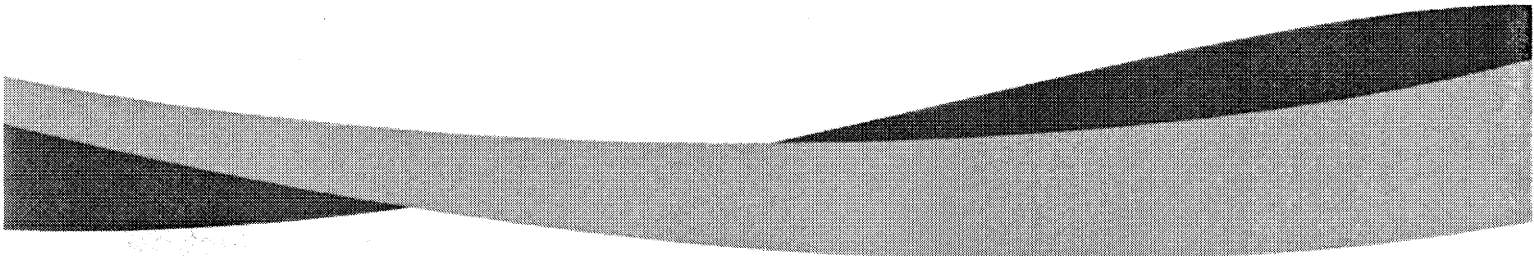




Report of: **Service Director, Public Protection**

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	14th June 2012		St. Mary's

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE REVIEW APPLICATION**  
**RE: YOUR SUPERMARKET, 8-10 WESTBOURNE ROAD, LONDON, N7 8AU.**

**1. Synopsis**

- 1.1 This is an application by 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) The prevention of crime and disorder; and
  - ii) The 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 currently holds a licence allowing:

- i) The sale by retail of alcohol, off supplies only, Mondays to Saturdays from 08:00 until 23:00 and Sundays from 10:00 until 22:30.

3.2 Papers are attached as follows:-

- Appendix 1: application form;
- Appendix 2: current premises licence;
- Appendix 3: representations;
- Appendix 4: suggested conditions and map of premise location.

3.3 Brief licence history at the premises:

- 24th November 2005, premises licence granted under the Licensing Act 2003;
- 28th February 2006, premises licence transferred to current licensee Mr Ibrahim Kilic;
- 6th December 2007, Mr Ibrahim Kilic becomes the Designated Premises Supervisor;
- 29th January 2008, seizure of counterfeit alcohol from the premises;
- 1st April 2008, additional single bottle of counterfeit alcohol seized;
- 17th December 2011, a sale of alcohol was made to an underage volunteer during a test purchase exercise at the premises;
- 24th February 2012, seizure of illicit alcohol from premises by HMRC during joint visit with Islington Council Trading Standards;
- 13th April 2012, Mr Ibrahim Kilic attends Islington Council offices for PACE interview;
- 27th April 2012, premises licence review sought.

3.4 The Licensing Authority has received 2 letters of representation from the responsible authorities for Noise and Health & Safety.

### **4. Planning Implications**

4.1 None.

**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

31/5/12

**Received by**

Head of Scrutiny and Democratic Services

Date

Report author: Dan Whitton

Tel: 020 7527 3841

Fax: 020 7527 3430

E-mail: dan.whitton@islington.gov.uk

APPENDIX 1

Application for the review of a premises licence or club premises certificate 1213 47866  
under the Licensing Act 2003

LN/3666

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. Due: 25/05

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:

**Your(s) Supermarket**

**8-10 Westbourne Road**

Post town: **London**

Post code: **N7 8AU**

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

**Ibrahim Kilic**

Number of premises licence or club premises certificate: **98962 / 3606-A**

**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: <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

- 
- 
- 
-

This application to review relates to the objectives to protect children from harm and to prevent crime and disorder and Licensing Policies 32, 39 and 28. It particularly relates to a sale of alcohol to an underage volunteer working with Trading Standards and the discovery of illicit alcohol in the shop. These incidents indicate that the highest standards of management have not been exhibited by the business.

Ibrahim Kilic has owned the business trading at 8-10 Westbourne Road, N7 since April 2004.

