



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

<b>Meeting of:</b>	<b>Date:</b>	<b>Ward(s):</b>
Licensing Sub-Committee	06/08/2019	Holloway

		Non-exempt
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**SUBJECT: PREMISES LICENCE REVIEW APPLICATION**  
**RE: Korkmaz Food Centre, 363-365 Holloway Road, London, N7 0RN.**

**1. Synopsis**

- 1.1 This is an application by **Islington Council's Trading Standard's service** 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 is related to the following licensing objectives:
- i) The protection of children from harm.

**2. Relevant Representations**

Licensing Authority	Yes
Metropolitan Police	Yes
Noise	No
Health and Safety	No
Trading Standards	No
Public Health	Yes
Safeguarding Children	No

London Fire Brigade	No
Local residents	No:
Other bodies	No:

### **3. Background**

3.1 The premises currently holds a licence allowing:

- i) The sale of alcohol, off supplies only, Mondays to Sundays from 06:00 until 02:00 the following day; and
- ii) The premises to be open to the public, 24 hours a day, Mondays to Sundays.

3.2 Licensing History:

- 11<sup>th</sup> October 2010, the premises licence was granted to Mr Ocal Korkmaz, the current DPS;
- 16<sup>th</sup> April 2012, the premises licence was subject to an approved premises licence variation before a Licensing Sub-Committee, these are the currently authorised hours;
- 23<sup>rd</sup> December 2013, the premises licence was transferred to the current premises licence holder Mr Ozgur Korkmaz;
- 30<sup>th</sup> April 2019, Challenge 25 test purchase performed by the Trading Standards team, no ID challenge was performed;
- 1<sup>st</sup> May 2019, licensee was sent notice of the failed test purchase;
- 4<sup>th</sup> June 2019, test purchase exercise performed with a minor (aged 15), purchase was successful; and
- 17<sup>th</sup> June 2019, premises licence review application received.

### **4. Planning Implications**

4.1 No planning conflict in terms of established use or conditions.

### **5. Recommendations**

5.1 To determine the application to review the premises licence under Section 52 of the Licensing Act.

5.2 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.

5.3 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.

## 6. Reasons for recommendations

6.1 The Council is required to consider this application in the light of all relevant information, and if approval is given, it may attach such conditions as appropriate to promote the licensing objectives.

### Appendices:

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

### Background papers:

None.

### Final report clearance:

Signed by:



Service Director – Public Protection

Date

26.07.2019.

Report author: Licensing Service

Tel: 020 75027 3031

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

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Alonso Ercilla

*(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:

**Korkmaz Food Centre  
363-365 Holloway Road, London**

Post town: **London**

Post code: **N7 0RN**

Name of premises licence holder or club holding club premises certificate:  
**Mr Ozgur Korkmaz**

Number of premises licence or club premises certificate: **LN/13292-231213**

**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)

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

Name and address Alonso Ercilla Trading Standards Manager Public Protection Division 222 Upper Street London N1 1XR	
Telephone number:	<b>020 7527 4028</b>
E-mail:	<u><a href="mailto:alonso.ercilla@islington.gov.uk">alonso.ercilla@islington.gov.uk</a></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 a premises licence relates to the licensing objective to protect children from harm. In particular, it relates to the sale of alcohol to a person under the age of 18 years of age.

A copy of the licence is enclosed as item 1.

### Background

On 30<sup>th</sup> April 2019, the Trading Standards Service conducted a test purchase using a young adult (aged 18) to see if the Challenge 25 policy was being operated on the premises, in accordance with the licence conditions. A purchase of one 250ml can of Malibu and pineapple with an ABV of 5% was made for £2.49 and no challenges regarding identification were made by the business, indicating that the Challenge 25 policy was not in operation in the store.

On 1st May 2019, a letter was sent by the Trading Standards service (copy attached as item 2) to the licensee, Mr Ozgur Korkmaz, in order to inform him of the Challenge 25 test purchase failure and invite him in for our next training session on 14<sup>th</sup> May. The letter also warned that an underage test purchase in the near future would be highly likely. No response to this letter was ever received and no one from the business ever contacted us to book attendees onto the training course.

On 4<sup>th</sup> June 2019, Trading Standards conducted a formal test purchase using a minor (aged 15) and an employee of the business sold one 440ml can of Carling with an ABV of 4% to a person under the age of 18, contrary to s.146 of the Licensing Act 2003. A Penalty Notice for Disorder was served on the seller by the Police. Photos of the can purchased are attached as items 3 and 4.

