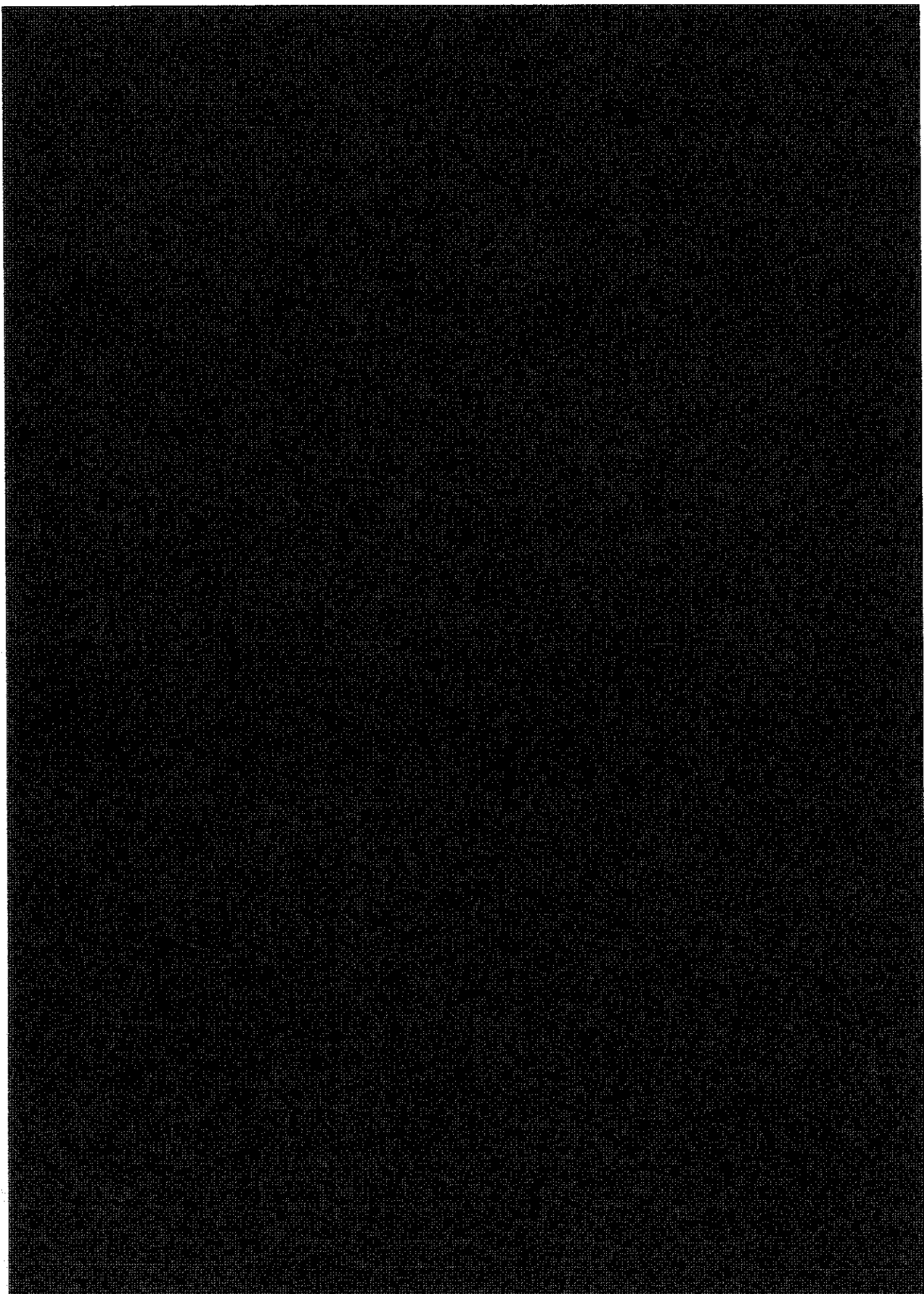
**PETITION: HELP STOP THE REMOVAL OF YOUR**  
**LOCAL SHOPS LICENCE!**

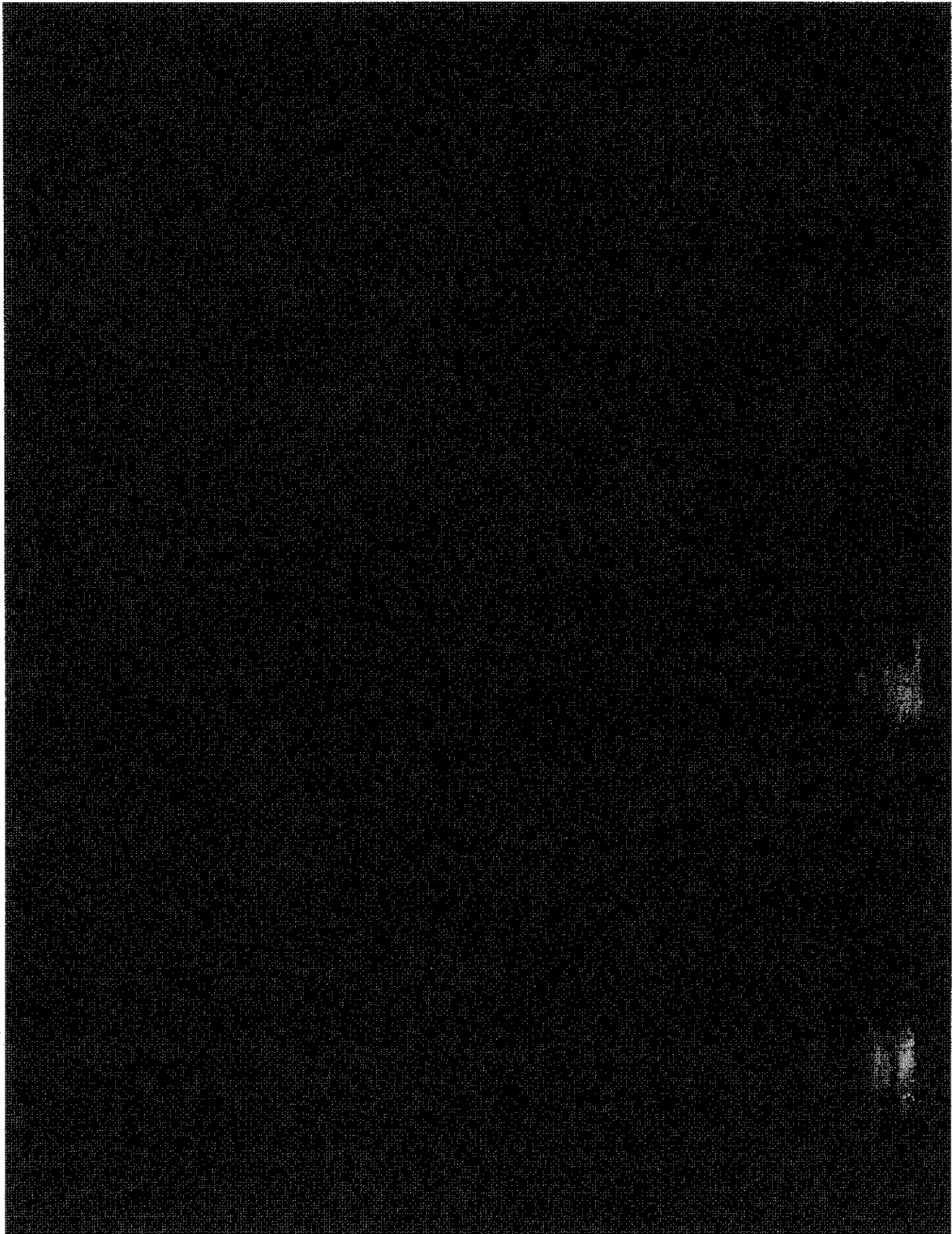
Dear local customers,

Islington council has given a notice in order to remove the premises license. As your local shop, we have tried our best to provide you with the greatest service and custom. Our aim as a team is to try and prevent any kind of illegal acts, such as selling alcohol/tobacco to customers under the age of 18. We believe that keeping the neighborhood safe is vital in order to protect our children from harm, and over the years we believe to have maintained this.