On 29<sup>th</sup> January 2008, three bottles of Glens vodka were seized from Your Supermarket at 8-10 Westbourne Road. The Glens was examined and found to be counterfeit and Mr Kilic was sent a warning letter on 9<sup>th</sup> April 2008, which noted a further counterfeit bottle had also been found at the shop on the 1<sup>st</sup> April 2008. Mr Kilic stated that the seized Glens had come from a cash and carry business.

On 27<sup>th</sup> May 2009, a sale of alcohol was made to an underage volunteer at G B Newsagents of 46 Roman Way, N7. The Licensee and Designated Premises Supervisor at this business at the time was Ibrahim Kilic and the seller was his sister, Nazife Kilic. On 8<sup>th</sup> June 2009, Mr Kilic attended an Officer Panel meeting to discuss the sale and to receive advice about how to avoid such sales in future. He was given Trading Standards' advice pack on age-restricted goods at the meeting and a letter was sent to him after the meeting, confirming that further breaches may result in his licence being reviewed. Three further attempted test purchases at the business resulted in no-sale.

On 17<sup>th</sup> December 2011, Nazife Kilic sold a bottle of WKD Vodka Blue at the Westbourne Road shop to a female volunteer, working with Trading Standards, who was 15 years old. Mr Love of Trading Standards witnessed the sale and he has reported that the volunteer was not asked to provide proof of age, although after the event Ms Kilic stated that her brother had instructed her to ask for ID whenever age-restricted goods were brought to the checkout by anyone looking less than 21. Ms Kilic explained that she normally asks for proof of age, but said she may have been distracted. It was not obvious to Mr Love what may have caused any distraction.

Ibrahim Kilic was not present at the time of the sale, but later came to the shop. He confirmed that the business did not keep a refusals book or any training records. Mr Love drew Mr Kilic's attention to some cheap Italian wine that he recognised as a brand often supplied without duty being paid. Mr Kilic stated that he had purchased it from a cash and carry business, but that he did not have the invoice in the shop. Mr Love advised that if HMRC officers visited the shop, they would seize the wine unless invoices could be provided and suggested that the invoice for this wine was kept in the shop until it had been sold.

Before deciding whether to apply for a review of this licence in relation to the underage sale, I asked Mr Love to organise an inspection of the business to check for illicit alcohol.

Written advice on illicit alcohol was sent by Trading Standards in March 2011 and December 2011 to all independent off-licences, including Your Supermarket, with covering letters warning licensees that their licences were at risk if illicit goods were found in their premises.

On 24<sup>th</sup> February 2012, officers from Trading Standards and HMRC visited the premises to inspect the stock of alcohol and tobacco. The HMRC officer seized the following goods:

**Smirnoff vodka** – 5 litres (5 x 1l): No duty stamps present.

**High Commissioner whisky** – 4.2 litres (6 x 70cl): Duty stamps do not fluoresce; incorrect shading on back label; and the wrong type of '4' is used on the barcode.

**Glens vodka** – 3.5 litres (5 x 70cl): Duty stamps do not fluoresce; and the wrong type of '4' is used on the barcode.

**Italian Wine** – 27.75 litres (37 bottles): Recognised by officers as brands that have regularly been smuggled and supplied in the region without duty being paid.

Had the advice issued by Trading Standards been followed, all the seized spirits would have been easily spotted as suspect.

The total duty that would have been evaded had the goods confirmed to have been illicit been sold is approximately **£213**.

On 13<sup>th</sup> April 2012, Ibrahim Kilic attended a PACE interview. At Mr Kilic's request a Turkish speaking officer was provided to assist with interpretation if required. Mr Love and PS Robin Clark were the interviewing officers. Some key points of the interview follow (timings in brackets):

IK confirms that he is the sole director of Celdana Ltd., which owns the business, as well as the licensee and designated premises supervisor. Celdana Ltd. has owned the business since 2006 (1.50)

IK confirms that he owned a shop business operating at 46 Roman Way between 2009 & 2011 (5.50)

IK confirms that he is responsible at the shop for buying alcohol and that he is not aware of any alcohol being bought from callers to the shop.