Challenge 25 posters were displayed in the store. Louise Smedley of the Trading Standards service spoke to the manager on the premises, Mr Yucel KORKMAZ who said that he did receive the Challenge 25 letter and retrained all staff as a result of it. However, no records of this refresher training were produced. Neither the PLH or DPS were present at the time. Refusals registers were produced, however, these had not been completed since 2014 for alcohol and 2017 for tobacco. Photos of these refusals logs are enclosed as items 5 and 6. There was no evidence of any training prior to this in relation to age restricted products.

During the visit, cans of Polish Perla beer were displayed for sale in the fridges. A photo of these cans is provided as item 7. Perla is known to be illicit as it has no English labelling on it, indicating that it is not intended for sale on the UK market and is therefore illegally imported duty evaded alcohol. A photo was taken of the cans in the fridge. The detriment caused by illegal alcohol cannot be understated. It can be bought very cheaply because duty is evaded and means that shops can undercut their rivals unfairly, which might also encourage vulnerable street drinkers to drink more than they might otherwise. It also means that the end user may not be able to understand what the beverage contains because the labelling is not in English, as required by law.

### Recommendations

We believe that, at the very least, a suspension is appropriate in this instance in order for the business to train staff and implement active and meaningful procedures in relation to the sale of age restricted products. Currently, we would need persuading that the licensee is fit to hold a licence, given the lack of evidence of the licence conditions concerning age restricted sales being applied, the duty evaded alcohol found in possession for sale and the absence of engagement with us.

The licence is equipped with suitable conditions but we have little or no confidence that age restricted sales are being taken seriously. This is shown by:

1. The sale of alcohol to someone under 25 without asking for ID
2. The lack of response to our letter offering free training
3. The sale of alcohol to a minor
4. The absence of staff training records
5. The token and extremely sporadic use of a sales refusal record

The sale of alcohol to a minor is a serious matter and is a criminal offence under s146 of the Licensing Act 2003. The premises licence is already suitably equipped with licence conditions (specifically; annex 2, condition 9 which relates to the adoption of a Challenge 25 policy; condition 10 which relates to the training of staff in relation to age restricted products and condition 12 in relation to the maintaining of refusals logs).

The concern is therefore that the licence conditions are being given little or no regard by the PLH. This is not a case of poor training of staff but of no apparent training of staff, which, in our view, shows complete disregard to the licensing objectives. The fact that illegal alcohol was found, only serves to aggravate the scenario and illustrate the extent to which the licensee shows disregard to the licensing objectives.

Please tick ✓ yes

Have you made an application for review relating to this premises before No

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

17-6-19

Capacity Trading Standards Manager

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)





**PREMISES LICENCE  
LICENSING ACT 2003**

<b>Premises licence number</b>	LN/13292-231213		
<b>Postal address of premises, or if none, ordnance survey map reference or description</b>			
KORKMAZ FOOD CENTRE 363-365 HOLLOWAY ROAD			
<b>Post town</b>	LONDON	<b>Post code</b>	N7 0RN
<b>Telephone number</b>			

<b>Where the licence is time limited the dates</b> Not Applicable
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<b>Licensable activities authorised by the licence</b> <b>Ground floor</b>
<ul style="list-style-type: none"> <li>The sale by retail of alcohol</li> </ul>

<b>The times the licence authorises the carrying out of licensable activities</b>																																			
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<b>Gaming Machine Provision:</b> Not permitted
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<b>The opening hours of the premises:</b>																																			
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<b>Where the licence authorises supplies of alcohol whether these are on and/or off supplies</b> Off supplies
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**Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence**

Mr Ozgur Korkmaz

[Redacted]

**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**

[Redacted]

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

[Redacted]

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)

\_\_\_\_\_  
Service Director - Public Protection

\_\_\_\_\_  
Date of Issue

Licensing

## **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. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

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

1. No deliveries of licensable goods and waste collections between 23:00 and 07:00, Mondays to Saturdays. No deliveries of licensable goods and waste collections on Sundays and Bank Holidays.
2. No alcoholic goods will ever be purchased from sellers calling to the shop.
3. The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol.
4. No spirits in re-sealed cases will be purchased.
5. 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.
6. A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.
7. 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.
8. If any spirits bought by the company 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.
9. The licensee shall adopt the Challenge 25, the Retail of Alcohol Standards Group's advice for off-licences.
10. 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 licensee shall keep records of training and instruction given to staff.
11. The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards for example 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.
12. 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.
13. CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable frontal identification 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. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request.

