



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

Meeting of	Date	Agenda Item	Ward
Licensing Sub-Committee	16 April 2012		Tollington

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE REVIEW APPLICATION
RE: CRISP 'N' FRESH, 618 HOLLOWAY ROAD, LONDON N19 6PB

1. Synopsis

- 1.1 This is an application by David Fordham of Islington Council's Trading Standards team 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) 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 is currently licensed for the sale of alcohol for consumption off the premises Monday to Sundays from 11:00 to 00:00 Monday to Sunday.
- 3.2 Papers are attached as follows:-
 Appendix 1: application form;
 Appendix 2: current premises licence;
 Appendix 3: police representations;
 Appendix 4: suggested conditions and map of premise location.
- 3.3 Premises licence history:
- Premises licence granted to Miss Senkay Hussein on 17th November 2008;
 - Miss Senkay Hussein becomes designated premises supervisor on 5th June 2009;
 - Miss Senkay Hussein attends a licensing officer panel meeting as a result of a seizure of illicit alcohol by officers on 26th May 2011;
 - Premises licence review application submitted on 10th February 2012 by the Council's Trading Standards team as a result of a sale of alcohol to an underage volunteer during a test purchase exercise on 17 December 2011.
- 3.4 The Licensing Authority has received 1 letter of representation from the Police.

4. Planning Implications

No restrictions regarding the hours or class use.

5. Conclusion and reasons for recommendations


- 4.1 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

3rd April 2012
Date

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Katie Tomashevski

Tel: 020-7527-3882

Fax: 020-7527-3057

E-mail: Katie.tomashevski@islington.gov.uk

WR/11241901

Appendix: 1

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:	
Crisp 'N' Fresh 618 Holloway Road	
Post town: London	Post code: N19 6PB

Name of premises licence holder or club holding club premises certificate: Senkay Hussein

Number of premises licence or club premises certificate: LN/10522-A-191009

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

I am 18 years old or over

Please tick ✓/yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

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

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

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

Please tick one or more boxes

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>

This application to review relates to the objectives to protect of children from harm and to prevent crime and disorder and Licensing Policies 32, 39 and 28. It particularly relates to the sale of alcohol by the business to a 15 year old volunteer assisting Trading Standards and the failure to take the required precautions to prevent this sale. There is evidence that the highest standards of management have not been exhibited by the business.

On 23rd March 2011, the business was visited by Satinder Singh of the Trading Standards team and given advice about avoiding sales of age-restricted goods to underage buyers.

On 26th May 2011, Doug Love of Trading Standards and PS Robin Clark, Licensing Sergeant for the LB of Islington visited Crisp 'n' Fresh at 618 Holloway Road. A small amount of counterfeit Blossom Hill wine and non-duty paid Italian wine and High Commissioner whiskey was seized.

The matter was dealt with at a subsequent Officer Panel meeting on 1st November attended by the licensee, Ms Senkay Hussein, and the owner of the shop, Ms Cansu Ayril (Ms Hussein's daughter).

At this meeting, Ms Hussein and Ms Ayril were also informed of two complaints that had been received by Trading Standards. One was an anonymous complaint received in May 2011 by the Licensing Team which alleged that the shop sold alcohol and tobacco – including single cigarettes - to underage people; the other was from PC Mo Batson at Tollington SNT who was concerned that local underage youths may be obtaining alcohol from the shop and then causing a nuisance. It is important to note that there was no evidence provided to support these allegations. An advice pack on age-restricted goods was given to Ms Hussein and Ms Ayril and precautions the business should take to prevent underage sales were discussed.

A warning letter was sent to Ms Hussein and Ms Ayril two days after the meeting. The letter advised them to understand and follow the information on precautions to avoid sales of alcohol and tobacco to underage customers. The letter offered further advice if any was needed, although this offer was not taken up until after a sale of alcohol was made.

On 17th December 2011, Trading Standards undertook an operation to test business' compliance with the law prohibiting the sale of alcohol to persons under 18. A 15 year old female volunteer was asked to enter the shop and buy an alcoholic product. Ms Ayril, the owner, sold the volunteer a 275ml bottle of WKD Vodka Red (abv 4.0%). The volunteer was under observation from an officer from Trading Standards, who witnessed the sale.