DL asks about the Smirnoff. IK said that it was bought from Dhamecha C&C in July 2011 for a shop he used to own at 4 Westbourne Road and that he should have a receipt for it. DL requests that a copy of the receipt be provided. DL expresses surprise that Dhamecha would sell spirits without a duty stamp, but IK insisted that it couldn't have come from anywhere else. (10.55)

IK is not sure where the Glens and High Commissioner came from, but he is sure it was a cash and carry business. (12.50)

When DL asks about the Conti Cantinieri wine seized, IK produces an invoice from Alpa C&C in Leyton. Although the invoice details only Alpa Premium wines and no Conti Cantinieri, IK insists it came from Alpa on this date and says he bought 70 cases of 6 bottles on that day. The invoice only records 34 cases of 6. IK states that he checks the number of cases purchased against the invoice, but concedes that a different description may not be noticed. (15.45)

IK does not remember receiving the mailshot sent out by Trading Standards re illicit alcohol in December 2011, but he does remember the one in March 2011 and had read it, but did not take any action. DL asked why he had subsequently bought Smirnoff without a duty stamp if he had read it and IK responded that he had made a mistake. He did not recall the warning about 'cheap Italian wine' in the letter. He has not purchased a uv light for the shop. He cannot say why he didn't follow the simple steps in the guidance to avoid selling illicit alcohol. He says sometimes his English is not good enough to understand official correspondence, but in this case his sister helped explain it to him. (23.15)

DL asks if IK took any action after the sale to an underage volunteer in December 2011. IK said that he had given his sister a final warning and instructed her to ask for proof of age from anyone wanting to buy age-restricted goods; they now used a refusals book; but still did not keep training records. IK admits that he did not follow DL's advice to check the invoices for the wine. (28.20)

IK apologises for the incidents. (34.20)

During the interview Mr Kilic requested that DL supply a uv-light and they agreed to meet at the shop, so that DL could give a demonstration about how to use it. This meeting has not taken place at the time of writing.

Trading Standards are concerned at the possession for supply of illicit alcohol for the following reasons:



- Illicit alcohol may be counterfeit and as such may be unsafe to consume. This is particularly true for vodka.
- The willingness to intentionally or recklessly break one law indicates the business is less likely to be compliant with other laws.
- The sale by retailers of illicit goods gives them an unfair advantage over law abiding businesses.
- Illicit goods are often smuggled into the country and / or produced by organised crime. It is believed that the profits are frequently used to fund other types of serious crime.
- The trade in illicit alcohol and tobacco causes huge losses to the UK's tax revenues.

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

29/01/08 & 01/04/08	Seizure	4 counterfeit bottles of Glens vodka seized from Your Supermarket. Written warning sent to Mr Kilic.
27/05/09	Sale	Nazife Kilic sold alcohol to a TS volunteer at the licensee's Roman Way shop. Advice and warning at Officer Panel resulted.
23/03/11 & 15/12/11	TS advice	Guidance on illicit alcohol and tobacco and covering letter sent to the business addressed to "The Licensee and Proprietor".
17/12/11	Sale	Nazife Kilic sold alcohol to a 15 year old girl volunteer at the Westbourne Road Shop. Ibrahim Kilic advised re Italian wine seen on shelves
24/02/12	Seizure	12.7l spirits; 37 bottles Italian wine seized by HMRC.

### Recommendations:

There are two reasons why this review application has been made.

This licensee's businesses have sold alcohol twice to TS volunteers in less than three years, although it should be noted that in this time there have also been five test purchases at the two shops that resulted in no sale. Mr Kilic was not following all the advice he had been given after the first sale in the Westbourne Road shop: there was no refusals book; no training records were kept; no posters were displayed. These omissions did not necessarily cause the second sale, but they deprive Mr Kilic of showing he had taken reasonable precautions and indicate that the business did not react to the first sale with a determination to avoid future sales.

The seizure of illicit alcohol was relatively small, but it is disappointing that a licensee – who must be aware of the amount of work Trading Standards have done in this area in the last 18 months – still does not heed written advice which would have identified the spirits as illicit nor a verbal warning to check the validity of the wine. It raises the question of just what it would take to get the reaction that should be forthcoming from a responsible licensee.

It is not believed that any of the seized alcohol is counterfeit, but it is non-duty paid and therefore illicit. Small businesses are in no position to tell how harmful illicit alcohol is, which is why it is so important to take appropriate steps to ensure they do not stock any.