14. An incident book shall be used to record all instances of public disorder.
15. Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.

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

None

**Annex 4 – Plans**

Reference Number: 02/HOLL/AUGUST/2011

Licence



## Premises Licence Summary

### Licensing Act 2003

<b>Premises licence number</b>	LN/13292-231213		
<b>Postal address of premises, or if none, ordnance survey map reference or description</b>			
KORKMAZ FOOD CENTRE 363-365 HOLLOWAY ROAD			
<b>Post town</b>	LONDON	<b>Post code</b>	N7 0RN
<b>Telephone number</b>			

<b>Where the licence is time limited the dates</b>
Not Applicable

<b>Licensable activities authorised by the licence</b>
<b>Ground floor</b>
<ul style="list-style-type: none"> <li>The sale by retail of alcohol</li> </ul>

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

**Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence**

Mr Ozgur Korkmaz

[REDACTED]

**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**

[REDACTED]

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

No restrictions

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)

Summary

Item 2



ISLINGTON

Mr Ozgur Korkmaz  
Korkmaz Food Centre  
363-365 Holloway Road  
London  
N7 0RN

Trading Standards  
Public Protection  
222 Upper Street  
London N1 1XR

**T** 020 7527 2235  
**E** [louise.smedley@islington.gov.uk](mailto:louise.smedley@islington.gov.uk)  
**W** [www.islington.gov.uk](http://www.islington.gov.uk)

Our ref: WK/190012470

Date: 1st May 2019

This matter is being dealt with by:  
**Louise Smedley**

Dear Mr Korkmaz,

**CHALLENGE 25**

Your business has been tested recently to see whether you were challenging customers buying alcohol for proof of age appropriately.

A young person, working with Trading Standards, visited the shop and purchased alcohol. I regret to say that they were not challenged to provide proof of age even though they are clearly under 25.

***We advise you to ask anyone who appears to be under 25 for valid ID to prove that they are old enough to buy age restricted goods. Simply asking someone how old they are is not enough to prevent all sales and would not be an adequate defence were you to sell in future to someone who lied about their age.***

No offence has been committed today by the business or the person who sold. However, I urge you to take steps to ensure that Challenge 25 is used **every time** a young person attempts to buy age-restricted goods. If you do not, you may sell to underage buyers, which will put you at risk of prosecution.

Given that you did not challenge appropriately on this occasion **it is very likely that your business will be test purchased using an underage person in the next few months.**

I highly recommend that you and staff members attend one free Council training session on age-restricted sales. Details can be found on the attached leaflet.

I hope this helps. Please contact me using the details provided above, should you have any further questions regarding this matter.

Yours sincerely,

**Louise Smedley**  
**Senior Trading Standards Officer**

## **Free Training on Age Restricted Goods**

Islington Council is offering free, high quality training sessions for retailers of age-restricted goods.

I am inviting you to attend the next session which will be held on **Tuesday 14<sup>th</sup> May 2019 at 14:00** (until 16:00).

The sessions are structured to be suitable for both licensees, managers and employees and (subject to capacity) are open to all. Feedback from people attending previous sessions has been excellent.

The sessions can be used as part of a training programme for employees and will:

- Offer practical advice on how to avoid underage sales
- Help you to understand the potential consequences of a sale for yourself and the business
- Explain how confrontation can be minimised
- Obtain information on how to successfully challenge young people

The training is **free!**

If you cannot make this date, please contact me for further information about future dates.

All courses are held at the main Council Offices at **222 Upper Street, Islington, London, N1 1XR.**

To confirm your place, please respond to me using the above details by telephone or email with the full name of each attendee to you wish to send and their role in the business.

Please feel free to contact me using the details provided above should you have any further questions regarding this matter.