Ms Ayril said she always asked for proof of age, but she looked at the volunteer and thought she looked old enough and mature. When she was asked what was acceptable as proof of age, she mentioned passports and driving licences, but not 'PASS' accredited age-cards.

No record of refusals could be produced – Ms Ayril said it was at home and explained that she had taken stuff from behind the counter home to sort through it. Condition 7 in Annex 2 of the licence states "Incident / Refusals book to be completed at the premises".

Soon after the sale Ms Hussein and Ms Ayril phoned Mr Love. They asked what was going to happen – Mr Love outlined the options, but explained a decision had not been made at the time – and requested that Mr Love visit the shop to give further advice on the precautions that could be taken. This visit has not happened by the time of writing, but Mr Love will be able to provide a verbal report to Committee about it if required.

There has only been one other attempted test purchase of age-restricted goods recorded at this premises in August 2011. The volunteer attempted to buy a single cigarette – this was refused outright – and then a pack of cigarettes. This was also refused after the seller requested proof of age and none was provided.

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.

Here is a summary of events supporting this application

23/03/11	TS advice	Business advised about avoiding sales of age-restricted goods during a Trading Standards inspection.
26/05/11	Seizure	Small seizure of illicit alcohol made by Trading Standards
19/08/11	Sale refused	Attempted test purchase of tobacco refused
01/11/11	Officer Panel	Advice given re avoiding underage sales and business notified of two complaints. Illicit alcohol matter dealt with.
19/11/11	Alcohol sale	An 'alcopop' sold to 15 year old volunteer by owner, Ms Cansu Ayrat.

Recommendations:

I have applied for this review, because there have been two serious breaches of the law by the business within 6 months.

The illicit alcohol was said to have been bought from a cash and carry business, but no invoices were produced.

The sale of alcohol by the owner of the business came shortly after face-to-face advice and notification of two complaints against the business. If the advice had been followed and anyone looking less than 25 was challenged for proof of age, then the sale would not have taken place.

There was no record of refusals kept at the premises, which, even in the short term, is contrary to a licence condition.

I do not canvass that the licence be revoked. However, the business has been involved in two serious breaches of the law within less than 6 months and it is important that the management of the business improves to ensure the risk of future non-compliance is minimised. I believe that the Committee will have to assess evidence produced by the licensee to the Committee, before they can decide whether added conditions will be sufficient to ensure the licensing objectives are promoted and the highest standards of management exhibited, or whether a suspension of the licence is also needed to give the licensee time to implement appropriate measures.

I propose the conditions that should be added are as follows:

- 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 the Challenge 25, the Retail of Alcohol Standards Group's advice for off-licences.
- 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 on the premises and made available for inspection by the licensing team, police or trading standards upon request.
- The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, 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 incidents or refusals to sell to young people in an incidents / refusals log. This log shall be checked and signed monthly by the designated premises supervisor. The log shall be kept on the premises and made available for inspection by the licensing team, police or trading standards upon request.

Adding these conditions would necessitate the removal of current conditions 7 & 9 in Annex 2, to avoid duplication / contradiction.

No conditions have previously been attached by the Licensing Authority.

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

10/2/12

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.



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

Tel : 020 7527 3874 / 4028

Email : douq.love@islington.gov.uk

Website : 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.

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



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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



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

T : 020 7527 3874
E-mail : doug.love@islington.gov.uk

Website : www.islington.gov.uk

Our ref: OP 311011

Date: 03/11/11

Ms Senkay Hussein & Ms Cansu Ayrat
Crisp n' Fresh
618 Holloway Road
London
N19 6PB

Dear Ms Hussein and Ms Ayrat,

WARNING LETTER

Thank you for attending the Licensing Officer Panel on Tuesday.

You were asked to attend the panel after eight bottles of wine and four bottles of High Commissioner whisky were seized by me during a joint visit to your shop with PS Robin Clark on 26th May 2011 as they were suspected of being illicit in that they were counterfeit (the three bottles of Blossom Hill wine) or non-duty paid.

You explained that you could not provide invoices for the goods as your accountant had all the invoices for the business, but that you believed they were purchased from cash & carry businesses.