I believe, at the time of writing, that the appropriate sanction in this case is revocation or a substantial suspension of the licence, to act as a deterrent to this licensee and others who do not follow our advice. If the Committee believes that a suspension is appropriate we would ask that the following conditions are also added:

- 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 instructions given to staff 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 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 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.

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 UR (UBishop)

Date 27 April 2012

Capacity authorised agent for Dave Fortham, 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.



# ISLINGTON

Environment and Regeneration

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

Mr I Kilic  
Your Supermarket  
8-10 Westbourne Road  
London N7 8AU

**T** 020 7527 3239  
**F** 020 7527 3038  
**E** jeff.scott@islington.gov.uk  
**W** www.islington.gov.uk

Please reply to: **Jeff Scott**  
Our ref: 133038  
Your ref:

Date: 9 April, 2008

Dear

**COUNTERFEIT GLEN'S VODKA**  
**TRADING STANDARDS VISIT 1/4/08**

I am writing to confirm the result of the analysis of one of three bottles of the Glens Vodka that were on display in your shop on 30/1/08.

The analyst opinion is that the sample was not genuine Glens Vodka, and therefore is being falsely described.

I revisited your shop on 1<sup>st</sup> April 2008 and I found another bottle of counterfeit Glens Vodka on display with a price label of £6.99.

Please be informed that 'Glens Vodka' is a Registered Trade Mark.

It is a criminal offence under the **Trade Marks Act 1994**, to sell, offer for sale, or distribute goods or packaging that bears a registered trade mark, without permission from the owner.

The penalty on conviction under the above Act is a fine up to **5000** or 6 months imprisonment.

I now request that you contact me within the next 14 days of the date of this letter with the details of the supplier(s) to you of Glens Vodka. Please also inform me if you have a receipt.



Yours faithfully

**Jeff Scott**  
**Principal Consumer Services Officer**

Enc.

## **Licensing Officers Panel**

In attendance at the Officers Panel were Jan Hart, Service Director for Public Protection, PC Don Stewart from the Metropolitan Police Service and Liane Bishop, an officer from the Trading Standards Department.

### **GB Newsagents, 46 Roman Way, London N7 8XF**

Ibrahim Kilic was in attendance at the Panel. Yesim Senler was translating for Mr Ghasseim.

JH – Introduced the Panel and explained its process. JH explained the meeting was informal and was to discuss the visit to the premises on 27 May, when alcohol was sold to two test purchase volunteers who were only 14 and 15 years old. JH advised that the Panel were concerned by the sale and wanted to make sure that they did not sell alcohol to underage people again. JH asked what he had done since the sale to ensure it would not happen again.

IK – Stated he wanted to explain something first and advised the Panel he had been working in off licenses since 1993. He had worked in Caledonian Supermarket for a year 2003-2004, Kensal Green and others shop in Westbourne Grove and Lewisham and had never had any problems with the Council or sold to underage people. IK stated it was the first time it had happened and that he was very sorry. IK advised that it was his sister who had sold and she had thought they were old enough. IK stated he had trained his sister. IK stated he had heard the area was a problem.

IK – Stated there was new CCTV system installed at the premises about two months ago which records 30 days of footage. HG stated he was doing everything he could to resolve the problem and was very sorry. IK confirmed that there would not be a repeat as he had been there four years and there had not been a problem. IK confirmed that he was sending his sister to get a personal licence and had applied to NARTS for one of their courses.

JH – Asked how many staff were at the premises.

IK – Confirmed there was his sister and his aunts son, normally two people at any one time.

JH – Asked what identification they asked for.

IK – Confirmed they asked for passport, driving licence and school ID.

JH – Stated they should not accept school ID, just passport and driving licence. JH advised that the Council were encouraging people to adopt Challenge 25, where people who looked to be under 25 were asked for identification. JH asked whether they had a refusals book.

IK – Asked what premises the Panel were referring to.



JH – Confirmed it was the premises at 46 Ramon Way.

IK – Stated he only took over that premises in May, about three weeks ago. IK stated the premises did not have a refusals book.

LB – Gave IK an underage sales pack in Turkish and a letter detailing the changes in the sale of tobacco laws.

IK – Asked whether the premises should be asking people who looked to be under 21 or 25.

JH – Confirmed they should ask for identification for people who looked to be under 25.

IK – Wanted to know whether the age for the sale of alcohol was 18, 21 or 25, as he was getting confused.