Louise Smedley

Islington Trading Standards Service

Item 3



Item 4





Item 6

	Date	Time	Product	Reason for Refusal	Signature	Witness Signature	Other Details
1	14/01/2017	20:15	STERLING KING SIZE	NO ID			Sevgi
2	15/01/2017	14:40	Lighter	NO ID			Sevgi
3	18/01/2017	16:00	Pall Mall	NO ID			Sevgi
4	19/01/2017	13:21	WINSTON BULK	NO ID			Sevgi
5	23/01/2017	10:48am	Gold leaf	NO ID			Alev
6	23/01/2017	14:24	Rothmans	Don't like the new pack			Alev
7	24/01/2017	14:32	Mayfair	NO ID			Alev
8	26/01/2017	12:56pm	Filters	NO ID			Alev
9	31/01/2017	16:03	Ambleleaf	NO ID			Alev
10	3/01/2017	17:34	Rothmans	NO ID			Alev
11	4/01/2017	7:01	GV tobacco	NO ID		Simge	Alev
12	11/21/2017	4:56	Tabacco	NO ID	S. Salmar	Sevgi	Simge
13						Yuce I	Simge
14							
15							
16							
17							
18							
19							

Item 7





**PREMISES LICENCE  
LICENSING ACT 2003**

<b>Premises licence number</b>	LN/13292-231213		
<b>Postal address of premises, or if none, ordnance survey map reference or description</b>			
KORKMAZ FOOD CENTRE 363-365 HOLLOWAY ROAD			
<b>Post town</b>	LONDON	<b>Post code</b>	N7 0RN
<b>Telephone number</b>			

<b>Where the licence is time limited the dates</b>
Not Applicable

<b>Licensable activities authorised by the licence</b>
<b>Ground floor</b>
<ul style="list-style-type: none"> <li>The sale by retail of alcohol</li> </ul>

<b>The times the licence authorises the carrying out of licensable activities</b>																																			
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<b>Gaming Machine Provision:</b>
Not permitted

<b>The opening hours of the premises:</b>																																			
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<b>Where the licence authorises supplies of alcohol whether these are on and/or off supplies</b>
Off supplies

**Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence**

Mr Ozgur Korkmaz

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**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 Ocal Korkmaz

[REDACTED]

[REDACTED]

[REDACTED]

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

[REDACTED]

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)

\_\_\_\_\_  
Service Director - Public Protection

\_\_\_\_\_  
Date of Issue

Licensing

## **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. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

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

1. No deliveries of licensable goods and waste collections between 23:00 and 07:00, Mondays to Saturdays. No deliveries of licensable goods and waste collections on Sundays and Bank Holidays.
2. No alcoholic goods will ever be purchased from sellers calling to the shop.
3. The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol.
4. No spirits in re-sealed cases will be purchased.
5. 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.
6. A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.
7. 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.
8. If any spirits bought by the company 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.
9. The licensee shall adopt the Challenge 25, the Retail of Alcohol Standards Group's advice for off-licences.
10. 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 licensee shall keep records of training and instruction given to staff.
11. The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards for example 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.
12. 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.
13. CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable frontal identification 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. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request.

14. An incident book shall be used to record all instances of public disorder.
15. Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.

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

None

**Annex 4 – Plans**

Reference Number: 02/HOLL/AUGUST/2011

Licence



## Premises Licence Summary

### Licensing Act 2003

<b>Premises licence number</b>	LN/13292-231213		
<b>Postal address of premises, or if none, ordnance survey map reference or description</b>			
KORKMAZ FOOD CENTRE 363-365 HOLLOWAY ROAD			
<b>Post town</b>	LONDON	<b>Post code</b>	N7 0RN
<b>Telephone number</b>			

<b>Where the licence is time limited the dates</b>
Not Applicable

<b>Licensable activities authorised by the licence</b>
<b>Ground floor</b>
<ul style="list-style-type: none"> <li>The sale by retail of alcohol</li> </ul>

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<b>Gaming Machine Provision:</b>
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<b>Where the licence authorises supplies of alcohol whether these are on and/or off supplies</b>
Off supplies

**Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence**

Mr Ozgur Korkmaz

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**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 Ocal Korkmaz

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

No restrictions

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)

Summary

**Date:** 23/06/2019



**METROPOLITAN POLICE  
SERVICE**

**Islington Police Licensing Team  
Islington Police Station  
2 Tolpuddle Street  
London  
N1 0YY**

Telephone: 07799133204  
Email:  
Licensingpolice@islington.gov.uk

**Date 23<sup>rd</sup> June 2019**

**Re: Korkmaz Food Centre, 363-365 Holloway Road, London, N7 0RN**

I am submitting a representation on behalf of the Police licensing team in respect to the review application submitted by Islington Council's Trading Standards team in relation to the above premises.