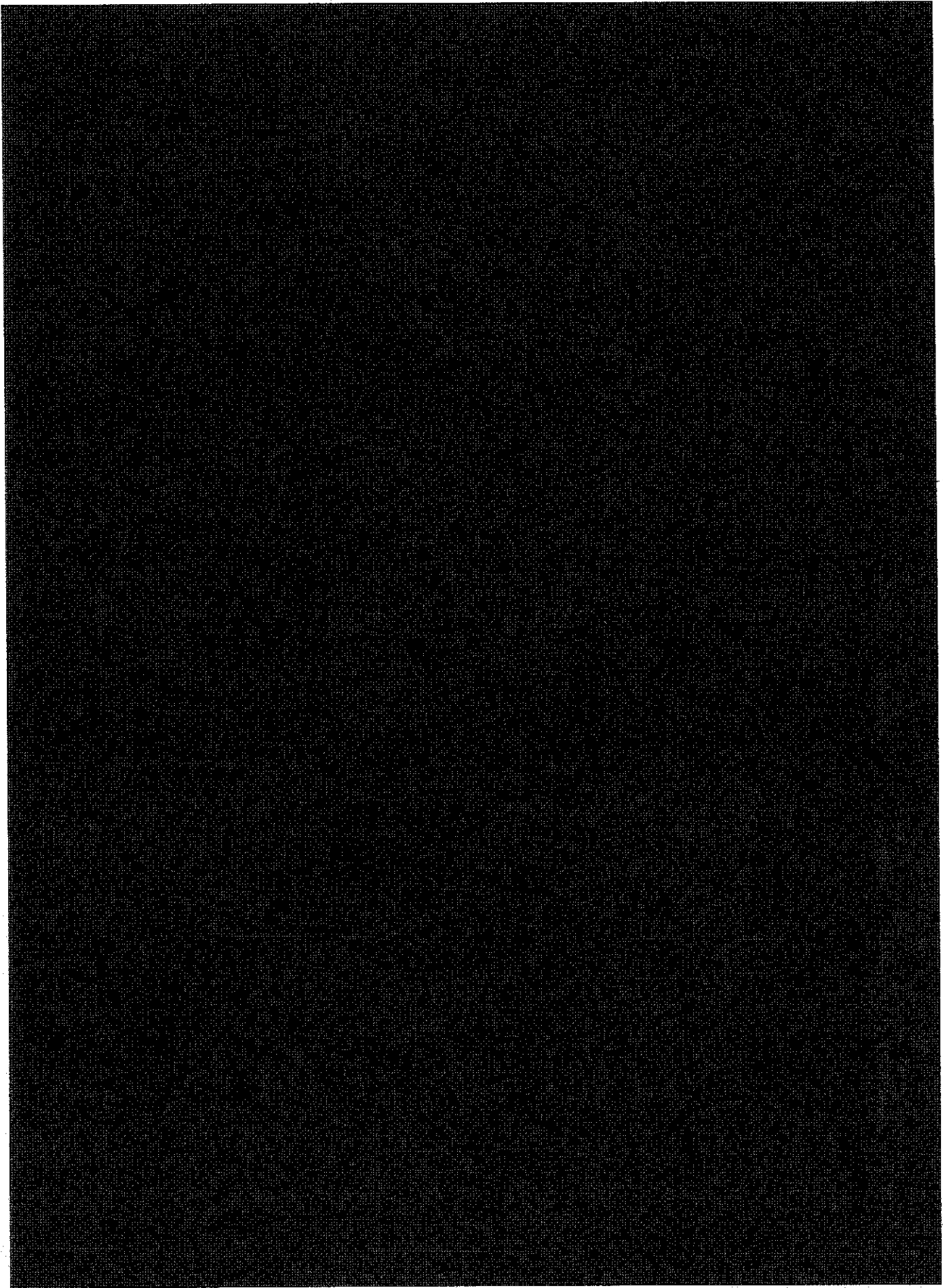
Therefore, if you do agree with the above, we kindly would like to request you to participate in this petition to use against the council, during the court process.