JH – Confirmed that the age was 18, but to ask for identification for people who looked to be under 25.

DS – Stated that it did not look good, if he had one sale in the first three weeks of taking over at the premises. DS said he hoped it was only a slip up.

JH – Confirmed that the premises would be tested again and if they got another sale, they would review the premises licence. JH advised HG should make sure all the staff were trained.

IK – Asked whether there was a problem in the premises, as he had recently been told that this was the case.

DS – Stated the problems were no more here than anywhere else in the Borough.

JH – Advised that the Council had been targeting Caledonian Road and so the children had just moved area.



# ISLINGTON

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

T 020 7527 3052  
F 020 7527 3057  
E carol.jones@islington.gov.uk  
W www.islington.gov.uk

Our ref:  
Your ref:

Date: 10 June 2009

Mr I Kilic  
22 Shearling Way  
London  
N7 9TP

This matter is being dealt with by:  
**Carol Jones**

Dear Mr Kilic,

## **LICENSING OFFICER PANEL - 8 JUNE 2009**

### **GB NEWSAGENTS, 46 ROMAN WAY, LONDON N7 8XF**

I am writing to confirm the outcome of your attendance at our Licensing Panel on the 8 June 2009, where you met with representatives of the Council and the Metropolitan Police.

You were asked to attend the panel following a test purchase exercise at the premises where alcohol was sold to a person under the age of 18 years by a member of staff at the premises.

At the meeting you advised the panel that you have a new CCTV system in place at the premises and are sending your sister, who made the sale on a personal licence course.

The Panel noted your experience within licensed premises and were pleased that you attended this Panel meeting, but were concerned that you had made a sale and had only taken over the premises three weeks ago. I advise you that the premises will continue to be monitored.

Further monitoring will take place and I must advise you that any further breaches will result in formal action, which could include a review of your licence. If you need to discuss this letter or any further matters, please contact Licensing on 020 7527 3803.

Yours sincerely

**Carol Jones**  
Licensing Officer

**If you would like this document in large print or Braille, audiotape or in another language, please telephone 020 7527 2000.**



CHARTER MARK  
AMER SERVICE EXCELLENCE



# ISLINGTON

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/uksi/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)**



# ISLINGTON

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.**

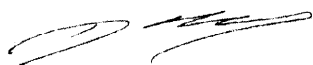
Trading Standards can supply you with a uv light for the small charge of £5 and an officer can visit your shop to give you a practical demonstration of how to use it.

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)

**PREMISES LICENCE  
LICENSING ACT 2003**

<b>Premises licence number</b>	98962/3606-A		
<b>Postal address of premises, or if none, ordnance survey map reference or description</b>			
<b>YOURS SUPERMARKET 8-10 WESTBOURNE ROAD</b>			
<b>Post town</b>	London	<b>Post code</b>	N7 8AU
<b>Telephone number</b>	020 7607 6818		

**Where the licence is time limited the dates**  
Not Applicable

**Licensable activities authorised by the licence**  
The sale by retail of alcohol

**The times the licence authorises the carrying out of licensable activities**

- The sale by retail of alcohol:
 

Monday	08:00	to	23:00
Tuesday	08:00	to	23:00
Wednesday	08:00	to	23:00
Thursday	08:00	to	23:00
Friday	08:00	to	23:00
Saturday	08:00	to	23:00
Sunday	10:00	to	22:30

Except on:  
 Good Friday: 08:00 to 22:30  
 Christmas Day: 12:00 to 15:00 and 19:00 to 22:30

**The opening hours of the premises:**  
Not specified

**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**

Mr Ibrahim Kilic  
22 Shearling Way  
London  
N7 9TP  
07737 161 786

**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**

Mr Ibrahim Kilic  
22 Shearling Way  
London  
N7 9TP  
07737 161 786

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

129590 – London Borough of Islington

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

  
Assistant Director - Public Protection

24 November 2008  
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.

## **Annex 2 - Conditions consistent with the Operating Schedule**

- 1) The restrictions on hours during which the sale of alcohol is authorised does not prohibit:
  - a) during the first 20 minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
  - b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of alcohol so ordered;
  - c) the sale of alcohol to a trader or club for the purposes of the trade or club;
  - d) the sale of supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval military.
- 2) Alcohol shall not be sold in an open container or be consumed in the licensed premises