The issues that concern us regarding the above premises are Alcohol induced crime, Disorder and Antisocial behaviour and the association of children and alcohol.

During a test purchase operation on Tuesday the 04/06/2019, a member of staff at this premises sold alcohol to an underage person. During the interaction with the underage patron the member of staff did appear to take a close look at him and even a second look declined to challenge him. Once the transaction was made we spoke to the member of staff and he appeared genuinely surprised that he had sold to an underage person. We explained that whenever there is doubt an age verification should be done and he accepted, which is when a Penalty Notice for Disorder was served.

The location of the premises is within close proximity to the Emirates stadium and on match there is a massive footfall in the area so maintaining the licensing objectives are paramount. In the Holloway area, out of 126 crimes reported in April 2019 25 of those were related to anti social behaviour, 10 were drug related and there were 8 reported thefts. Similarly in March of the same year there were 162 crimes and 6 were drug related incidents, 12 thefts and 26 reported incidents of Anti social behaviour.

Selling alcohol to the underage is an offence we take very seriously and the test purchase shows that this venue to be breaching it's licensing conditions and not promoting the licensing objectives of; "The prevention of public nuisance" and "Protection of harm against children.

We believe that should all members of staff be trained regularly and records of who was trained and when were frequently checked and kept up to date then selling alcohol to underage people or not enforcing challenge 25 would no longer be an issue. Training every 3 to 6 months on maintaining the licensing objectives would ensure that the premises is run to the desired standard.

Islington police licensing team support the proposed review of this premises by Islington trading standards as at this current time it appears that the licensing objectives are not being adhered to, as evidenced by this unchallenged sale of alcohol to a juvenile during a test purchase operation.

Pc Beta Cauwenbergh  
Islington Police Licensing Team  
Islington Police Station  
Tolpuddle Street  
London N1



**Licensing Act 2003****Licensing Authority Representation****Premises Licence Review Application:****Korkmaz Food Centre, 363-365 Holloway Road, London, N7 0RN**

I am submitting a representation on behalf of the Licensing Authority with respect to the premises licence review application, submitted by Islington Council's Trading Standards team in relation to the above premises.

The premises currently benefits from a premises licence authorising:

- The sale by retail of alcohol, off supplies only, Mondays to Sundays from 06:00 until 02:00 the following day; and
- The premises to be open to the public 24 hours, 7 days a week.

**The grounds for the representation are:**

- Prevention of Crime & Disorder; and
- Protection of Children from Harm.

**Licensing Policy Considerations**

*Licensing Policy 4*                      *Shops selling alcohol;*

*Licensing Policy 5 & 6*                *Licensing hours;*

*Licensing Policy 8*                    *Standards of Management;*

*Licensing Policy 14*                  *Alcohol induced Crime, Disorder and Antisocial Behaviour*

*Licensing Policy 28*                  *Children & Alcohol; and*

*Licensing Policy 29*                  *Review of Premises Licences*

**Issues of Concern**

- The Licensing Authority supports the Trading Standards team's application to review the premises licence as it believes the standards of management of the premises (LP8) are well below that which we would expect. This is of particular concern when dealing with a shop selling alcohol (LP4). The reported failures in relation to staff knowledge and training very much highlights these inadequacies.
- The premises is situated within the Holloway & Finsbury Park Cumulative Impact Area where alcohol induced ASB and crime (LP14) is referenced as a local concern and linked to premises with poor controls, often in connection with the sale of alcohol to underage children.
- Restricting access to alcohol for children under 18 has been a high priority for Islington Council (LP28) and is the reason premises licences, such as this one, have conditions attached to aid such. The findings of the Trading Standards team in this case clearly identify failures in compliance with the conditions under which the issue of this licence was approved.

- It should also be noted that the premises is licensed for the sale of alcohol until 02:00 seven days a week and is situated within close proximity of Arsenal Emirates Stadium which again raises significant concerns as to the standards of management at the business.

## **Summary**

The management of the premises has been shown to be inadequate with significant compliance and training failures, these failures have, in the view of the Licensing Authority, directly led to the test purchase failure on 4<sup>th</sup> June 2019.

The Licensing Authority therefore supports the Trading Standards recommendation that a suspension of the premises licence is considered as a minimum penalty in this case.