Generally, if you buy from cash and carry businesses and never from anyone calling at the shop, you should minimise your risk of innocently buying illicit alcohol, although I would certainly recommend that you carry out a few basic checks on goods you purchase – particularly if buying from independent cash and carries. These checks are described in the guidance letter that is in the advice pack I gave you and that we discussed briefly at the meeting.

The Panel advises you to:

- **Read, understand and follow the advice** given in the 'Smuggled Alcohol and Tobacco Products' guidance that is in the advice pack.
- **Never buy alcohol or tobacco products from anyone who calls to the shop.** They are almost certain to be illegal in some way – smuggled, counterfeit or stolen. Counterfeit spirits can contain methanol and be very dangerous and potentially fatal to consume. If you cannot be sure what you are selling you could be in very serious trouble if one of your customers is ill as a result of drinking something supplied by you.
- **Be suspicious of cheap goods.** Over £1.80 in duty is payable on each bottle of wine, before VAT is added. With the costs of production and transporting the wine you should be very suspicious of any wine offered to you at a very low cost. The duty for a standard 70cl bottle of 40% abv spirits is £7.15, before VAT.
- **Keep copies of receipts** in the shop, so that if you do buy any product that turns out to be illegal you can quickly identify where it came from and provide evidence of the purchase. Never buy anything that is not detailed on the invoice.
- **Check purchased stock.** Some smuggled goods have been found in cash and carry businesses – particularly in independent ones. Buying all your stock from cash and carry businesses will minimise your risk of purchasing illicit alcohol, but you should still take a few simple precautions to ensure you do get caught out.

The Panel also advises you to understand and follow the information on precautions you can take to ensure that no sales of alcohol or tobacco are made to underage customers. It is important you do this, so that if one of your members of staff makes a mistake or doesn't follow instructions, you can avoid being responsible by being able to show you have taken all reasonable steps to avoid the offence.

Two other things were mentioned at the meeting.

- Please ensure that you are familiar with and in compliance with the conditions on the licence, such as the need to nominate an Assistant Manager for the occasions when neither of you are present at the shop.
- Please remember to ensure you update details on your personal licence (please inform Haringey Licensing Team) and premises licence (Islington's Licensing Team) as necessary.

We are not intending to take further action on this occasion, provided you complete and return the enclosed disclaimer form that passes ownership of the seized goods to Trading Standards so that we can dispose of them. However, we will revisit your shop in future. If any smuggled goods are found we will ask for your licence to be reviewed. Government guidance states that formal Licensing Committees ought to consider revoking licences in the first instance where smuggled alcohol is found on licensed premises. You may also be prosecuted.

To help protect your own business, please provide any information to us that may help us identify anyone who tries to sell you illegal alcohol or tobacco – for example, telephone numbers, vehicle registrations; CCTV recordings may all be useful. This will help us find them and help protect honest businesses from unfair competition. Any information we receive will, of course, be treated in complete confidence – we will never say who it came from. I have referred the information you provided at the meeting to Camden Trading Standards and the Safer Neighbour Team for that area.

Please contact me if anything in this letter needs further explanation or you need advice on other Trading Standards matters, or if you would like me to supply a uv torch (at the cost price of £5).

Yours sincerely,

Doug Love
Islington Trading Standards



**PREMISES LICENCE
LICENSING ACT 2003**

Premises licence number	LN/10522-050609		
Postal address of premises, or if none, ordnance survey map reference or description			
618 HOLLOWAY ROAD			
Post town	London	Post code	N19 6PB
Telephone number	07890 910 433		

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
For the ground floor
<ul style="list-style-type: none"> The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities																												
Delete any that do not apply																												
<ul style="list-style-type: none"> The sale by retail of alcohol: <table border="0"> <tr><td>Monday</td><td>11.00</td><td>to</td><td>00.00</td></tr> <tr><td>Tuesday</td><td>11.00</td><td>to</td><td>00.00</td></tr> <tr><td>Wednesday</td><td>11.00</td><td>to</td><td>00.00</td></tr> <tr><td>Thursday</td><td>11.00</td><td>to</td><td>00.00</td></tr> <tr><td>Friday</td><td>11.00</td><td>to</td><td>00.00</td></tr> <tr><td>Saturday</td><td>11.00</td><td>to</td><td>00.00</td></tr> <tr><td>Sunday</td><td>11.00</td><td>to</td><td>00.00</td></tr> </table> 	Monday	11.00	to	00.00	Tuesday	11.00	to	00.00	Wednesday	11.00	to	00.00	Thursday	11.00	to	00.00	Friday	11.00	to	00.00	Saturday	11.00	to	00.00	Sunday	11.00	to	00.00
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The opening hours of the premises:																												
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Tuesday	07.00	to	00.00																									
Wednesday	07.00	to	00.00																									
Thursday	07.00	to	00.00																									
Friday	07.00	to	00.00																									
Saturday	07.00	to	00.00																									
Sunday	07.00	to	00.00																									