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

Nil

## **Annex 4 – Plans**

Reference Number: 90585/18/07/2005

**Premises Licence Summary  
Licensing Act 2003**

**Premises licence number** 98962/3606-A

**Premises details**

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>			
<b>YOURS SUPERMARKET 8-10 WESTBOURNE ROAD</b>			
<b>Post town</b>	London	<b>Post code</b>	N7 8AU
<b>Telephone number</b>	020 7607 6818		

**Where the licence is time limited the dates**  
Not applicable

**Licensable activities authorised by the licence**  
The sale by retail of alcohol

**The times the licence authorises the carrying out of licensable activities**

- The sale by retail of alcohol:

Monday	08:00	to	23:00
Tuesday	08:00	to	23:00
Wednesday	08:00	to	23:00
Thursday	08:00	to	23:00
Friday	08:00	to	23:00
Saturday	08:00	to	23:00
Sunday	10:00	to	22:30

Except on:  
Good Friday: 08:00 to 22:30  
Christmas Day: 12:00 to 15:00 and 19:00 to 22:30

**The opening hours of the premises:**  
Not specified

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



**ISLINGTON**

**Name, (registered) address of holder of premises licence**

Mr Ibrahim Kilic  
22 Shearling Way  
London  
N7 9TP

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

**Name of designated premises supervisor where the premises licence authorises  
the supply of alcohol**

Mr Ibrahim Kilic

**State whether access to the premises by children is restricted or prohibited**

No restrictions

Islington Council  
Public Protection Division  
222 Upper Street  
London  
N1 1R  
Tel: 020 7527 3031  
Email: [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)



Mr Ibrahim Kilic  
Yours Supermarket  
8 – 10 Westbourne Road  
London  
N7 8AU

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  
W www.islington.gov.uk

Our ref : GW  
Your ref:

Date: 17 May 2012

Dear Sir

**Licensing Act 2003  
Representation from Responsible Authority for Health and Public Safety  
Yours Supermarket 8 – 10 Westbourne Road N7 8AU**

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 16 May 2012 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>	Yours Supermarket 8 – 10 Westbourne Road N7 8AU
<b>Public Safety</b>	The arrangements at the premises are insufficient for health and 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 17 May 2012 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 17 May 2012 for  
Yours Supermarket 8 – 10 Westbourne Road N7 8AU**

(1) In addition to the lighting, emergency lighting in compliance with BS 5266 – 1 should be provided in the parts of the premises specified below:

- Trading area of the shop so all gangways are clearly illuminated.
- Foot of basement stairs to clearly illuminate the exit route from the basement.

**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) Mains operated smoke alarms with a standby power supply such as a rechargeable or replaceable battery or capacitor in accordance with BS 5839 – 6 should be provided in the parts of the premises specified below:

- Trading area of the shop.
- Foot of basement stairs.

Smoke alarms should be sited so that no point is further than 7.5m from the nearest smoke alarm. Smoke alarms should not be mounted within 500mm of any walls or obstructions.

Smoke alarms should be interlinked so that detection of smoke by one unit operates the alarm signal in all of them. Smoke alarms should be wired in compliance with BS 7671 to a single independent circuit at the main distribution board. The circuit should be clearly labelled **Fire Alarm do not isolate**.

(3) The mechanical extract ventilation fan in the toilet cubicle should be replaced. The ventilation fan should extract direct to external air at a rate of not less than 6 litres/second.

The existing permanent ventilation grille in the toilet cubicle should be thoroughly cleaned.

(4) One water fire extinguisher (rating 13A) and one carbon dioxide fire extinguisher (rating 34B) should be provided 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) Copies of the inspection and test certificates specified below, certified by an approved competent person, should be submitted to the responsible authority for health and public safety.

- Electrical installation for the smoke alarm system.
- Emergency lighting.
- Fire extinguishers

An approved competent person for the testing and certification of electrical installations and emergency lighting should be one of the following:

A contractor enrolled with the National Inspection Council for Electrical Installation Contracting, or a member of the Electrical Contractors Association, or a competent person from an appropriate approved organisation.

Inspection and service certificates for fire fighting appliances should be obtained from an organisation certified by the British Approvals for Fire Equipment (BAFE), or a competent person from an appropriate approved organisation.