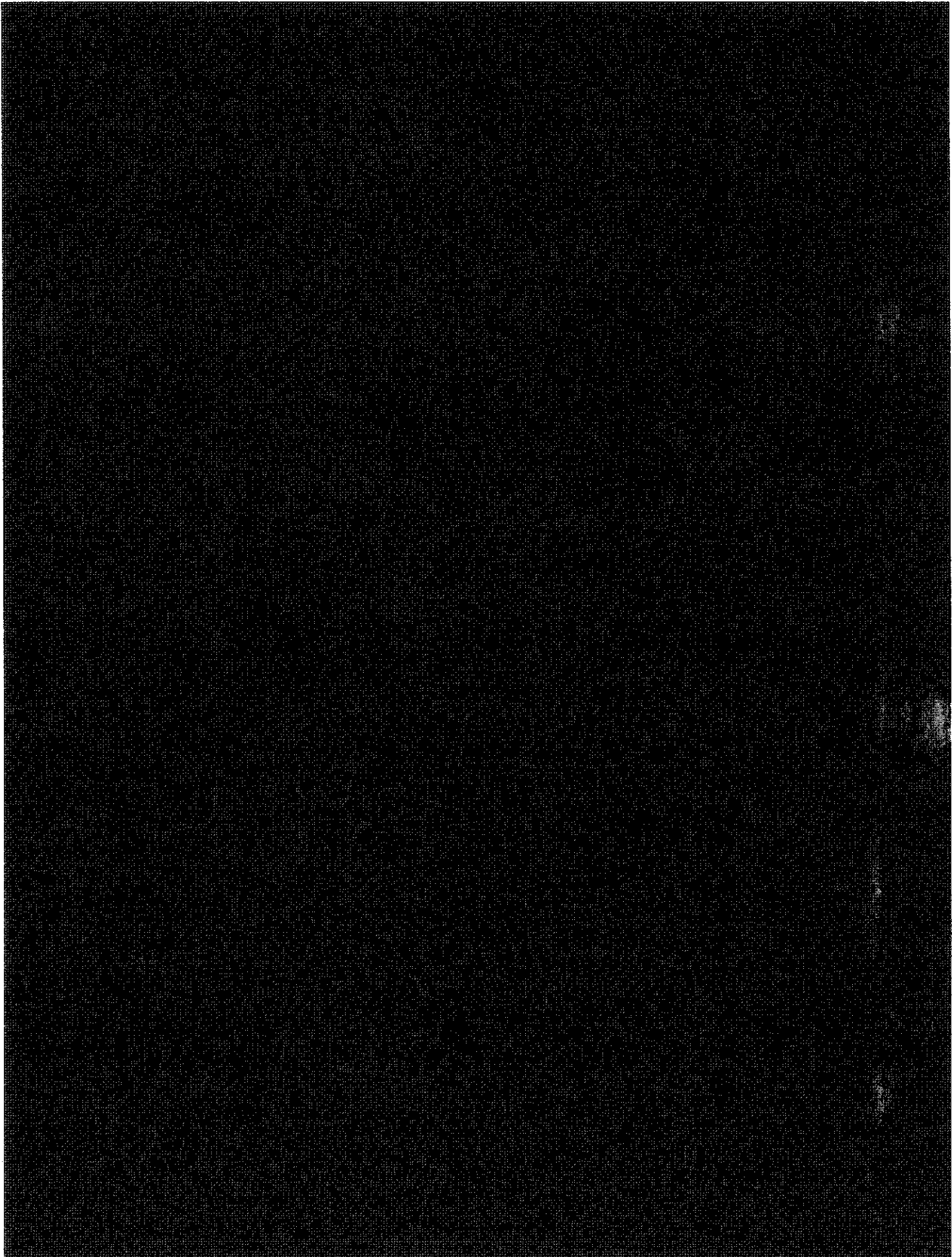
If you have any enquires or any suggestions about this issue, please feel free to talk to any member of staff.