Janice Gibbons

Service Manager – Environmental Health

15<sup>th</sup> July 2019

## Licensing Act 2003

### Representation from Camden and Islington Public Health on behalf of health bodies providing services in Islington.

#### Korkmaz Food Centre, 363-365 Holloway Road, London, N7 0RN,

We are submitting a representation in response to the request by Islington Trading Standards for a review of the license for the above premises. Islington Trading Standards have brought this review following the sale of alcohol to a person aged under-18 years. Islington Trading Standards report that on 04/06/19 alcohol was sold to an under-age volunteer (15 years) working with them. This followed the sale of alcohol on the 30/04/19 to an 18 year old without asking for any identification, this failed to meet the requirements of Challenge 25, which is a condition on the licence of this premises.

Public Health are further concerned by the evidence provided by Islington Trading Standards which shows that the premises are selling alcohol not intended for sale in the UK market. Alcohol not intended to be sold in the UK market means that labelling is not in English and the end buyer will not understand what the beverage contains.

This representation is on behalf of Camden and Islington Public Health Department, which as a health body is a responsible authority.

The grounds for the representation are:

- The protection of children from harm

The relevant policies in Islington's Licensing Policy

- Licensing policy 14: The Licensing Authority expects licensees to operate to the highest standards of management, and to cooperate with responsible authorities, to prevent: The sale of alcohol to underage children
- Licensing policy 28: Children and alcohol

#### Alcohol and Children and Young People

The Chief Medical Officer's guidance on alcohol advises that an alcohol free childhood is the healthiest and best option. This is because there is well-documented evidence of the association between alcohol consumption and harm to children and young people aged under-18<sup>1</sup>.

Research shows that alcohol use in young people is associated with a range of health risks. Alcohol poses a greater health risk to children than adults because they are still developing mentally and physically. Alcohol poses both short-term health risks to children such as acute alcohol poisoning and longer terms developmental risks. Harms are experienced in both those who binge drink and those who drink regularly. A single incident of drunkenness can have severe consequences for a person aged under 18.

---

<sup>1</sup> (Guidance on the Consumption of Alcohol by Children and Young People, Department of Health, 2009)

Department of Health guidance provides evidence that drinking alcohol is associated with an increased likelihood of having sex and at a younger age, unprotected sex, teenage pregnancy, and the likelihood of contracting sexually transmitted infections

Alcohol use in young people is also associated with injuries from accidents or from fighting; perpetrating or being the victim of alcohol-related crime and violent crime; involvement in anti-social behaviour; school absenteeism; and poor academic performance.

There is evidence that early age of drinking onset is associated with an increased likelihood of developing alcohol misuse or dependence in adolescence and adulthood, and with dependence at a younger age.

Off-licences play a considerable role in underage access to alcohol. In one national survey, 10% of 15 year olds who reported having drunk in the last four weeks said they bought this themselves from an off-licence (Smoking, drinking and drug use among young people in England survey, 2016) <sup>2</sup>.

The licensing policy emphasises restricting access to alcohol for children as a high priority in Islington in order to help reduce the anti-social behaviour and health issues associated with underage drinking.

### **The impact of underage drinking in Islington**

The impact of alcohol on young people is particularly great in Islington. The borough had the highest rate of alcohol specific admissions in London among those under 18 years, during the period 2015/16-2017/18 – a rate that, statistically, was significantly higher than the London average.

Over the period between 2015/16-2017/18, there were 43 young Islington people<sup>3</sup> aged under 18 admitted to hospital with an alcohol-specific condition. Alcohol specific conditions are directly caused by alcohol, such as alcohol poisoning, rather than one exacerbated by alcohol. This figure does not include those who only attended accident and emergency but were not admitted.

### **Conclusion**

Islington experiences the highest level of alcohol-related harm among children and young people in London, and sales of alcohol to under-18 year olds is a significant source of alcohol for young people.

The Islington Licensing Policy states that licensees supplying alcohol to underage young people can expect the Licensing Authority to impose additional controls and sanctions and repeat offenders run the risk of their licence being reviewed. Islington Public Health fully supports the review of this licence.

### **Recommendation**

---

<sup>2</sup><https://digital.nhs.uk/data-and-information/publications/statistical/smoking-drinking-and-drug-use-among-young-people-in-england/2016>

<sup>3</sup> <https://fingertips.phe.org.uk/profile/local-alcohol-profiles>

Islington's Public Health Department recommends that the committee takes account of the impact of alcohol-related harm to under-18s in Islington and the impact of selling high strength alcohol in considering the recommendations made by Islington Licensing Authority.