**ISLINGTON**

**PUBLIC PROTECTION DIVISION**

Noise Team  
159 Upper Street  
London N1 1RE

Tel: (020) 7527 3846  
Fax: (020) 7527 3057

2

Mr Ibrahim Kilic  
Yours Supermarket  
8-10 Westbourne Road  
Islington  
London N7 8AU

Please reply to: Eryka Bancroft  
E-mail:  
eryka.bancroft @islington.gov.uk  
Our Ref: ELK/Licensing/8-  
10WestbourneRoad/160512/1

Your Ref:

Date: 16<sup>th</sup> May 2012

Dear Mr Kilic,

**LICENSING ACT 2003: REVIEW  
YOURS SUPERMARKET 8-10 WESTBOURNE ROAD ISLINGTON N7**

Further to the above, I write enclosing a copy of our representation following the recent review brought by Trading Standards.

I hope the attached is self-explanatory if it should require further explanation I would be pleased to hear from you.

Yours sincerely

**Eryka Bancroft  
Senior Environmental Health Officer**

cc  
by email

Licensing Team  
Municipal Offices  
222 Upper Street

**Islington Licensing Authority  
Licensing Act 2003**

**REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES**

**Responsible Authority** - Environmental Protection

<b>Your Name</b>	Eryka Bancroft
<b>Job Title</b>	Senior Environmental Health Officer
<b>Postal and email address</b>	Noise Team Public Protection Division 222 Upper Street London N1 1XR
<b>Contact telephone number</b>	020 7527 3846

<b>Name of the premises you are making a representation about</b>	Yours Supermarket
<b>Address of the premises you are making a representation about</b>	8-10 Westbourne Road Islington London N7 8AU

***Please detail the evidence supporting your representation. Or the reason for your representation.  
Please use separate sheets if necessary***

**To prevent public nuisance**

We are making our representation for the minimisation and prevention of the risk of noise pollution to neighbouring residential occupiers.

Noise Team has visited the premises following the Review taken by Trading Standards. While we have no serious noise objections to the licence being retained we do have suggested conditions.

<p><b>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary.</b></p>	<p>A. Deliveries</p> <p>1. No deliveries will take place on Sundays or Bank Holidays and between the hours of 23:00 and 07:00 hours other days of the week.</p> <p>B. Rubbish Clearance</p> <p>1. No rubbish will be moved, removed or placed in outside the premises on Sundays or Bank Holidays and between the hours of 23:00 and 07:00 hours other days of the week.</p> <p>C. Notices</p> <p>Prominent, clear and legible notices must be displayed at the public exit to the premises requesting the public to respect the needs of local residents and to leave the area quietly.</p> <p>D. Noise and Vibration</p> <p>Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.</p>
---	---

Signed: \_\_\_\_\_ Date: 16<sup>th</sup> May 2012

Please send this form along with any additional sheets to the applicant. A copy should be sent to: Islington Council, Licensing Team, 159 Upper Street London N1 1RE 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**

**Suggested conditions of approval recommended by Health and Safety Officer**

1. The premises shall not be used under the licence until the requirements specified in the schedule dated 17 May 2012 have been completed and approved in writing by the responsible authority for health and public safety.


**Suggested conditions of approval recommended by Noise Team**

2. No deliveries will take place on Sundays or Bank Holidays and between the hours of 23:00 and 07:00 hours other days of the week.
3. No rubbish will be moved, removed or placed in outside the premises on Sundays or Bank Holidays and between the hours of 23:00 and 07:00 hours other days of the week.
4. Prominent, clear and legible notices must be displayed at the public exit to the premises requesting the public to respect the needs of local residents and to leave the area quietly.
5. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.

**Suggested conditions of approval recommended by Trading Standards**

6. No alcoholic goods will ever be purchased or taken from persons calling to the shop.
7. No spirits shall be purchased in a resealed box.
8. The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol.
9. 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.
10. A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.
11. 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.
12. 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.
13. The licensee shall adopt 'Challenge 25', the Retail of Alcohol Standards Group's advice for off-licences.
14. 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 and make them available for inspection upon request by the licensing team, police or trading standards.
15. 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.
16. 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.



 <b>ISLINGTON</b>	
<b>8-10 Westbourne road</b>	
Scale: 1:1250	Date: 31 May 2012
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