Where the licence authorises supplies of alcohol whether these are on and/or off supplies
Off supplies

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence
Senkay Hussein 126 Higham Road London N17 6NR 07549 885 618

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Senkay Hussein
126 Higham Road
London
N17 6NR

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Z01N0422LY – London Borough of Waltham Forest

Islington Council
Public Protection Division
222 Upper Street
London N1 1XR
Tel: 020 7527 3031
Email: licensing@islington.gov.uk


Assistant Director - Public Protection

30/7/09

Date of Issue

Annex 1 - Mandatory conditions

1. No supply of alcohol may be made under the premises licence-
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. All door supervisors shall be licensed by the Security Industry Authority.
4. The admission of children to the exhibition of a film shall be restricted in accordance with the recommendation of a film classification body as defined in the Video Recordings Act 1984 or Islington Council acting as the licensing authority where it has given notice in section 20(3) of the Licensing Act 2003

Annex 2 - Conditions consistent with the Operating Schedule

1. An assistant manager shall be nominated at the premises.
2. Staff at the premises shall be trained on a regular basis.
3. The Health and Safety Policy and Risk Assessment shall be displayed at the premises.
4. The fire safety measures shall be maintained to the satisfaction of the London Fire Brigade.
5. The doors and windows of the premises shall remain closed as far as practicable so as to prevent a noise nuisance to local residents.
6. An alarm system that meets a minimum standard of BSEN50131 grade 1 must be installed at the premises. A panic button facility must be provided at the counter
7. Incident/Refusals book to be completed at the premises.
8. The premises shall be well lit both inside and out to deter offenders and support the CCTV (subject to any planning constraints).
9. CCTV shall be installed, operated and maintained inside and outside the premises in agreement with the Police. The system will enable a frontal head and shoulders image of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. A working copy shall be supplied free of charge to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request. It is the responsibility of the premise to download any recording requests.
10. Premises to adopt BII Challenge 21 The National Proof Of Age Standards Scheme.

Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 – Plans

Reference Number: 0106/1 Dated: July 2008

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **Robin Clark**..... URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer 181475**

This statement (consisting of: **1**..... pages each signed by me) 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 anything in it which I know to be false, or do not believe to be true.

Signature:  **PS LSW1**..... Date: **21.02.2012**.....


Tick if witness evidence is visually recorded (supply witness details on rear)

My name is Robin Clark and I am a Police Sergeant with the Metropolitan Police Service. I currently work as a Licensing officer at Islington Police Station. I have been given this specific responsibility by the Borough Commander who is acting under the written delegated authority of the Commissioner of Police for the Metropolis. A copy of this authority has been lodged with Islington Council Legal Department.

This statement is submitted in response to the review application made by the Mr David Fordham of Islington Council Trading Standards Service regarding the premises Crisp "N" Fresh, 618 Holloway Rd , N19 6PB

Having read the information provided by the council staff I strongly support this review application as I share the concerns the council staff has around the management of these premises. The management appear to be unable to reach the required standard to prevent breaches of the licensing act and to therefore prevent the risk of harm to the public and in particular children. It is my opinion that they fail to take seriously their obligations under the licensing act and when they have been caught breaching the act they offer up implausible excuses to explain their actions.

Islington Police are of the opinion that adding conditions will not improve the ability or attitude of the management and as such we request revocation of the licence. If the Committee feel this is too severe then we would request at least a suitable suspension and the addition of the conditions as proposed by Trading Standards.