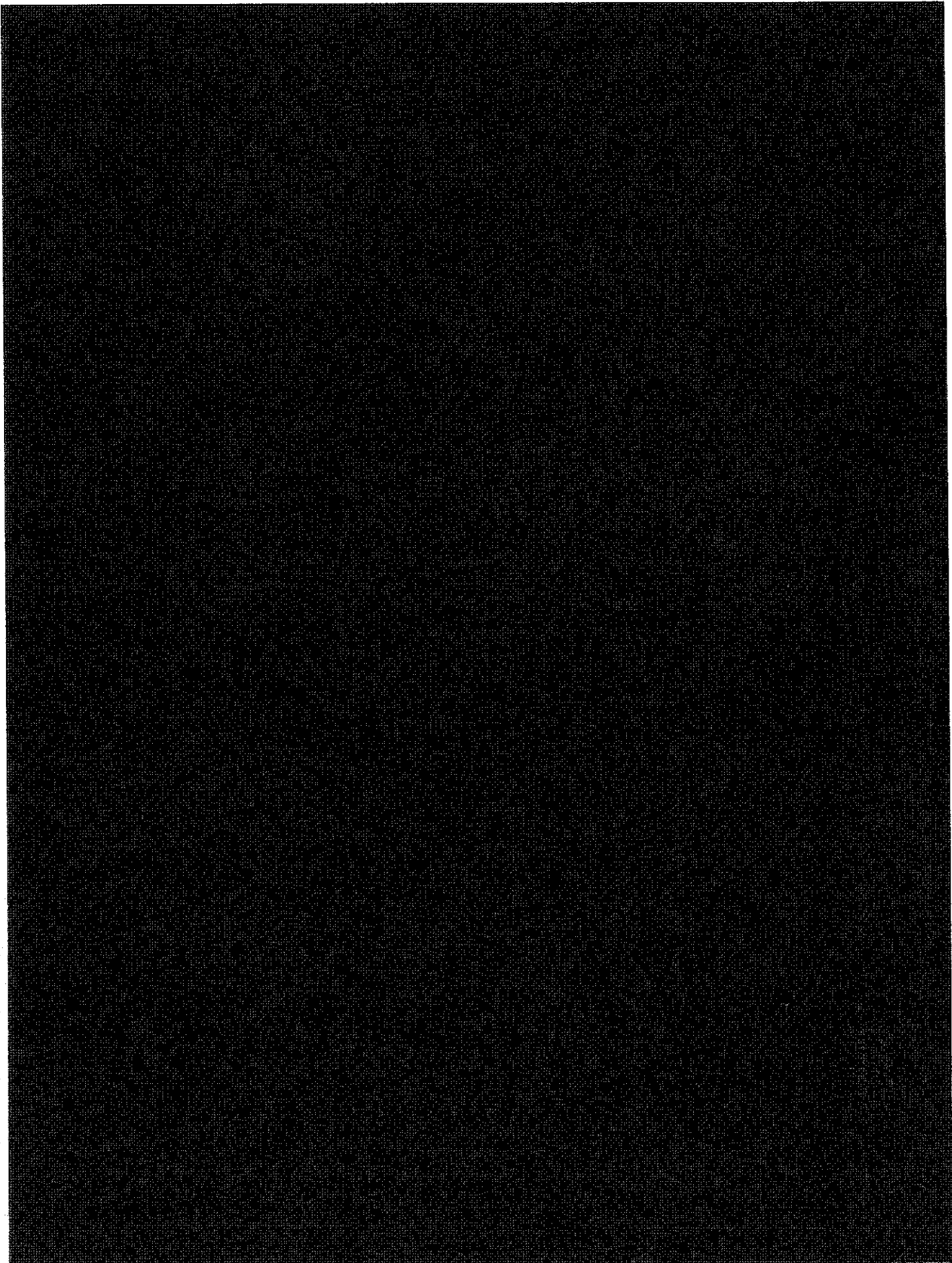


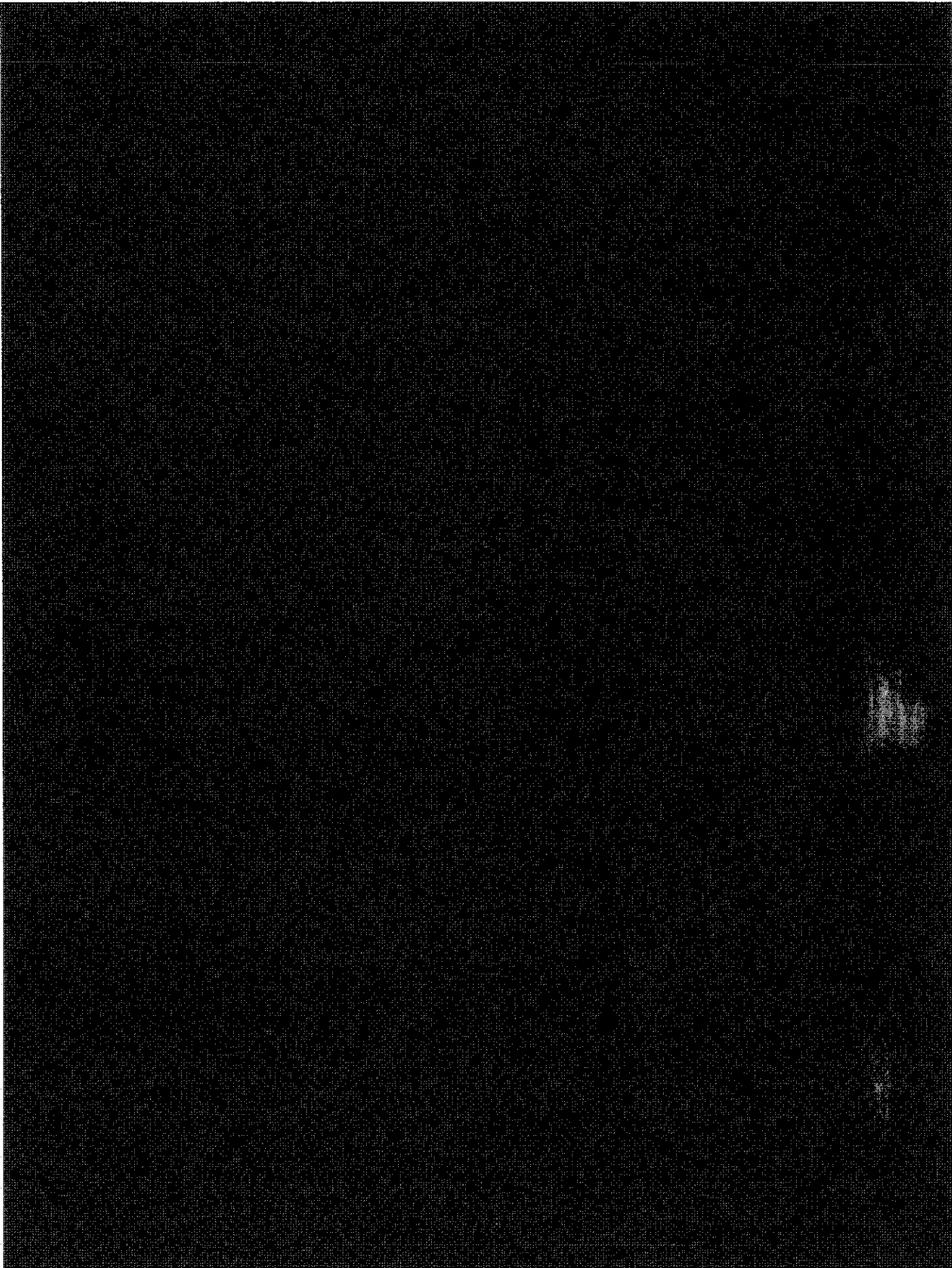


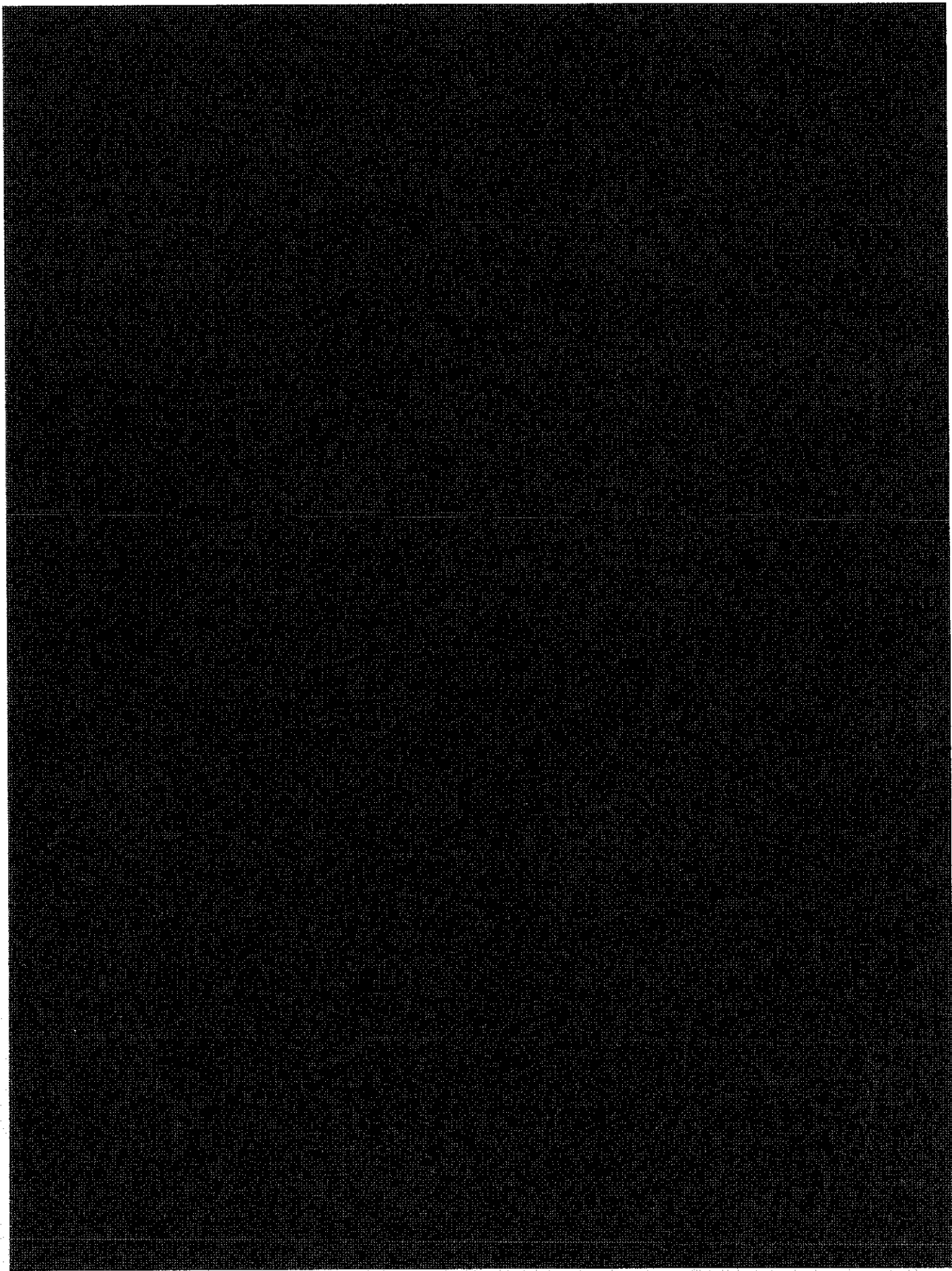


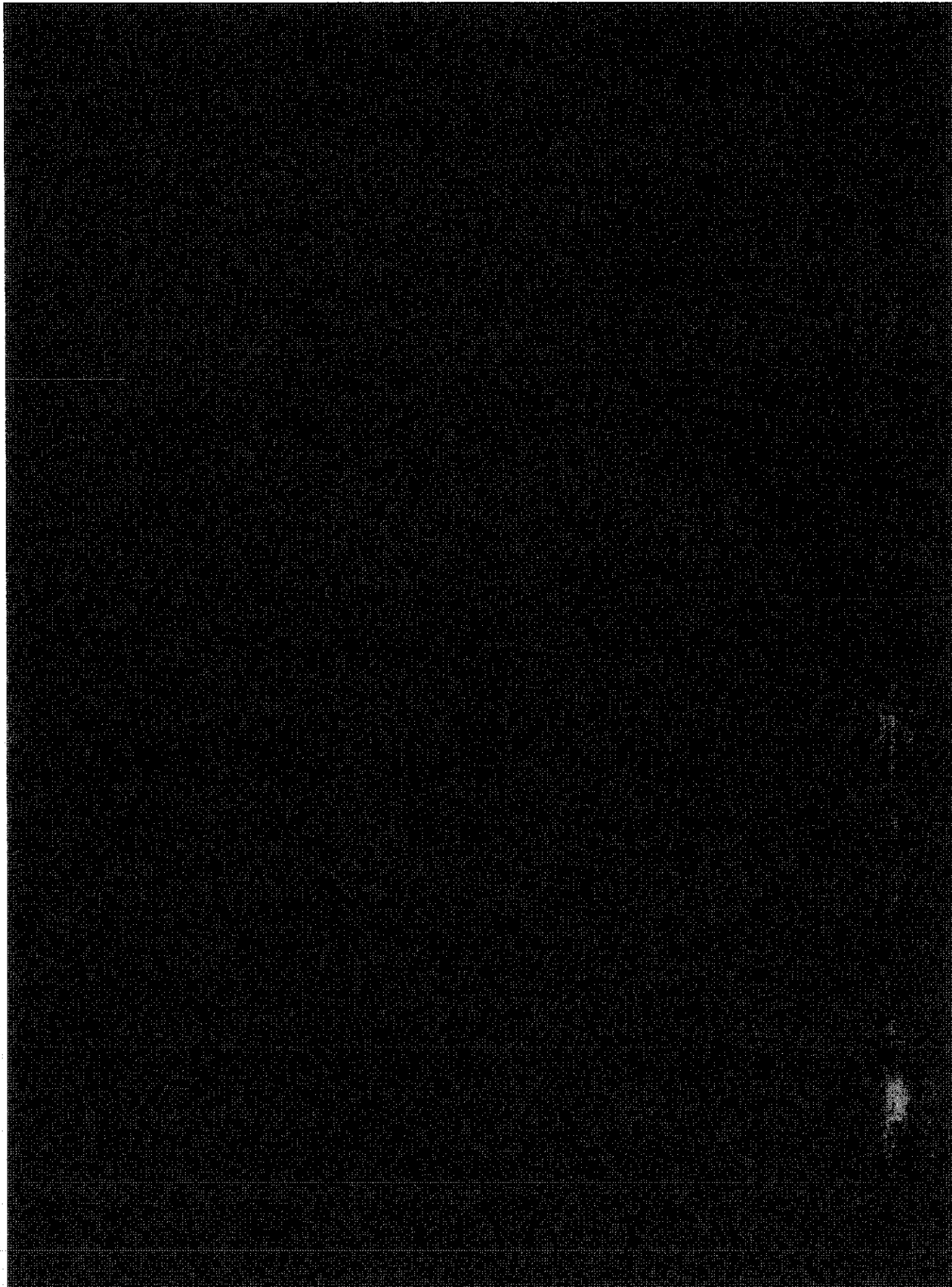


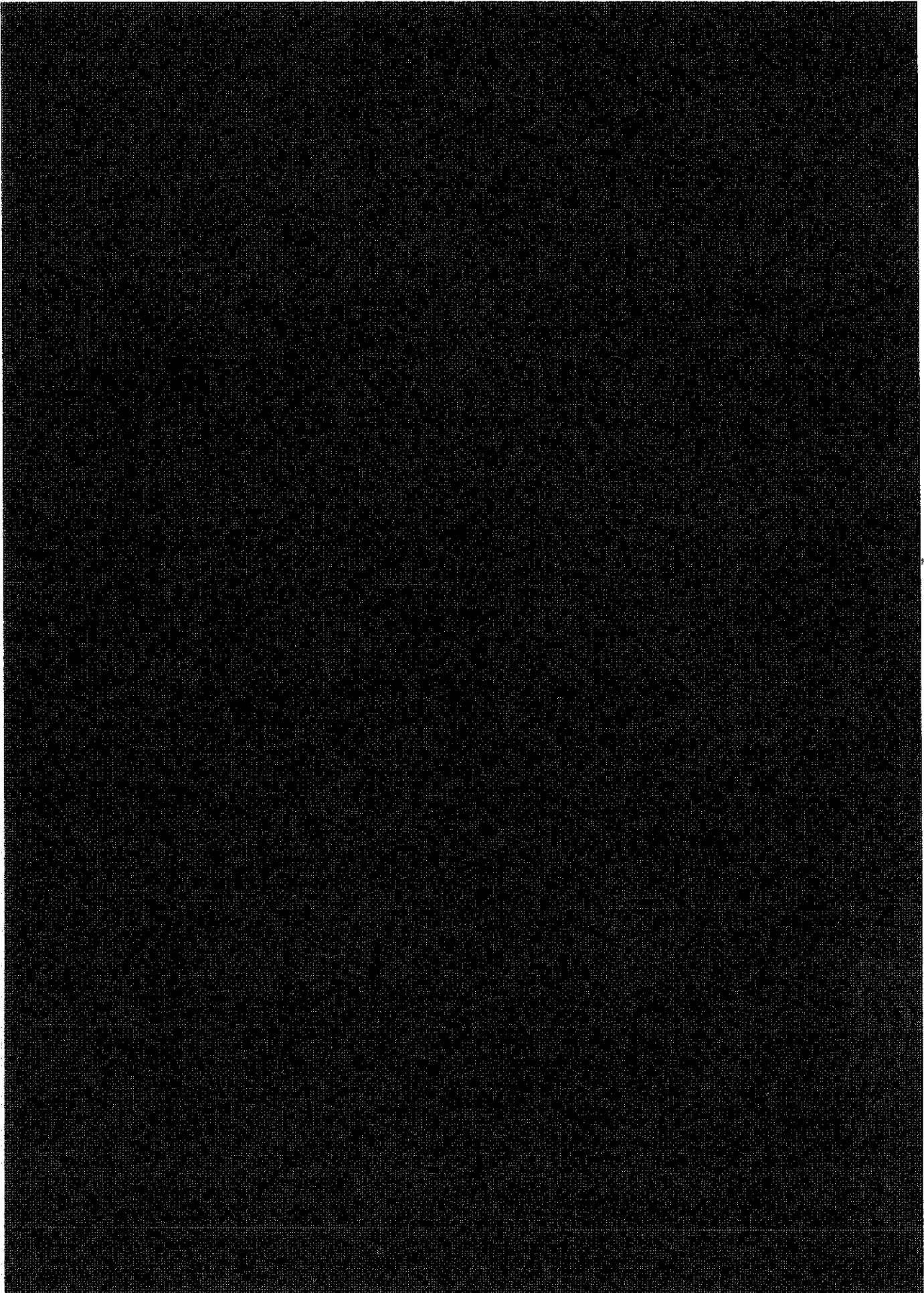












**Suggested conditions**

As per current licence save for any amended by the new suggested conditions.

**Suggested conditions in respect of the trading standards review application.**

1. No alcoholic goods will ever be purchased or taken from persons calling to the shop.
2. No spirits shall be purchased in a resealed box.
3. The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol.