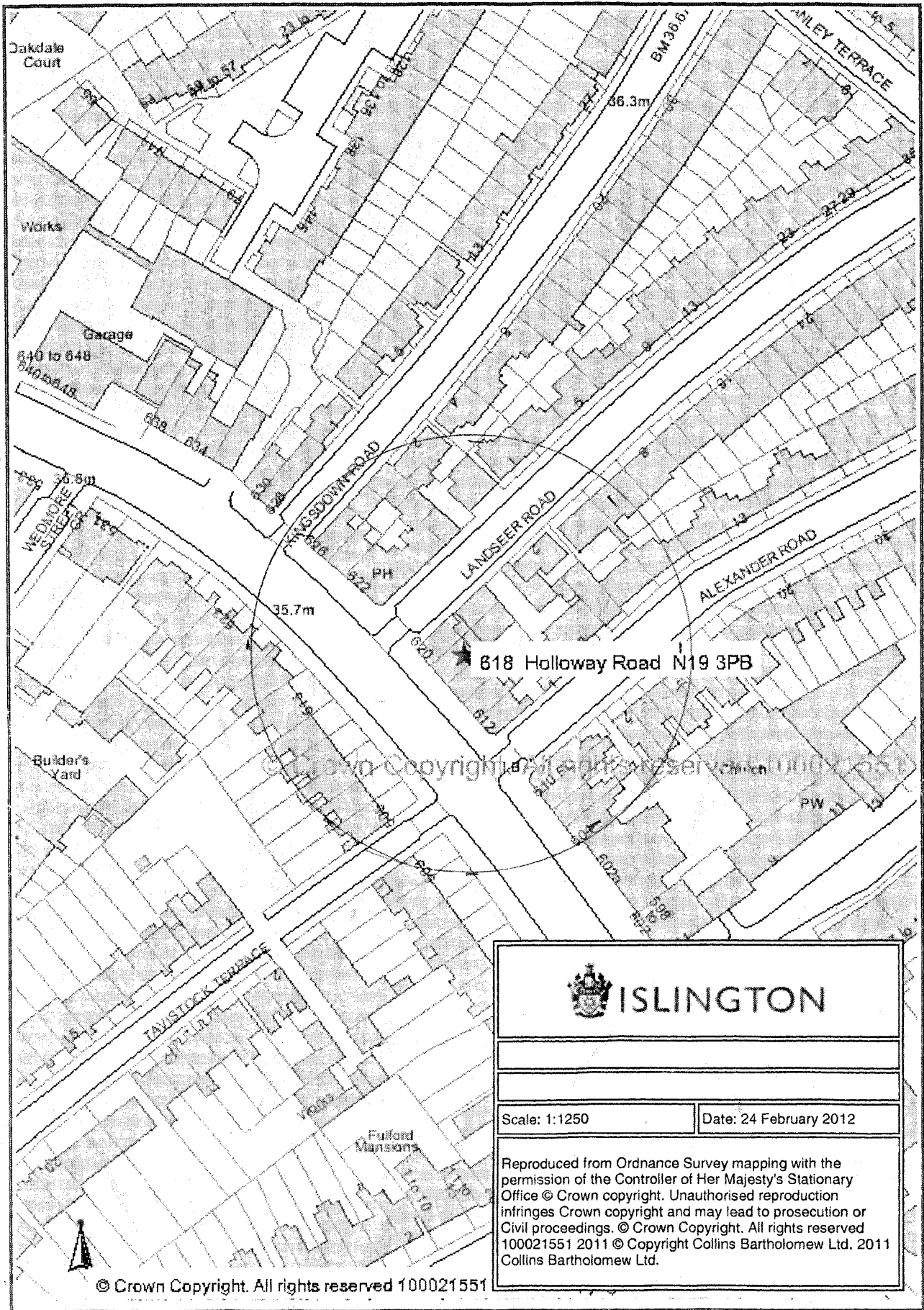
Signature:  **PS LSW1**..... Signature witnessed by:


Suggested conditions

As per current licence

Suggested conditions recommended by Trading Standards

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 the Challenge 25, the Retail of Alcohol Standards Group's advice for off-licences.
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.
10. The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, 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 by the licensing team, police or trading standards.



 ISLINGTON	
Scale: 1:1250	
Date: 24 February 2012	
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