4. Invoices (or copies) for all alcoholic goods on the premises will be kept at the shop and made available to officers from the council, police or HMRC upon request.
5. A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.
6. An ultra-violet light will be available at the premises for the purpose of checking the UK Duty Stamp on spirits as soon as practical after they have been purchased.
7. If any spirits bought by the business have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to Islington Trading Standards and HMRC as soon as possible.
8. The licensee shall adopt 'Challenge 25', the Retail of Alcohol Standards Group's advice for off-licences, and promote it through the display of posters.
9. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The training shall include the assessment of age; making a challenge; acceptable proof of age; and recording refusals. The licensee shall keep records of training and instruction given to staff, detailing the areas covered, and make them available for inspection upon request by the licensing team, police or trading standards.
10. The licensee shall put arrangements in place to ensure that before serving alcohol to persons they believe to be less than 25, staff ask to see accredited proof of age: that is, proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
11. The licensee shall require staff to note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection upon request by the licensing team, police or trading standards.

**Suggested condition from representation from responsible authority for Health and Safety**

12. The premises shall not be used under the licence until the requirements specified in the schedule dated 2 August 2013 have been completed and approved in writing by the responsible authority for health and public safety.



**Title : Arsenal Food  
and Wine, 92 Gillespie  
Road**

**Islington Borough  
Boundary**

**Printed by :  
RO RO**

**Printed at :  
23-09-2013**

